



1111 Bayou Road
La Marque, Texas
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: **10.7.2016** TIME: **2:45 p.m.**

ORDINANCE NO. O-2016-0021
RESOLUTION NO. R-2016-0016

CITY OF LA MARQUE
PUBLIC HEARING AND REGULAR CITY COUNCIL
AGENDA

Notice is hereby given that the City Council of the City of La Marque, Texas will conduct a Public Hearing and Regular Meeting on Monday, October 10, 2016, beginning at 6:00 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) PRESENTATIONS/PROCLAMATIONS - None**
- (5) CITIZENS PARTICIPATION (Limited to three minutes per person)**
Comments from the public (at this time, any person with city-related business who has signed up may speak to Council (limited to three (3) minutes.) In compliance with Texas Open Meeting Act, the City may not deliberate on comments. Personal attacks will not be allowed, and personnel matters should be addressed to the City Manager during normal business hours.
- (6) CONSENT AGENDA (All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)**
 - a. Budget Workshop Minutes of City Council on July 25, 2016
 - b. Special City Council Meeting Minutes on September 19, 2016
 - c. Discussion/possible action regarding the annual purchase of surface water from Gulf Coast Water Authority (GCWA) in the amount of \$1,180,120.04 which includes Bond B in the

amount of \$37,070.04 and Bond D in the amount of \$245,450.00 – Public Services Director L. Rumburg

(7) PUBLIC HEARING

- a. Conduct Public Hearing to hear public input regarding Ordinance No. **O-2016-0017**, repealing Chapter 17, Article III, Coin-Operated Amusement Machines, of the Code of Ordinances, City of La Marque, Texas, and in its place adopting a new Chapter 17, Article III, Coin-Operated Amusement Machines, and amending Appendix “A”, Schedule of Fees and Charges, Coin-Operated Amusement Machines, to increase the license fee for each machine

(8) CONTRACTS/AGREEMENTS

- a. Discussion/possible action regarding entering into an agreement with Burns McDonnell, a Consultant for Solid Waste Contracts
- b. Discussion/possible action regarding award of Bid #LM 08-17 to C & R Wastewater, LLC. for Sludge Removal at the Wastewater Treatment Facility, in the amount of \$95,000 – Public Services Director L. Rumburg
- c. Discussion/possible action regarding approval for acquisition of a 250 kw generator by Crescent Electric through the Buy Board in the amount of \$85,000.00 – Public Services Director L. Rumburg
- d. Discussion/possible action regarding authorizing the City Manager to sign a Change Order, increasing the total amount of the Interlocal Agreement with Galveston County for the repair of select streets within La Marque by \$7,980.00, from \$345,141.59 to \$353,121.59 – Public Services Director L. Rumburg
- e. Discussion/possible action regarding authorizing the Mayor to execute a new Interlocal Agreement with Galveston County to provide Animal Services for the City of La Marque – City Manager C. Buttler

(9) NEW BUSINESS

- a. Discussion/possible action regarding Ordinance No. **O-2016-0017** repealing Chapter 17, Article III, Coin-Operated Amusement Machines, of the Code of Ordinances, City of La Marque, Texas, and in its place adopting a new Chapter 17, Article III, Coin-Operated Amusement Machines, and amending Appendix “A”, Schedule of Fees and Charges, Coin-Operated Amusement Machines, to increase the license fee for each machine – C. Warren **THIS IS THE SECOND AND FINAL READING**
- b. Discussion/possible action regarding Ordinance No. **O-2016-0018**, reducing the speed limit within the Painted Meadows subdivision from 30 miles per hour to 25 miles per hour – Police Chief K. Jackson **THIS IS THE FIRST READING**
- c. Discussion/possible action regarding Resolution No. **R-2016-0016**, designating members of the City Council as Representative and Official Alternate to the General Assembly of the Houston-Galveston Area Council for year 2017 – Mayor B. Hocking

- d. Discussion/possible action regarding the approval of the Final Plat of Landing at Delany Cove Section 4, being 10.2+ acres of land containing 42 lots (50 X 120 Typ.) and five reserves in four blocks out of the Stephen F. Austin League NO.4 Survey, A-2, City of La Marque, Galveston, County, Texas, and, allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60' X 120' to 50' X 120' in size as recommended by Planning and Zoning Commission – Public Services Director L. Rumburg
- e. Discussion/possible regarding Ordinance No. **O-2016-0019**, approving a rezoning classification from I-1 Light Industrial to I-2 Industrial ABST 150 J D Moore Survey Lots 4 thru 6 & pt. of Lots 2, 3, 7&8 (2-1) Blk. 16, Highland Park and ABST 150 Page 9 Lots 1 thru 4 & Lots 11 thru 14 Blk. 25 ½ of adj. streets surrounding Blk. 25, Highland Park, at 2700 Hwy 3 – Public Services Director L. Rumburg **THIS IS THE FIRST READING**
- f. Discussion/possible action regarding Ordinance No. **O-2016-0020**, amending Chapter 71, Zoning Section 71.5, General Provisions, of the Code of Ordinance of the City of La Marque, Texas by adding a new subsection (q), entitled Livestock; providing a clause for Exotic, Wild, or Dangerous animals – Public Services Director L. Rumburg **THIS IS THE FIRST READING**
- g. Discussion/possible action adopting Ordinance No. **O-2016-0021**, of the City of La Marque, Texas, Amending Chapter 71, Zoning, Section 71.14, Definitions, and adding a new Section 71-A, entitled Residential Canal Zone – Public Services Director L. Rumburg **THIS IS THE FIRST READING**

(10) CITY MANAGER REPORT

- **Judicial**
- **Police**
- **Fire**
- **Library**
- **Hotel/Motel**
- **Public Services**
- **Financials**

(11) EXECUTIVE SESSION

The City Council for the City of La Marque, Texas reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by the Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073

(12) REQUEST AND ANNOUNCEMENTS

Requests by Mayor and Council Members for items to be placed on future City Council agendas and announcements on city events/community interests TEX. GOV'T CODE §551.415. (b), "items of community interest" includes:

- (1) expressions of thanks, congratulations, or condolence;*
- (2) information regarding holiday schedules;*
- (3) an honorary or salutory recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutory recognition for purposes of this subdivision;*

- (4) a reminder about an upcoming event organized or sponsored by the governing body;*
- (5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality or county; and*
- (6) announcements involving an imminent threat to the public health and safety of people in the municipality or county that has arisen after the posting of the agenda.*

(13) ADJOURNMENT

CERTIFICATION:

I hereby certify that the above notice of meeting was posted at 1109-B Bayou Road, La Marque, Texas **on or before October 7, 2016 before 5:00 p.m.**

Robin Eldridge, TRMC
City Clerk

.....
• 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.
•
.....



1111 Bayou
La Marque, Texas 77568
409.938.9202

**City of La Marque
City Council
Budget Workshop Minutes
July 25, 2016**

Minutes of the City Council of the City of La Marque, Texas of the Budget Workshops beginning at 10:00 a. m. on Monday, July 25, 2016, until adjourned, and Tuesday, July 26, 2016 beginning at 10:00 a.m. until adjourned, and Thursday, July 28, 2016 beginning at 10:00 a.m. until adjourned, and will continue on Friday, July 29, 2016 beginning at 10:00 a.m., if necessary until adjourned at 1109-B Bayou Road for the purpose of considering the following agenda:

(1) CALL MEETING TO ORDER - Monday, July 25, 2016

Mayor Hocking called the Workshop Meeting to order at 10:09 a.m.

(2) ROLL CALL

Mayor Hocking
Mayor Pro-Tem Bell
Councilmember Chris Lane
Councilmember Robert Michetich
Councilmember Clent Brown
City Manager Carol Buttler
City Clerk Robin Eldridge

(3) INVOCATION AND PLEDGE OF ALLEGIANCE – Mayor Hocking, “We will dispense with the invocation and Pledge of Allegiance, but ask God’s blessing on our deliberations as always, and ask for wisdom and guidance.”

(4) Review and Discuss Proposed Fiscal Year 2016-2017 Departmental Budgets and all Funds

City Manager Carol Buttler began, “This year we have a little bit different strategy, and Mayor and I have discussed, we have many needs, but also we have Capital Fund needs. We will do a general overview of all funds that bring in revenue of any type, including donations. Then we will go into the expenditures and talk about in length about our debt, and where we stand now, Ms. Kou is going to give us an overall financial health report of the City. We will go into the major expenditures your capital, your supplements, all of the major capital improvement projects, and some of the compensation recommendations we are making. That way, you as Council will hear all of our strategy up front, so that when you start in with each department, then you can talk in greater detail about their needs. I put public safety first, because most of the requests are from public safety, then we will go into public services. This year’s strategy is not focusing on details, but on where we are trying to go, how are we going to get there and once there, how are we going to fund our direction.”



1111 Bayou
La Marque, Texas 77568
409.938.9202

Mayor Hocking added, "I wanted to mention this, especially to staff, what we are talking about today is not litigation, but mitigation, nobody's on trial no body is being looked upon one way or the other for asking for things, we are just trying to get the most bang for the buck and make the right decisions, regarding all departments so don't feel like you are being questioned in a trial like manner, because that is not what is going on."

