



1111 Bayou
La Marque, Texas 77568
409.938.9202

Mayor Bobby Hocking
Mayor Pro- Tem Keith Bell- District A

Councilmember Chris Lane- District B
Councilmember Robert Michetich- District C
Councilmember Clent Brown- District D

OFFICIALLY POSTED ON THE WEB: DATE: 5.13.2016 TIME: 11:00 a.m.
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SPECIAL CITY COUNCIL AGENDA

Notice is hereby given that the City Council of the City of La Marque, Texas will conduct a Special City Council Meeting on Thursday, May 19, 2016 at 4:00 p.m. at 1109-B Bayou Road for the purpose of considering the following agenda:

- (1) CALL MEETING TO ORDER**
- (2) ROLL CALL**
- (3) INVOCATION AND PLEDGE OF ALLEGIANCE**
- (4) CITIZENS PARTICIPATION**
- (5) NEW BUSINESS**
 - a. Discussion/possible action regarding Resolution No. **R-2016-009**, approving an Assignment and Assumption Agreement between the City of La Marque and The Texas City Housing Authority
- (6) ADJOURNMENT**

CERTIFICATION:

I hereby certify that the above notice of meeting was posted at 1109-B Bayou Road,
La Marque, Texas on or before May 13, 2016 before 5:00 p.m.

Robin Eldridge, TRMC
City Clerk

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• This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or
• interpretive services must be made 48 hours prior to this meeting. Please contact the City Clerk's office at (409) 938-
• 9259, or Fax (409) 935-0401, or e-mail cityclerk@cityoflamarque.org for further information.
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RESOLUTION NO. R-2016-009

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, APPROVING ASSIGNMENT AND ASSUMPTION AGREEMENT THE CITY OF LA MARQUE AND THE TEXAS CITY HOUSING AUTHORITY AND AUTHORIZING THE MAYOR TO EXECUTE THE SAME.

WHEREAS, the City of La Marque, Texas, as a "Public Housing Agency" as defined in the United States Housing Act of 1937, has been participating in a Section 8 Voucher Program with authority for 58 units and related budget and contract authority within Project Numbers TX530V00095 and TX530V00096, which is part of certain Master Section 8 Annual Contribution Contracts entered into, or to be entered into, between the City of La Marque, Texas, and the United States of America, acting by and through the U. S. Department of Housing and Urban Development pursuant to the Section 8 Housing Assistance Payments Program; and

WHEREAS, the Texas City Housing Authority has been acting in behalf of the City of La Marque in the performance of all terms, covenants and conditions of the Master Section 8 Annual Contribution Contract; and

WHEREAS, it has been determined that it would behoove the City of La Marque, Texas, to assign to the Texas City Housing Authority said contracts; and

WHEREAS, the Texas City Housing Authority has agreed to accept the assignment of said contracts. **NOW, THEREFORE**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS:

That the Assignment and Assumption Agreement City of La Marque and the Texas city Housing Authority, a copy of which is attached as Exhibit "A", is hereby approved.

That the Mayor is hereby authorized to execute the Assignment and Assumption Agreement City of La Marque and the Texas City Housing Authority.

PASSED, APPROVED AND ADOPTED this the _____ day of _____, 2016.

THE CITY OF LA MARQUE, TEXAS

By: _____
Bobby Hocking, Mayor

ATTEST:

By: _____
Robin Eldridge, City Clerk

APPROVED AS TO FORM:

By: _____
Ellis J. Ortego, City Attorney

EXHIBIT "A"

ASSIGNMENT AND ASSUMPTION AGREEMENT
City of La Marque & the Texas City Housing Authority

KNOW THAT the City of La Marque, Texas (hereafter collectively referred to as City of La Marque, a "Public Housing Agency" as defined in the United States Housing Act of 1937, as amended, 42 U.S.C. 1437, et seq., (referred to as the "1937 Act"), assignor, in consideration of a sum of one (\$1.00) and other good and valuable consideration, paid by the Texas City Housing Authority which is also a Public Housing Agency as defined in the Act, assignee, hereby assigns unto as assignee, all of its right, title and interest in, of and to Section 8 Voucher Program authority for 58 units and related budget and contract authority within Project Number TX530VO0096 and TX530AF0100, which is part of certain Master Section 8 Annual Contributions Contracts (herein call "Contracts") entered into, or to be entered into, between the Agency and the United States of America, acting by and through the U.S. Department of Housing and Urban Development (herein call the "Government"), pursuant to the Section 8 Housing Assistance Payments Program.

TO HAVE AND TO HOLD the same Texas City Housing Authority, assignee, its successors and assigns for the 1st day of July 2016, the date hereof, the contract set forth on Schedule A annexed hereto, for all the years mentioned in the said contracts, subject to all of the terms, covenants, conditions and provisions of said contract.

City of La Marque, the assignor, hereby covenants that the said assigned units and Project Number are free from any and all encumbrances and further, that by this instrument, the assignor is not released and there is no intent to release the assignor from its obligations of the performance of all terms, covenants and conditions of the Master Section 8 Annual Contributions Contract herein assigned. City of La Marque assignor, hereby agrees to release the Texas City Housing Authority, assignee, from any liability arising out of or in any way connected with Assignor's administration of the Section 8 Voucher Program described herein prior to July 1, 2016.

AND, City of La Marque, the assignor, hereby agrees and requests that the Government shall forward all correspondence, documents, other material of any nature whatsoever relating to contracts to assignee. The assignor also agrees and requests that all disbursements, subsidies or funds for any purpose whatsoever, that may be due, owing and/or payable by the Government under the terms of the Contracts, shall be transmitted to Texas City Housing Authority, assignee.

Texas City Housing Authority, assignee, hereby assumes the performance of all terms, covenants and conditions of the units and budget and contract authority, herein assigned by the assignor to the assignee, including acknowledgment that said program being assigned to be administered (1) within the same geographic area (2) to the same general population of eligible families and (3) for the same purposes as previously administered by the assignor. The Texas City Housing Authority will well and truly perform all of the said

terms, covenants and conditions of the said Contracts assigned; all with full force and effect as if the assignee had signed the contract originally as the public housing agency named therein. The Texas City Housing Authority, assignee, is not liable or in any way responsible for any claims or other actions arising in connection with Assignor's administration of the Section 8 Voucher Program described herein prior to July 1, 2016.

The assignee's responsibilities in connection with administration of the Contracts shall be those set forth in all applicable HUD regulation, and shall be subject to review or audit by HUD.

Waiver, discharge, termination, amendment, supplement, extension or other modification of this agreement shall be subject to prior written approval of HUD and may be effected only by an instrument in writing signed by the parties to this agreement.

The assignee hereby agrees that the obligations hereby assumed by the assignee shall insure jointly and severally to the Government, as named in the Contracts herein assigned and to the assignor herein.

The parties agree that this Assignment and Assumption Agreement is subject to review and approval of the same by the United States of America, acting by and through the U.S. Department of Housing and Urban Development.

CITY OF LA MARQUE, TEXAS

By: _____ Date: _____
Carol Butler
City Manager

TEXAS CITY HOUSING AUTHORITY

By: _____ Date: _____
George Fuller
Executive Director

U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

By: _____ Date: _____
Lorraine Walls, Director
Office of Public and Indian Housing