Finance Director Suzy Kou began, "It is always a please to present to you our budget based on what limited resources that we have. I do have some good news, but I want to bring some facts first. A few months ago, we closed audit with some factual numbers. I am sure all of you have read out wonderful CAFR financial statements. We closed 2015 with a surplus in the General Fund, by around a million dollars. We have a policy requiring us to maintain around ninety days of working capital, at the year-end of each year. Each year in governmental we have the lowest cash flow during the months of October, November and December, because the majority of our revenues come from two sources, property taxes and sales taxes. The deadline to pay your property taxes is January 31, with February 1, being delinquent, so the majority of the property taxes come in around January. We have operations throughout the year. During the ninety days before the bulk of the tax revenue come in, we need to get our operations carried from day to day. We need that minimum of ninety days operating money. Sales always lags two months behind, from sale activities. So, the black Friday and Christmas sales, we don't actually receive the sales tax revenues from the State until February, around the same time that we have our biggest cash flow from property taxes. So, with all that being said, ninety days we feel is critical to carry on day to day operations in government. Ninety days of one year, may become seventy-five or eighty days another year, because of the changes. If we shift the expenditure totals of each year this means your ninety days can become seventy-five or eighty days. The ninety days from 2015 is equivalent to about 2.1 million dollars. The dollar amount is what is shown on the financial statement, not the number of days that our policy reflects. If you make the decision to shift the total expenditure bottom line, you may see some changes at the end of the fiscal year when we go through an audit on the balance sheet. Currently, we ended 2015 at roughly around one hundred and sixty days which is good in some ways. But that one hundred and sixty days at 3 at million dollars may become one hundred and twenty days in another year, if we shift expenditures, not because we spend it, but because the expenditure level shifted. I just don't want you to be surprised when the times comes, because if we do choose to shift that expenditure upward, the audit may shift along with it."

Councilmember Bell clarified how the fund balance (surplus) compares to the one hundred and sixty days.

Ms. Kou further explained that the surplus could have been related to the vacancies in personnel during 2015, and therefore, not such a good thing since it was not truly surplus, but because of the lacking in personnel, since that cut down on our services.



1111 Bayou
La Marque, Texas 77568
409.938.9202

Mayor Hocking asked if this is the surplus mines were one in the same that the City would have to use in case of a manmade or natural disaster. “Are we talking about the same fund that we had zero in fact a 3.2 million dollar deficit five years ago, to the wonderful job that you and the staff has done in creating this surplus?”

Ms. Kou answered, “Yes sir. Four years ago, that was the fund that we also had less than forty five days to a hundred and sixty-five days, thanks to City Council, City Manager we have made a huge progress, by watching our money tightly.”

Ms. Buttler added, “That is what Ms. Kou and I have talked about. Everyone has worked so hard over the last few years to get us where we are, a much healthier place, but I think Ms. Kou was trying to make us understand is before we get into the heavy duty discussions, the one million dollars is great. It may not be a one million dollar surplus every year. The one hundred and sixty days gives us a little bit of a cushion for some of our main expenditures that we have been delaying for the last few years.”

Councilmember Michetich added, “What if at the very end of this budget, what, if we blessed it exactly like it is, how many days reserve are you targeting?”

Ms. Kou, “About one hundred and twenty.”

Councilmember Michetich, “Okay, that’s why I was asking. We need to keep that in mind and goal, because that is a good figure to have.”

Ms. Kou added, “Remember the driving force behind that ninety days calculation is really your total level of operating expenditures for that year. We don’t anticipate the expenditures to exceed the revenues. With that being said, we are ready to see what we can do in 2017. The General Fund is in the black be seven thousand dollars, to be exact \$7,043.00. We just received the Certified Roll, last Friday, but have not received the effective tax rate from the County based on what we have in the Certified Roll, we have around \$133, 000.00 that we can put back into the budget from what we cut.”

Mayor said, “It is important for those who are listening, the reason that there were some cuts made is because we ask that the game room money not be a budgeted item, monies that may or may not be there each year because of some governmental entity disallowing that. However, that money can still be spent, as it is a cash fund as needed.”

Ms. Kou continued, “More good news, net taxable as in comparison to last year, we have an increase of \$66,397,749.00 in net taxable values from 2015. In 2015, \$712,624,954.00 taxable in 2016 to \$779,022,703.00, an increase in taxable valuable \$325,856.25.00 assuming we stay at the same tax rate. We have an additional 167 more properties than we did in 2015 on our tax rolls. That is a good sign. It is unknown whether these are



1111 Bayou
La Marque, Texas 77568
409.938.9202

residential or commercial properties. We will know when we get the information from the County.”

Discussion continued beginning with the letter from the City Manager showing a brief overview of the challenges that the City will face going into 2017. Next in the binder is the City-wide organizational chart, the calendar, then the summary of fund balances beginning with the real fund balances, and the projected fund balances at year then the estimated fund balance at the end of 2017.

Further explanation referring to the budget binder, included the bond projects, reserves, and capital improvements or projects, capital projects balances tend to roll over from one year to the next due to the projects not being finished in one budget year. Auditing of the books dealing with a few of the City’s franchises is necessary to make sure with the City’s growth, we are collecting what we should be collecting.

The taxable values by districts, the pie chart shows that district “B” leads with 40% due to the fact the Sam’s, Walmart and other larger revenue producing commercial institutions are in District “B”. Mayor Pro-Tem suggested do a commercial/residential explanation as well as new residential growth. Ms. Kou then explained what each dollar of the property taxes go to (.33 goes into Police; .23 goes into general government; .21 goes into Fire; .3 goes into Court; .15 goes into Public Services; and .5 goes into debt). Further discussed was the page of the property tax history; and the sales taxes; and debt chart.

In the Utility Fund, there was no proposed rate increase, while still trying to stay flat or conservative. Further explanation showed that the proposed expenditures were higher because of the debt and capital, there will always be debt and capital in the Utility Fund.

Different factors play into the downward trends in revenues between the General Fund and the Utility Funds.

Councilmember Bell encouraged the City Manager as related to field services workers to create a department that is more versatile that could be higher paid with less manpower “units” that might be able to provide for various needs within the City. But with pay adjustments, the City may be able to repair streets, and other tasks all within those working “units”. Adjustments made within the budget based on contracting out some of the services, compensation adjustments are a few ideas that have been implemented but, those are ideas, and will be discussed further into the budget process.

Discussed the supplemental list department by department but are not in the budget beginning with Governmental, Capital outlay, Police, Fire Department, Parks Fund, and Personnel requests including trying to bring some of the employees’ salaries up to stay competitive, based on three different sources.



1111 Bayou
La Marque, Texas 77568
409.938.9202

Blight and infrastructure are two of the main areas that the citizens want to see improved based on the Strategic Plan that was built last year by gathering citizens for their input, it was said that this should be on everyone's mind during this budget process.

Donation Funds are not usually budgeted, but is included in the financial statement. Debt Service Fund and M&O (Maintenance and Operations) was briefly discussed. All of Staff had been encouraged to attend the overview and those that were not on the agenda for the rest of the day were released.

Mayor Hocking called for a five minute break at 11:22 a.m.

Mayor Hocking resumed the Budget Workshop at 11:34 a.m.

POLICE DEPARTMENT

- Chief Jackson began with a proposed pay increase for the telecommunications officers. Earlier in the year, a pay increase was presented to City Council. Currently and historically, the telecommunications office has been a training ground for other agencies and the department is losing employees to other cities that pay a higher salary. "I conducted a salary survey with comparable in population agencies and cities, and created a pay structure that would be representative of this information gathered."
- There are state requirements that back up the concept of the pay scale and that years of service and continuing education tied to the salary structure; but not tying pay adjustments based on annual evaluations. The question was asked whether all new telecommunicators interim level with the city would include a six months probationary period, but still try to attract experienced telecommunicators, but at the same time start them off with a salary based on their certification levels.
- City Manager Carol Buttler clarified the importance of skillful telecommunicators and that all civilians coming are on a six month probationary period. The certification that is proposed is one thing but will still be part of the overall pay plan, so they will fall in a pay grade, to where the certification will be placed as a goal, in the performance evaluation. Outdated electronic ticket-writers technology was briefly discussed and whether everyone was still using them on a regular basis. The Municipal Court is trying to go paperless, so the ticket-writers will be used, and, this could be a joint project between the Municipal Court and the Police Department. Currently, there are six ticket writers in operation at this time, the opportunity of allowing a few more ticket writers this year, and a few more next year was agreed upon.
- Discussion continued concerning the possibility of interfacing the data with League City rather than the County at this time, along with other local entities. \$19,660.00 for ticket writers and \$19,000.00 for this interfacing. Remodeling the



1111 Bayou
La Marque, Texas 77568
409.938.9202

current Police Department was also discussed (\$9,460.00) - which is in the kitchen area. The possibility of six new Tasers were briefly discussed (\$7,190.00) – Generator-(\$55,000.00) - diesel (attached to the building as the current one is). The possibility of establishing a contract or an agreement through a local vendor for the use of a generator, in case of an emergency, was discussed.

- Briefly discussed were the non-reoccurring expenses: Electronic ticker-writers (\$19, 660.00); OSSSI (transmission to League City- interfacing (\$19,513.00); building remodeling (\$9,460.00); Tasers (\$7,190.00) - totaling \$55,823.00.

Mayor Hocking recessed the Budget Workshop for lunch at 12:31 p.m.

Mayor Hocking resumed the Budget Workshop at 1:45 p.m.

Chief Jackson began, “As Mayor and Council and everyone who lives in La Marque knows, our City is expanding. Our police force has not seen an increase, since the early 2000’s. In fact, there has been a decrease in staffing. With the current level of staff, it is very difficult for us to provide the level of police services for the entire City that is needed.” Six positions were requested- four positions in “patrol”; one for “criminal investigations” and one to “narcotics investigations”. This would be a re-occurring cost.”

Discussion continued and it was determined that the original departmental chart submitted, was not the one in the packet. Vehicles and if need for the proposed new positions on staff was discussed briefly. To be more active in collecting outstanding delinquent court fines will help to bring in revenues to support the hiring of more police officers was clarified. Eventually, a narcotics division was the vision and plan of the Police Department. Questions arose of what issues were more prevalent within the City, and it was said that most of the problems, stem from a narcotics problem within the City. There was a consensus of Council to hire four patrol officers with one being for the narcotics officer, with a report on the results provided to show what the results are from the extra persons to be provided at a later date.

ANIMAL CONTROL

City Manager Carol Buttler gave an overview on the increase in the costs, which was due to the increase in costs for spaying and neutering of the animals, but that they are looking into doing some in-house to reduce these costs. Issues with the removal of deceased animals was discussed. A representative from the Galveston County Animal Alliance said that she would come and speak to Council about a few options during the time of the agreement renewal. The City had been temporarily removing the deceased animals, but it being a health and safety issue was a problem. Mayor suggested drafting a resolution to ask that they County remove the dead animals. The question was asked as to why the City was paying for the spaying and neutering of animals but not the removal a deceased animals. This was going to be addressed in the agreement renewal process.



1111 Bayou
La Marque, Texas 77568
409.938.9202

MUNICIPAL COURT

Rosemary Bell, Court Administrator gave an overview of the difference in cost to last years' budget and the proposed budget. The difference is roughly \$50,000 less than the previous year due to the reduction of office supplies, professional fees and all the way down to Contract Judge. "Going paper-less is a major factor in reduction of operating costs. I believe the City will benefit from this for years to come and moving forward. I and would like to point out, we are looking to hire a City Marshal, to help with warrants on a daily basis." It was noted that this position has been posted.

Ms. Buttler added that a metal detector, replacing court clerk window was included in the Capital Outlay, which is part of the remodeling at the police station, some of this coming out of court Technology Fund. The 'extra help' line item will be needed hire extra help to scan the current case files into electronic files. It was guesstimated, by not having a warrant officer, the City believes that maybe about 7 to 8 thousand dollars a month has not been able to be collected. The City still is collecting three times more than what we pay out for the company that we use to collect delinquent court fines, but has gradually been dropping to a less number. Money collected from bond forfeitures was briefly discussed.

It was suggested that the company we use currently to go after the bond companies to pay their portion owed to the City and also the State when a person skips out on a bond.

Mayor Hocking called for a ten minute break at 3:07 p.m.

Mayor Hocking reconvened the Budget Workshop at 3:28 p.m.

FIRE DEPARTMENT

Chief Grimm gave a brief overview on the reduction of revenues in regard to EMS. "In late 2015, both Ms. Kou and myself, began to see a decline in the year over year revenues from the previous years in the actual revenue received from Intermedix, our Medical billing collection agent. One of the biggest drivers in this reduction is the Affordable Care Act, that took a great number of people in particular in a city of La Marque, and moved them from either a private pay where they generate as much of a payment as they possible could or from high deductible private insurance plans and move them into Medicaid. With that said, Medicaid has become the lowest payer carrier of all the various categories in all of the various payer mix in any city in any state in any county. Perhaps the second largest driver is that we have a large number of mutual aid calls made by other jurisdictions to the City of La Marque, and that number is increasing year over year. Currently, a little over 25% of the call volume received first by the LMPD then to our EMS or to a mutual aid carrier, mostly Texas City. Mutual aid calls are mostly driven by lack of units in service, or a lack of staffing. The demographics are shifting, many are on social security or disability, and most of their bills are being paid by Medicare or Medicaid which pays a much lower amount than a commercial insurance policy, or employer policy." He referred to charts on a handout showing the reduction year after year, and this year they are anticipating a revenue loss of about \$50,000 to \$75,000 in revenue. "The decline in the Fire revenue, which are calls made to hazmat calls, rescue



1111 Bayou
La Marque, Texas 77568
409.938.9202

calls, and commercial calls that we then bill. We have held off on billing until we establish that the high deductibles that they have been forced to pay through the Affordable Care Act have been met then we submit for payment, to at least recoup the monies that we have billed them for. We can't bill them initially, until the bill comes back, because they have not met their deductible."

Discussion continued as the direction in which we are going and or any stabilization foreseen. Even if revenues stabilize, which would still be lower amounts in revenues than in previous years. The possibility of expanding the personnel and ambulances were briefly discussed. The new medic unit purchased last year, just recently went into service, and will be located at the new Fire Station. Last year, they had to rely on private transportation for a short time to transport some patients requiring hospital care. The addition to a second new medic unit, breathing apparatus (s) and three new firefighters and medics have been requested in this next budget year.

If the new Fire Station is built and ready before the end of the next budget year, it may be necessary to come back before City Council to ask for additional staff to open up the building, with the possibility of housing a police substation, and also training room and a place to house certain staff within the City in case of a natural or manmade disaster, at the same location.

PUBLIC SERVICES

Director of Public Services Les Rumburg said that the department is about working with a full crew, with three more positions not filled. On the staff level, it had been discussed not to fill those three positions at this time, use that funding money for a contractor to mow of all the parks and city facilities. This will allow for all of the workers to be cross-trained and experienced as a maintenance technician or equipment operator, one or the other (meter reading, water and sewer lines, and equipment operating). Reference was made to the Capital Projects list. Street projects and available drainage monies were discussed. It was mentioned that the General Land Office (GLO) was implementing a new program that could help counties that were impacted by the April - October floods possibly obtaining funds through certain available grants. Construction from Katy down south is said to have a major impact on the flooding concerns in this area along with the neighboring cities. According to the Strategic Plan, no less than 20 demolitions were to be done annually. To date, this year, about 40 structures have or is in the process of being done, but the mowing monies will have to be increased with all the vacant properties after the homes are gone. Demolition will always be a vital portion of the budget, to take care of the blight and problems with infrastructure. The availability of funds for a slope mower in this years' budget was discussed (\$90,000.00). The question of maintaining a certain number of days in (operating expenses) or "surplus" was discussed. It was projected that at the end of this fiscal year, the City will have approximately one hundred and sixty days so there are forty days (920,000.00) in money to work with for proposing budgeting items, which equals to \$23,000.00 per day. The current slope-mower is being repaired at this time. It was asked that the Council revisit the two officer's positions that were currently cut earlier in the discussion.



1111 Bayou
La Marque, Texas 77568
409.938.9202

UTILITY FUND CAPITAL PROJECTS

These items come out of the water and sewer revenues which are mostly the bond projects. Sewer Plant Flow Channel Rehab (\$125,000.00). It was said that this is in conjunction with what the Siemens Project. The differences of a standard dump truck (8 yard) and the flat bed dump trucks were discussed briefly, since one of each were on the capital vehicle list. A mounted sewer jet machine is being requested, and a vacuum truck, (which all were considered funded through the Utility Fund). A new building for Public Works was discussed. They are asking for \$200,000.00 for this, they are currently leasing a space (\$8,200.00.00 a quarter - \$24,600.00 per year). The approval up to \$230,000.00 for this was also discussed. The newly acquired EDC building for the possible housing of some of the employees of Development Services area was discussed briefly and not a favorable choice at this time.

PARKS BOARD – (\$47,000.00)

Mahan Park is in need of bringing the electricity up to code by placing meters at each outlets, (4) meters, with an approximately cost from \$8,000.00 to \$10,000.00. Meaning the poles would be the responsibility of the power company. Baseball fields are the only fields at this time with lights. The division of the football fields and softball fields by the separation of meters. The possibility of building a new concession stand was briefly discussed. Currently, they set up their own concessions using tarps. Possibly being creative in the contracts that we allow the individual sports organizations was discussed. and collecting a fee if they plan on using the concession stand. It was asked that a Parks Board member draw up a concession plan before the voting on Thursday. Stabilizing the shoreline at both parks and pursuing grant money to do so was discussed. A Master Design or Plan will be required for the grant submission. Another avenue mentioned would be through the Army Corps of Engineers on the Highland Bayou Watershed. A proposal, which would cover repairing the pavilion, having the playground equipment installed was discussed. Finding a company to do this was strongly recommended and to do so within three months.

CEMETERY BOARD – (\$25, 000.00)

They are asking for some additional landscaping money to improve the look of the cemetery, native landscaping that would require little maintenance. Wreaths across America is becoming more of a regional event, and \$3,750.00 (wreaths) is being proposed and with additional landscaping of \$2,250.00 and \$19,000.00 to have it mowed on an annual basis.

Mayor Hocking recessed the Budget Workshop for a dinner break at 5:34 p.m.

Mayor Hocking reconvened to the Budget Workshop at 6:32 p.m.

UTILITY

New software has already been paid for out of this budget for next year. This is a flat budget with no supplements.



1111 Bayou
La Marque, Texas 77568
409.938.9202

FUND 99- Utility Fund (originally \$33,000.00) - Coming back on Thursday for proposed amount for \$12.00 per hour

One supplemental request is for the salary adjustments for some of the public services employees (11). Figure out how much it would take to give the base \$10.99 per hour (12 workers) to be raised to \$12.00 per hour.

City Manager wanted to know as to where the City Council wants to be in the pay plan compared to other surrounding cities. A summary of the team member model was also requested so that, this would be more reasonable survey. The direction and goal is to attract good employees and retain good employees by staying comparable in salaries with other cities.

FUND 99 – General Fund - Streets

Salary Adjustments for Public Services- \$24,716.00 + Debts

\$50,000- Street Projects

\$38,000.00- Drainage Projects

\$100,000.00- for Demolitions

Debts- Lease/purchase vehicles and radios

\$8,000.00- Texas Workforce Commission (not projectable)

Retirement Health

Legal Services

The addition of the two Police Department employees that were cut earlier – General Fund wants to be added back into budget (half of the year) by the time they advertise and take tests, go through the process

(5) ADJOURNMENT

Councilmember Michetich made a motion to adjourn the Budget Workshop at 6:56 p.m.

Councilmember Bell seconded the motion. **THE BUDGET WORKSHOP**

ADJOURNED.

Bobby Hocking, Mayor

ATTEST:

Robin Eldridge, TRMC
City Clerk



1111 Bayou
La Marque, Texas 77568
409.938.9202

**City of La Marque
City Council
Special Meeting Minutes
September 19, 2016**

Minutes of the Special Meeting of the City Council of the City of La Marque held on Monday, September 19, 2016, at 6:00 p.m. at 1109-B Bayou Road for the purpose of considering the following agenda:

(1) CALL MEETING TO ORDER

Mayor Hocking called the meeting to order at 6:00 p.m.

(2) ROLL CALL

Mayor Bobby Hocking
Mayor Pro-Tem Keith Bell
Councilmember Chris Lane
Councilmember Robert Michetich
Councilmember Clent Brown
City Manager Carol Buttler
City Attorney Ellis Ortego
City Clerk Robin Eldridge

(3) INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Pro-Tem Bell provided the invocation and led the Pledge of Allegiance

(4) PRESENTATIONS/PROCLAMATIONS

- a. Proclamation – Breast Cancer Awareness Month (October)
Mayor Hocking presented and read a proclamation to representatives of D’Feet Breast Cancer, Inc. in honor of October being Breast Cancer Awareness Month
- b. Proclamation – 50th Anniversary – College of the Mainland
Mayor Hocking presented and read a proclamation to Dr. Carla Boone, Dean of College of the Mainland in celebration of their 59th Anniversary
- c. Recognition of new employees – (1) Information Technology- Brandon Haynes; (Previously introduced)
City Manager introduced (1) Development Services- Sherlyn Williams; (1) Finance- Mysty Nauck;
The following employees were not in attendance at this meeting: Fire Department- James Matthews; Jason Crockom; and Richard La Four
- d. Recognition of License Obtained - Michael Phillips
City Manager acknowledged Michael Phillips for completing his class and obtaining his Basic Certification in Code Enforcement

(5) CITIZENS PARTICIPATION

1. Enrique and Maria Garza has lived in the city for over forty years. Reported that the house across the street from his home has renters that are working on cars, they have cars parked



1111 Bayou
La Marque, Texas 77568
409.938.9202

on the street and yard. They are operating a car repair shop. Every day there are eight to ten cars. He has spoken to the Police Department and they said that they are parked on the street and they are legal to be parked in the street. They are no trespassing signs all over their yard. This is not right, this is a residential neighborhood. I need some help, and I need someone to tell me what I can do.”

Mayor Pro-tem Bell said that he was his Councilperson and told him to call him on his number that is listed on the website.

(6) CONSENT AGENDA

- a. Minutes of the Public Hearing of City Council on July 11, 2016
- b. Minutes of Workshop of City Council on July 18, 2016
- c. Minutes of Special Meeting of City Council on July 18, 2016
- d. Minutes of Special Meeting of City Council on July 28, 2016
- e. Minutes of Regular Meeting of City Council on August 8, 2016
- f. Minutes of the First Public Hearing on Tax Rate 2016-2017 on August 16, 2016
- g. Minutes of the First Public Hearing on the Budget 2016-2017 and Special Meeting on August 22, 2016
- h. Minutes of the Second Public Hearing on the Tax Rate 2016-2017, Special Meeting of City Council and Special Meeting of the La Marque Employee Benefits Trust Meeting on August 30, 2016
- i. Minutes of the Second Public Hearing on the Budget 2016-2017 and Special Meeting of City Council on September 6, 2016
- j. Minutes of the Special Meeting of City Council on September 7, 2016
- k. Discussion/possible action regarding award of Bid **#LM 01-17** to DXI Industries for Liquid Chlorine, Calcium Hypochlorite & Sulfur Dioxide in the amount of \$40,417.72.
- l. Discussion/possible action regarding award of Bid **#LM 02-17** to Petroleum Traders Corp. for fuel in the amount of \$3,092.80 in differential costs.
- m. Discussion/possible action regarding award of Bid **#LM 03-17** for Hot Mix Asphalt / Cold Mix Cold Lay (CMCL) to Century Asphalt in the amount of \$59,500.00.
- n. Discussion/possible action regarding award of Bid **#LM 04-17** to Vulcan Materials for Limestone in the amount of \$37,944.00.
- o. Discussion/possible action regarding award of Bid **#LM 05-17** to Evoqua Water Technologies, LLC for Odor and Corrosion Control in the amount of \$ 192,600.00.
- p. Discussion/possible action regarding award of Bid **#LM 06-17** to HD Supply, Inc., for Water & Sewer Supplies in the amount of \$152,223.02



1111 Bayou
La Marque, Texas 77568
409.938.9202

- q. Discussion/possible action to adopt Resolution No. **R-2016-0013**, accepting the 2016 City of La Marque Investment Policy for investment of municipal funds per Public Funds Investment Act.

Mayor Pro-Tem Bell made a motion to approve the Consent Agenda.

Councilmember Brown seconded. **MOTION CARRIED UNANIMOUSLY.**

(7) PUBLIC HEARINGS

Mayor Hocking closed the Special Meeting and opened the Public Hearings at 6:15 p.m.

- a. Conduct Public Hearing to hear public input regarding Ordinance No. **O-2016-0011**, approving a rezoning classification from R-1 residential to C-1 General Commercial, as forwarded with a recommendation for favorable approval from the Planning and Zoning Commission for a 23.056 acre tract described as part of lots 7, 8, and 9 in Division "T", in the Cook and Stewart Subdivision of the John D. Moore League in Galveston County, Texas, according to the map of plat recorded in Volume 81, Page 526, in the office of the County Clerk of Galveston County, Texas, contingent upon described property initiating stated use of development of a Recreational Vehicle Park within twelve months of approval.

No one spoke.

- b. Conduct Public Hearing to hear public input regarding Ordinance No. **O-2016-0012**, regarding the permitting and processing of "Fill Dirt" restrictions as forwarded with a recommendation for favorable approval from the Planning and Zoning Commission.

Councilmember Brown asked if the dirt would be tested so that they are not bringing in contaminated soil, before bringing in loads, to which Public Services Director Les Rumburg assured him that there would be the required inspections involved. So this will hopefully eliminate it.

Councilmember Michetich added, that the purpose of the ordinance was to make sure that plans were required to be presented in the permit process, to show how the property will drain after the extra dirt is brought onto the property.

- c. Conduct Public Hearing to hear public input regarding Ordinance No. **O-2016-0013**, amending Chapter 14, Buildings and Building Regulations, by repealing Article XI, Signs and Billboards, of the Code of Ordinances of the City of La Marque, Texas, and amending Chapter 71, Zoning, by adding a new section 71-27, entitled Outdoor Advertising Sign Regulations, to provide outdoor advertising sign regulations, as forwarded with a recommendation for favorable approval from the Planning and Zoning Commission.

No one spoke.



1111 Bayou
La Marque, Texas 77568
409.938.9202

- d. Conduct Public Hearing to hear public input regarding Ordinance No. **O-2016-0014**, making appropriations for the support of the City of La Marque for the fiscal year beginning October 1, 2016 and ending September 30, 2017, appropriating money to a sinking fund to pay interest and principal due on the City's indebtedness; and adopting the annual budget for the City of La Marque for 2016-2017 fiscal year.

No one spoke.

- e. Conduct Public Hearing to hear public input regarding Ordinance No. **O-2016-0015**, to amend 2015-16 budget for various expenditures at end of fiscal year by decreasing various funds' fund balances and increasing certain expenditures to individual budget accounts in various funds and increasing certain revenues in various funds as set forth in attached Exhibit "A".

No one spoke.

- f. Conduct Public Hearing to hear public input regarding Ordinance No. **O-2016-0016**, levying ad valorem taxes for use and operation of the municipal government of the City of La Marque, Texas for the 2016 tax year; providing for apportioning each levy for specific purposes; and providing when taxes shall become due and when same shall become delinquent if not paid.

Mayor closed the Public Hearing (s) and reconvened to the Special Meeting at 6:23 p.m.

(8) NEW BUSINESS

- a. Discussion/possible action regarding Ordinance No. **O-2016-0011**, approving a rezoning classification from R-1 residential to C-1 General Commercial, as forwarded with a recommendation for favorable approval from the Planning and Zoning Commission for a 23.056 acre tract described as part of lots 7, 8, and 9 in Division "T", in the Cook and Stewart Subdivision of the John D. Moore League in Galveston County, Texas, according to the map of plat recorded in Volume 81, Page 526, in the office of the County Clerk of Galveston County, Texas, contingent upon described property initiating stated use of development of a Recreational Vehicle Park within twelve months of approval. **THIS IS THE SECOND AND FINAL READING**

Mayor Pro-Tem Bell made a motion to adopt Ordinance No O-2016-0011.

Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY**

- b. Discussion/possible action regarding Ordinance No. **O-2016-0012**, regarding the permitting and processing of "Fill Dirt" restrictions as forwarded with a recommendation for favorable approval from the Planning and Zoning Commission. **THIS IS THE SECOND AND FINAL READING**

Councilmember Lane made a motion to adopt Ordinance No O-2016-0012.



1111 Bayou
La Marque, Texas 77568
409.938.9202

Mayor Pro-Tem Bell seconded. **MOTION CARRIED UNANIMOUSLY**

- c. Discussion/possible action regarding Ordinance No. **O-2016-0013**, amending Chapter 14, Buildings and Building Regulations, by repealing Article XI, Signs and Billboards, of the Code of Ordinances of the City of La Marque, Texas, and amending Chapter 71, Zoning, by adding a new section 71-27, entitled Outdoor Advertising Sign Regulations, to provide outdoor advertising sign regulations, as forwarded with a recommendation for favorable approval from the Planning and Zoning Commission. **THIS IS THE SECOND AND FINAL READING**

Mayor Pro-Tem Bell made a motion to adopt Ordinance No O-2016-0013.
Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY**

- d. Discussion/possible action regarding Ordinance No. **O-2016-0014** making appropriations for the support of the City of La Marque for the fiscal year beginning October 1, 2016 and ending September 30, 2017, appropriating money to a sinking fund to pay interest and principal due on the City's indebtedness; and adopting the annual budget for the City of La Marque for 2016-2017 fiscal year. **THIS IS THE SECOND AND FINAL READING**

Councilmember Lane made a motion to adopt Ordinance No O-2016-0014.
Mayor Pro-Tem Bell seconded. **MOTION CARRIED UNANIMOUSLY**

- e. Discussion/possible action regarding Ordinance No. **O-2016-0015**, to amend 2015-16 budget for various expenditures at end of fiscal year by decreasing various funds' fund balances and increasing certain expenditures to individual budget accounts in various funds and increasing certain revenues in various funds as set forth in attached Exhibit "A". **THIS IS THE SCOND AND FINAL READING.**

Mayor Pro-Tem Bell made a motion to adopt Ordinance No O-2016-0015.
Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY**

- f. Discussion/possible action regarding Ordinance No. **O-2016-0016**, levying ad valorem taxes for use and operation of the municipal government of the City of La Marque, Texas for the 2016 tax year; providing for apportioning each levy for specific purposes; and providing when taxes shall become due and when same shall become delinquent if not paid. **THIS IS THE SECOND AND FINAL READING**

Mayor Pro-Tem Bell made a motion to adopt Ordinance No O-2016-0016.
Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY**

Ayes: Brown, Michetich, Lane, Bell and Hocking
Nays: None

- g. Discussion/possible action regarding Ordinance No. **O-2016-0017** repealing Chapter 17, Article III, Coin-Operated Amusement Machines, of the Code of Ordinances, City of La



1111 Bayou
La Marque, Texas 77568
409.938.9202

Marque, Texas, and in its place adopting a new Chapter 17, Article III, Coin-Operated Amusement Machines, and amending Appendix “A”, Schedule of Fees and Charges, Coin-Operated Amusement Machines, to increase the license fee for each machine.

THIS IS THE FIRST READING

Mayor Pro-Tem Bell made a motion to approve Ordinance No O-2016-0017.
Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY**

- h. Discussion/possible action regarding adopting Resolution No. **R-2016-0014**, encouraging Galveston County Commissioners Court, Galveston County Health District and Animal Services Advisory Committee to institute a plan for the collection and disposal of deceased animals.

Mayor Pro-Tem Bell made a motion to adopt Resolution No R-2016-0014.
Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY**

- i. Discussion/possible action regarding Resolution No. **R-2016-0015**, for an agreement between the City of La Marque and HSC Pipeline Partnership, LLC for the acquisition of an easement for the purpose of installing a 6” pipeline through an established corridor in the City of La Marque, while also seeking permission to cross certain City Rights-Of-Way (ROW), and establishing terms for both.

Councilmember Lane made a motion to adopt Resolution No R-2016-0015.
Mayor Pro-Tem Bell seconded.

City Manager was asked to disclose what she and Councilmember Brown had discussed earlier, as far as how and what to spend the proceeds from the permit. Further discussion proved that at the October or November City Council meeting, a resolution be brought forth to state that staff intended unless directed otherwise to restrict these funds at such time as Council gives us direction on how to spend the funds **MOTION CARRIED UNANIMOUSLY**

- j. Discussion/possible action regarding submission of candidate choices for Places 6-9 to the Texas Municipal League Intergovernmental Risk Pool (TMLIRP) Board of Trustees.

City Manager Carol Buttler suggested: Kyle Young for Place 6; Richard Jorgensen for Place 7; Andrea Gardner for Place 8; Richard Davis for Place 9.

Councilmember Lane made a motion to approve the nominations. Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY**.

(9) CONTRACTS/AGREEMENTS

- a. Discussion/possible action regarding award of Bid **#LM 07-17** to Beach Town Lawn Service for Lawn Care Maintenance of City Facilities and Parks in the amount of \$76,300.00.



1111 Bayou
La Marque, Texas 77568
409.938.9202

Councilmember Lane made a motion to award Bid #LM 07-17 to Beach Town Lawn Service for Lawn Care Maintenance of City Facilities and Parks in the amount of \$76,300.00

Councilmember Michetich seconded.

City Manager, Carl Buttler began, "Because of the condition of the parks and the staffing issues over the past several years, we determined that we should out-source this particular responsibility and determine how it goes. I asked Ms. Warren to get with several local vendors to determine whether we should split some of the contracts to get the City through the rest of the summer, which two were found and both have done a great job. With the few vacancy positions in the public services department, we are able to fund this."

Charlene Warren added, "The two lowest bidders came in within a \$12,000.00 difference. So, we chose Beach Town, they have the capability of providing other services They have been helping with the installation of the parks playground equipment They are one of the contractors that we have had for six months now, and have done a fantastic job, along with the other contractor, but it came down to money."

Councilmember Michetich asked for a resolution for a design for the two parks within the City, those being Mahan and Highland Bayou Mac McGaffey Parks. "It will be in an effort to after restore money." Staff and the Parks Board were asked to help in the preparation of these designs. It was also discussed briefly that the two contracts that were recently awarded for athletic purposes, still have to withhold their part of the contract that they will maintain the parks and their perspective fields.

Councilmember Bell asked about the three vacant positions and was told that they were maintenance technician positions (streets, drainage and parks out of the General Fund).

Ms. Butler explained the reasoning behind the decision to contract the mowing and landscaping out in lieu of hiring of three employees for those other positions. Mayor Pro-Tem wants the progress to be monitor and report back after the first of the year the calls for services versus response time, to see if those positions need to be added back into the department.

Mayor Pro-Tem Bell also commented on the drastic difference in the submitted bid amounts and asked if there were any references provided; to which he was told, that they were already doing this service for the City and that we were the reference. The third bidder being a larger commercial outfit with more overhead was another reason for the amount they bid. Ms. Warren continued, "We were concerned back in May also, when we awarded them the bid, and we are very pleased with their work."

Mayor Pro-tem added, "This, I too, want to revisit after the first of the years, I don't want them to realize that they have bitten off more than they can chew ad see their services start to lag, or they decide to walk away."



1111 Bayou
La Marque, Texas 77568
409.938.9202

City Manager clarified that this company carries insurance and is licensed to remove and correctly install playground equipment safely and as required by law. Texas Municipal League will inspect after the work is done for compliance as well. **MOTION CARRIED UNANIMOUSLY**

(10) STAFF REPORTS

a. Receive Staff Report from Fire Chief Grimm on New Fire Station

Fire Chief Gerald Grimm began with a slide presentation showing the plans and explained the timeline of the construction of the new Fire Station. “The property needs to be brought up around four feet for drainage and elevation. The pocket parks has had to be somewhat reduced after a survey was done on the property. The building will have to go further back on the property than originally thought. A curb cut will have to be allowed by TX DOT also to follow the plans submitted. The restrooms will be non-gender specific. Double doors will be situated to separate the bays from the living quarters. The building is also equipped to house an emergency team to stay in case of a disaster.”

Further discussion included the need to disburse the department’s equipment and vehicles between the two stations. Office space for future expansion is also available. Addressed one small problem concerning the engineering company doing the geo-technical work that has failed to meet the product as proposed in their offering, by sending a demand letter to them “If all goes well, we should have this project ready to bid in October, with a completion date of August of next year depending on the weather.”

Discussion of a pocket park was discussed in more detail. It was also discussed for the need of a city-owned and maintained pocket park in the area behind the new Fire Station. This will be brought up in another meeting in the future as well as a plan for the building of other city parks

(11) CITY MANAGER REPORT

**Judicial
Police**

- **Fire**
- **Library**
- **Hotel/Motel**
- **Public Services**
- **Animal Services**
- **Financials**

(12) EXECUTIVE SESSION

1. Section 551.072 (Deliberations about Real Property) and Section 551.071 (Consultation with Attorney) – Discuss negotiations involving property proposed for development in the Industrial Zone



1111 Bayou
La Marque, Texas 77568
409.938.9202

Mayor Hocking recessed the Special City Council meeting and went into the closed Executive Session at 7:01 p.m.

Mayor Hocking closed the Executive Session and reconvened the Special City Council meeting at 7:39 p.m.

(13) ACTION TAKEN FROM THE EXECUTIVE SESSION

1. Provide Direction to City Manager and City Attorney regarding items discussed in the Executive Session

It was the consensus of the City Council to instruct the City Manager to move forward to facilitate the consummation of the sale of Highland Park and bring that back to City Council at a later date in the form that the City Council will need to use in the closing. He then congratulated the EDC Board on their hard work

(14) REQUESTS AND ANNOUNCEMENTS

Mayor Hocking reported that National Night Out will be on Tuesday, October 4, 2016 Mayor Pro-Tem Bell is aware of the list of dilapidated homes, but would like to see if certain method of expediting could be used on the properties that create a health hazard and safety conditions (1765 and Union).

Mayor also drew attention to the perpetual plaques on the wall honoring all of the Councilmembers that have served the City over the years. With other future plaques to include Mayors and City Managers as well. Wished his wife a Happy Birthday Councilmember Brown was reminded of the time when he worked on the electricity and piping of the College of the Mainland, with the presentation of a proclamation earlier.

(15) ADJOURNMENT

Mayor Pro-Tem Bell made a motion to adjourn the Special City Council meeting at 7:45 p.m. Councilmember Lane seconded. The Special Meeting adjourned.

Bobby Hocking, Mayor

ATTEST:

Robin Eldridge, TRMC
City Clerk



CITY COUNCIL AGENDA FORM

Meeting Date: October 10, 2016

Agenda item: 6c

Prepared by: Amanda Hobby

Reviewed by: Carol Buttler

Department: Public Services

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding the annual purchase of surface water from Gulf Coast Water Authority (GCWA) in the amount of \$1,180,120.04 which includes Bond B in the amount of \$37,070.04 and Bond D in the amount of \$245,450.00.

☒

Attach for reference

1. Resolution

STAFF BRIEFING:

- Gulf Coast Water Authority is the City's supplier of Surface Water.
- As all customers of Gulf Coast Water Authority, City estimates water usage and pays, on a monthly basis, for that estimated use.
- The City received credit last year for unused water purchased – City used less than estimated
- Last year all customers saw a rate increase from GCWA
- This year there is no rate increase.
- Considering the credit for unused water from last year, we are estimating a similar dollar cost for the upcoming year
- With the previous assumption, the City can provide more water and still stay within the the estimated dollar expenditure
- Finance Director has approved

HISTORY:

- Gulf Coast Water Authority has supplied the City's surface water for several years.
- Last year the city paid \$1,196,688.96 for surface water, which was after GCWA imposed a cost-per-gallon rate increase

TARGET IMPLEMENTATION: October 10, 2016

SIGNIFICANT ACTION DATES:

October 10, 2016



CITY COUNCIL AGENDA FORM

ACTION:

- | | |
|--|---|
| ☐ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☒ Other – Award bid | |
| ☒ Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures | |

Cost Details:	
Budgeted	\$1,180,120.04
Actual Bid	
Estimated Expenditure	\$1,180,120.04 (Including Bond B \$37,070.04 and Bond D \$245,450.00)
Acct. Name(s)	Purchased Water
Line Items #	02-6011-24-00 43-4301-00-00 43-4302-00-00
Other Funding	

STAFF'S RECOMMENDATION: Motion to authorize the annual purchase of Surface Water for Gulf Coast Water Authority in the amount of \$1,180,120.04 which includes Bond B \$37,070.04 and Bond D \$245,450.00.

FISCAL IMPACT: Annual Expense

RESOLUTION NO. 2014-005

**FOURTH AMENDMENT
TO MAINLAND WATER PROJECT CUSTOMER CONTRACT**

This Fourth Amendment to Mainland Water Project Customer Contract (this "Amendment") between the **GULF COAST WATER AUTHORITY** (the "Authority") and **THE CITY OF LA MARQUE, TEXAS** (the "Purchaser") is entered into effective as of the 1st day of May, 2014, and amends that certain Mainland Water Project Customer Contract, dated as of August 7, 1981, as amended on September 14, 1981, June 22, 1998 and June 16, 2011 (collectively, the "Original Agreement") between the Authority and the Purchaser.

W I T N E S S E T H:

WHEREAS, Authority previously entered into substantially similar contracts (with the amendments thereto, the "Mainland Project Contracts") with customers located on the mainland in Galveston County for the purpose of allowing the Authority to acquire, construct and operate a water treatment plant and related water supply system in order to provide potable water to certain municipalities and others in Galveston County, Texas (the "Mainland Project Customers"); and

WHEREAS, the Mainland Project Contracts provided for the financing and operation and maintenance for the system known and referred to as the "Mainland Project" or the "Mainland Division;" and

WHEREAS, certain customers (the "South Project Customers") requested, and the Authority agreed to expand and extend the Mainland Division by: (i) the construction and equipment of an expansion to the capacity of the Thomas Mackey water treatment plant and the extension of certain distribution facilities serving the South Project Customers, and (ii) various related distribution facilities serving individual South Project Customers in order to enable the Authority to produce and provide potable water to the South Project Customers in an integrated manner with the Mainland Division Customers served by the Mainland Division (the Mainland Project Customers and the South Project Customers are hereinafter referred to collectively as the "Customers"); and

WHEREAS, such expansion and extension of the Mainland Division was and is known as the "South Project" and the South Project Customers (including certain Mainland Project Customers who also needed additional water) that purchased potable water from the Mainland Thomas Mackey water treatment plant as a result of the expansions entered into contracts (with the amendments thereto, the "South Project Contracts") with the Authority that were substantially similar to the Mainland Project Contracts (the South Project Contracts and the Mainland Project Contracts, being collectively referred to herein as the "Projects Contracts"); and

WHEREAS, the potable water supplied by the Mainland Division to the Customers under the Projects Contracts is supplied by means of the Authority's Industrial Division, which supplies raw water to the Mainland Division, and under the terms of the Projects Contracts the Customers must comply with certain provisions of the Industrial Division Customer Contract (as

defined in the Projects Contracts), including an obligation to make the Industrial Division Payments (as defined in the Projects Contracts); and

WHEREAS, the Authority has identified the need to make certain capital improvements to the Texas City Reservoir and the Industrial Pump Station, which are water supply facilities in the Industrial Division, in order to facilitate the supply of raw water to the Industrial Division and the Mainland Division; and

WHEREAS, in connection with making provision for the financing of such improvements, the Authority and the Industrial Division Customers have entered or will enter into an amended and restated Industrial Division Customer Contract in order to simplify and modernize the provisions of the Industrial Division Customer Contract and provide for the equitable allocation of the costs of facilities improvements among those customers of the Industrial Division and the Mainland Division that benefit from such facilities improvements; and

WHEREAS, in order to facilitate the issuance of bonds for the financing of such improvements the Authority has provided the Customers with copies of a form of the amended and restated Industrial Division Customer Contract and wishes to obtain the consent of the Customers to the issuance of the bonds contemplated in the amended and restated Industrial Division Customer Contract and to extend the term of the Original Agreement to run concurrently with the amended and restated Industrial Division Customer Contract; and

WHEREAS, state law requires that this Amendment also incorporate provisions related to water conservation;

NOW THEREFORE, BE IT RESOLVED THAT for good and valuable consideration including the premises, the parties agree that the Original Agreement shall be amended as follows:

ARTICLE I.

DEFINITIONS

Section 1.1. Definitions. Unless otherwise defined herein, capitalized terms shall have the meaning given in the Original Agreement. The terms defined in the Recitals to this Amendment are incorporated herein for all purposes.

ARTICLE II.

AMENDMENTS

Section 2.1. Amendment to Section 1.1 of the Original Agreement. Section 1.1 of the Original Agreement is hereby amended by amending and restating the definitions of the terms "Industrial Division" and "Industrial Division Customer Contracts," which shall read as follows:

"Industrial Division" shall mean the Industrial Pump Station and Raw Water Transmission System (as defined in the Industrial Division Customer

Contracts) and the Texas City Reservoir and Raw Water Conveyance System (as defined in the Industrial Division Customer Contracts), including the reservoir and water distribution system (and the lands and rights of way on which the same are situated) used in supplying water to industrial customers having plants in the Texas City industrial area and other physical properties acquired by Seller from Industrial Water Company, under that certain "GCWA Agreement" dated June 1, 1971, between Industrial Water Company and Galveston County Water Authority of Galveston County, Texas, together with all additions to, replacements in, and expansions and extensions of said facilities and physical properties heretofore or hereafter made or acquired by the Authority, all exclusive, however, of any physical properties which are located outside of Galveston County, Texas, or which are used exclusively for other than industrial water purposes, or which constitute Special Project Facilities (as defined in the Industrial Division Customer Contracts), or which are part of the Canal System (as defined in the Industrial Division Customer Contracts).

"Industrial Division Customer Contracts" shall mean those contracts providing for the sale of water for industrial purposes to the customers in the Industrial Division from time to time.

Section 2.2. Amendment to Section 5.3(c)(1)(A) of the Original Agreement. Section 5.3(c)(1)(A) of the Original Agreement is hereby amended and restated to read as follows:

(A) For the Water Plant, Operating Charges shall be allocated among all Customers based upon their respective Contract Quantities then in effect; provided, however, that the Board of Directors of the Authority shall adopt a revised cost allocation mechanism for Operating Charges for the Water Plant designed to incentivize water conservation prior to the adoption of its 2014-2015 budget. Upon adoption by the Board of Directors of the Authority, the parties agree that such cost allocation mechanism, as amended from time to time, shall govern the allocation of Operating Charges for the Water Plant under this Agreement.

Section 2.3. Amendment to Section 5.6 of the Original Agreement. Section 5.6 of the Original Agreement is amended to add the following language following the last sentence of the existing text of Section 5.6:

Nothing in this Section, however, shall be construed as preventing the Purchaser, in its sole discretion from making any payment due to the Authority from sources other than revenues and income of the Purchaser's water supply system. During the term of this Agreement, so long as the Authority has potable water available from the Water Plant to supply purchaser in amounts sufficient to meet Purchaser's needs, Purchaser shall not obtain potable water from a source other than the authority except (i) from facilities owned by the Purchaser or contracted for on the date hereof, (ii) from groundwater sources now or hereafter available to the Purchaser, (iii) as may otherwise be permitted by this Agreement, or (iv) with the consent of the Authority.

Section 2.4. Amendment adding Section 10.5 to the Original Agreement. The Original Agreement is hereby amended by the adding Section 10.5 to read as follows:

Section 10.5. Conservation of Water. It is the intent of the parties to this Agreement to provide to the maximum extent practicable for the conservation of water, and Purchaser agrees that it is a condition of this Agreement that it shall reasonably maintain and operate its facilities in a manner that will promote beneficial use, and prevent unnecessary waste, of water. The Authority, in accordance with applicable law or regulation, may from time to time adopt reasonable rules and regulations relating to water conservation and drought management for water supplied by the Authority to Purchaser and other customers of the Authority. Purchaser shall adopt and implement a water conservation and drought contingency plan, as required by applicable law, which may be reviewed by the Authority. If required by applicable law or regulation Purchaser agrees that, in the event Purchaser furnishes water or water services to a third party that in turn will furnish the water or provide water services to the ultimate consumer, the requirements relative to water conservation shall be met through contractual agreements between Purchaser and the third party providing for the establishment and implementation of a water conservation and drought contingency plan in compliance with such applicable law or regulation.

Section 2.5. Amendment to Section 12.1. Section 12.1 of the Original Agreement shall be amended and restated to read as follows:

Section 12.1. Term. This Agreement shall remain in force and effect to and including December 31, 2027, and thereafter until payments in full of the principal, premium, if any and interest on all Mainland Project Bonds and all related fees to be paid under any bond resolution or indenture securing the same.

ARTICLE III.

GENERAL

Section 3.1. Amended and Restated Industrial Division Customer Contract; Consent to the Issuance of Seller's Revenue Bonds.

(a) Purchaser recognizes that the potable water supplied by the Mainland Project to Purchaser under the Mainland Projects Contract is supplied by means of the Authority's Industrial Division, which supplies raw water to the Mainland Division. Purchaser is obligated to comply with certain provisions of the Industrial Division Customer Contract, including the absolute and unconditional obligation to make the payments specified in Article 6 of the Industrial Division Customer Contract, which are designated as Industrial Division Payments and Raw Water Charges in the Original Agreement, pursuant to Article 5 of the Original Agreement. Purchaser hereby acknowledges and agrees that it familiar with the terms and provisions of the Industrial Division Customer Contract, a current form of which is attached hereto as Exhibit A.

(b) Purchaser hereby consents to the issuance of Seller's Revenue Bonds, as such term is defined in the Industrial Division Customer Contract. Purchaser hereby agrees to furnish

the Authority with such financial information, data, projections and related information as may be reasonably required by the Authority in connection with the sale of the Seller's Revenue Bonds in order to comply with all applicable laws, rules and regulations, including the approval of Seller's Revenue Bonds by the Attorney General of the State of Texas. Following the issuance of a series of Seller's Revenue Bonds, the Authority shall furnish the Purchaser with a maturity schedule showing the annual Industrial Division Payments associated with such Seller's Revenue Bonds estimated to be required to pay the principal of and the interest on the Seller's Revenue Bonds when and as the same shall become due and payable (including any sinking fund payments to be made in respect the Seller's Revenue Bonds).

Section 3.2. Original Agreement Remains in Effect. The Original Agreement shall remain in full force and effect as amended and supplemented by this Amendment, and is hereby ratified and approved. To the extent of a conflict between this Amendment and the Original Agreement, this Amendment shall prevail.

Section 3.3. Governing Law. This Amendment shall be governed by and construed in accordance with the laws of the State of Texas.

Section 3.4. Severability. If any provision of this Amendment shall be invalid or unenforceable, the validity and enforceability of the remaining provisions hereof shall not in any way be affected or impaired.

Section 3.5. Counterparts. This Amendment may be signed in multiple counterparts, each of which when so executed shall be deemed an original, but all of which when taken together shall constitute one and the same instrument.

[Execution Page to Follow]

EXECUTED in multiple counterparts, each of which shall be deemed to be an original.

CITY OF LA MARQUE, TEXAS

By: Bobby Hocking

Bobby Hocking, Mayor

APPROVED AS TO FORM:

By: Ellis J. Ortega

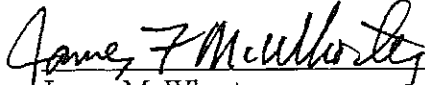
Ellis J. Ortega, City Attorney

ATTEST:

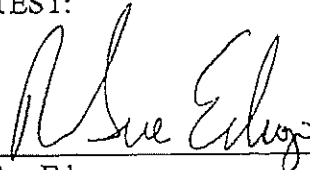
By: Robin Eldridge

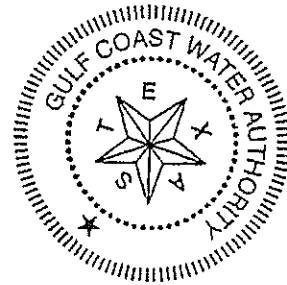
Robin Eldridge, City Clerk

GULF COAST WATER AUTHORITY


James McWhorter
President

ATTEST:


R. Sue Edrozo
Secretary-Treasurer





CITY COUNCIL AGENDA FORM

Meeting Date: October 10, 2016

Agenda item: 7a&9a

Prepared by: Charlene Warren

Reviewed by: Carol Buttler

Department: Administration

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding Ordinance No. **O-2016-0017** repealing Chapter 17, Article III, Coin-Operated Amusement Machines, of the Code of Ordinances, City of La Marque, Texas, and in its place adopting a new Chapter 17, Article III, Coin-Operated Amusement Machines, and amending Appendix “A”, Schedule of Fees and Charges, Coin-Operated Amusement Machines, to increase the license fee for each machine **THIS IS THE SECOND AND FINAL READING**



Attach for reference

- 1. Proposed Ordinance**
- 2. Current Code**

STAFF BRIEFING:

- An “amusement redemption machine game room” is defined as any establishment where five (5) or more amusement redemption machines, with the exception of excluded machines, are displayed or exhibited for public use.
- Small businesses may operate four (4) or less amusement redemption machines in non-licensed venues.
- As of September 1, 2016, the City of La Marque has nine (9) licensed game rooms, with a total of 392 amusement redemption machines.
- All licensed game rooms are required to re-apply annually, paying a fee of \$1,000.00 per license application.
- Licenses are issued on a calendar year basis.
- In addition to the license application fee, the City assesses permit and licensing fees.
- All machines require permit fees, which are a state controlled occupation tax equal to one-fourth of the tax charged and collected by the state. Currently, \$15.00 per amusement redemption machine is remitted to the City, not the state. This fee can only change if the State of Texas amends the occupation tax.
- City license fees are for the annual inspection and licensing of each amusement redemption machine, currently \$600.00 per machine.
- The total collected per amusement redemption machine is \$615.00.
- Based upon the current schedule of fees and the actual number of amusement redemption machines licensed in our city, \$250,080.00 in revenue is deposited into the general fund.
- With the proposed change to the City licensing fee from \$600.000 to \$1,000.00 per machine and using the current number of amusement redemption machines for estimation, the potential revenue **increase** could be \$156,800.00, for an annual total of \$406,880.00.
- There is **no** assurance that all currently licensed game rooms (or total number of licensed machines) will remain the same, so the above figure is for **estimation purposes only**.
- The City Attorney has reviewed and approved ordinance content and format.
- Finance has reviewed and will reserve any revenue received from licensed game rooms for any council approved projects.



CITY COUNCIL AGENDA FORM

HISTORY:

- November 12, 2012 – Ordinance No. O-2012-1068, amending entire ordinance.

TARGET IMPLEMENTATION: November 9, 2016

SIGNIFICANT ACTION DATES:

- September 19, 2015 – First Reading

ACTION:

- | | |
|--|---|
| ☒ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☐ Other | |
| ☒ Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures | |

Cost Details:	
Budgeted	0
Actual Bid	N/A
Estimated Expenditure	0
Acct. Name(s)	Coin Operated Machine Licenses
Line Items #	01-3323-00-00
Other Funding	N/A

STAFF'S RECOMMENDATION: Motion to adopt Ordinance No. **O-2016-0017** repealing Chapter 17, Article III, Coin-Operated Amusement Machines, of the Code of Ordinances, City of La Marque, Texas, and in its place adopting a new Chapter 17, Article III, Coin-Operated Amusement Machines, and amending Appendix A, Schedule of Fees and Charges, Coin-Operated Amusement Machines, to increase the license fee for each machine **THIS IS THE SECOND AND FINAL READING**

FISCAL IMPACT: The fiscal impact is an **estimation only**. As of September 1, 2016, there are nine (9) licensed game rooms located within the City of La Marque, with a total of 392 amusement redemption machines. Based on those numbers, and assuming all existing game rooms renew with the same number of machines, the potential revenue impact **could** increase by \$156,800.00, for a total of \$406,880.00 upon annual renewal.

ORDINANCE NO. O-2016-0017

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, REPEALING CHAPTER 17, ARTICLE III, COIN-OPERATED AMUSEMENT MACHINES, OF THE CODE OF ORDINANCES, CITY OF LA MARQUE, TEXAS, AND IN ITS PLACE ADOPTING A NEW CHAPTER 17, ARTICLE III, COIN-OPERATED AMUSEMENT MACHINES, PROVIDING FOR DEFINITIONS; PROVIDING FOR OCCUPATION TAX; REQUIRING A RECEIPT TO BE ATTACHED TO THE MACHINE; PROVIDING FOR EXEMPTIONS; PROVIDING THAT ILLEGAL MACHINES ARE NOT AUTHORIZED; PROVIDING THAT SKILL OR PLEASURE COIN-OPERATED MACHINES ARE PROHIBITED NEAR SCHOOLS; REGULATING AMUSEMENT REDEMPTION MACHINES AND GAME ROOMS; AND AMENDING APPENDIX A, SCHEDULE OF FEES AND CHARGES, COIN OPERATED AMUSEMENT MACHINES, TO INCREASE THE LICENSE FEE FOR EACH MACHINE, PAYMENT OF FEE AND ISSUANCE OF A LICENSE REGULATING ARTICLE III, COIN-OPERATED MACHINES; PROVIDING FOR A SAVINGS AND REPEALING CLAUSE; AND PROVIDING A PENALTY

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

SECTION ONE:

That Chapter 17, Article III, Coin-Operated Amusement Machines, of the Code of Ordinances of the City of La Marque, Texas, is hereby repealed and a new Chapter 17, Article III, Coin-Operated Amusement Machines, is hereby adopted in its place which reads as follows:

Sec. 17-54. Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Coin-operated machine means and includes every machine or device of any kind or character which is operated by or with coins, currency, metal slugs, tokens, electronic payments or checks. Music coin-operated machines and skill or pleasure coin-operated machines, as defined in this section, shall be included in such terms.

Music coin-operated machine means and includes every coin-operated machine of any kind or character which dispenses or vends or which is used for dispensing or vending music and which is operated by or with coins, currency, metal slugs, tokens, electronic payments or checks. The following are expressly included within this term: phonographs, pianos, graphophones, and all other coin-operated machines which dispense or vend music.

Operator means and includes any person who exhibits, displays, or permits to be exhibited or displayed, in a place of business other than his own, any coin-operated machine in this city.

Owner means and includes any person owning or having the care, control, management, or possession of any coin-operated machine in this city.

Service coin-operated machine means every pay toilet, pay telephone, and all other machines or devices which dispense service only and not merchandise, music, skill, or pleasure.

Skill or pleasure coin-operated machine means and includes every coin-operated machine, of any kind or character, when the machines dispense or are used or are capable of being used or operated for amusement or pleasure, or when the machines are operated for the purpose of dispensing or affording skill or pleasure, or for any other purpose other than the dispensing or vending of merchandise or music or service exclusively as those terms are defined in this section. The following are expressly included within this term: marble machines, marble table machines, marble shooting machines, miniature racetrack machines, miniature football machines, miniature golf machines, miniature bowling machines, and all other coin-operated machines which dispense or afford skill or pleasure. Every machine or device of any kind or character which dispenses or vends merchandise, commodities or confections, or plays music in connection with or in addition to these games or dispensing of skill or pleasure shall be considered as skill or pleasure machines and taxed at the higher rate fixed to these machines.

Amusement redemption machine means and includes every (1) skill or pleasure coin-operated machine or device which is operated by or with coins, currency, metal slugs, tokens, electronic payment or checks, that is designed, made and adapted solely for bona fide amusement purposes, and that by operation of chance or a combination of skill and chance, affords the user, in addition to any right of replay, an opportunity to receive exclusively non-cash merchandise prizes, toys, novelties, or a representation of value redeemable for those items; (2) any electronic, electromechanical, or mechanical contrivance designed, made and adapted solely for bona fide amusement purposes if the contrivance rewards the player exclusively with non-cash merchandise, prizes, or novelties, or a representation of value redeemable for those items, that have a wholesale value available from a single play of the game or device of not more than ten times the amount charged to play the game or device once or \$5.00, whichever is less.

Amusement redemption machine game room means any establishment where five or more amusement redemption machines, with the exception of excluded machines, are displayed or exhibited for public use.

Representation of value means cash paid under authority of sweepstakes contests as provided in the Texas Business and Commerce Code, Chapter 43(B), or a gift certificate or gift card that is presented to a merchant in exchange for merchandise.

Sec. 17-55. *Occupation tax levied.*

(a) Every person who owns, controls, exhibits, displays, or permits to be exhibited or displayed in this city any coin-operated machines shall pay, and there is hereby levied on every

coin-operated machine except such as are exempted in this article, an annual occupation tax on one-fourth the tax charged and collected by the state.

(b) Nothing in this section shall prevent the operator of the machines from paying the tax levied in this section for the account of the owner, but the payment of the tax by the operator or other person shall not relieve the owner from the responsibility of complying with all provisions of this article.

Sec. 17-56. Payment of occupation tax; receipt to be attached to machine.

(a) The occupation tax levied by this article shall be paid to the city **permit** clerk, who shall issue an occupation tax receipt.

(b) The occupation tax receipt shall be attached to the coin-operated machine mentioned in the receipt and shall bear the serial number of the particular machine.

(c) It shall be unlawful for any person to operate, exhibit, or display any coin-operated machine in the city without having attached thereto an occupation tax ~~receipt~~ **permit**, and no occupation tax ~~receipt~~ **permit** issued for a certain coin-operated machine shall be transferred to any other machine.

Sec. 17-57. Exemptions.

Utility meters, pay telephones, pay toilets, food vending machines, confection vending machines, beverage vending machines, merchandise vending machines, and cigarette vending machines which are subject to an occupation or gross receipts tax and service coin-operated machines are expressly exempt from the tax levied in this article and the other provisions of this article.

Sec. 17-58. Illegal machines not authorized.

Nothing in this article shall be construed or have the effect to license, permit, authorize, or legalize any machine, device, table, or coin-operated machine, the keeping, exhibition, operation, display, or maintenance of which is illegal or in violation of any article of the Penal Code of this state or the constitution of this state.

Sec. 17-59. Skill or pleasure coin-operated machines prohibited near schools.

No skill or pleasure coin-operated machine shall be permitted within 300 feet of any school building, church or hospital ~~in this city~~.

Sec. 17-60. Amusement redemption machines and game rooms.

(a) *Licensing and Permitting.*

License. No person shall operate an amusement redemption machine game room in the city without first obtaining a license from the chief of police, as required by this section. No license shall be issued until the ~~occupation tax~~ **license fee** has been paid by the operator for each machine within the premises, as required by section 17-56.

Permit. No person shall operate an amusement redemption machine game room in the city without first obtaining a permit from the chief of police. No permit shall be issued until the occupation tax has been paid by the operator, as required by Section 17-56.

(b) *Excluded machines.*

An amusement redemption machine game room does not include:

(1) A machine that awards the user non-cash merchandise prizes, toys, or novelties, solely and direct from the machine, including claw, crane, or similar machines; nor

(2) A machine from which the opportunity to receive non-cash merchandise prizes, toys, or novelties, or a representation of value redeemable for those items, varies depending upon the user's ability to throw, roll, flip, toss, hit, or drop a ball or other physical object into the machine or a part thereof, including basketball, skeet ball, golf, bowling, pusher, or similar machines; nor

(3) A machine or any device defined in Section 47.01, Penal Code, as a gambling device, or any activity prohibited or described in Chapter 47, Penal Code.

(c) *Local license fee for amusement redemption machine and amusement redemption machine game room required.*

(1) *Payment of Fee and Issuance of License.*

An owner, operator, or lessee of an amusement redemption machine game room shall be required to secure a license annually. An amusement redemption machine game room shall be required to secure a license by paying to the City an annual inspection and amusement redemption machine game room license fee of ~~\$600.00~~ \$1,000.00 per machine. All fees must be paid in full. No partial payments will be accepted. Upon payment of fee and compliance with all licensing requirements, the license shall be issued by the chief of police, or designee.

(2) *Application.*

~~Effective November 1, 2012,~~ there ~~will be~~ is a non-refundable \$1,000.00 application fee for all game rooms. An applicant for a license ~~or permit~~ shall file with the chief of police a written application on a form provided for that purpose, which shall be signed by the applicant, who shall be the owner, operator, or lessee of the amusement redemption machine game room. Should an applicant maintain an amusement redemption machine game room at more than one location, a separate application ~~must~~ shall be filed for each location. The following information is required in the application:

a. Name, address, telephone number and driver's license number of the applicant if a natural person; name, address, telephone number and driver's license number of all persons who own 25 percent or more interest in the amusement redemption machine game room; name, address, telephone number and driver's license number of all corporate officers, if any, of the such business; name, address, telephone number of the business; if incorporated, the name of the business registered with the secretary of state; if a partnership, the name, address, telephone number and driver's license of each of the general and limited partners; a copy of the applicant's

d/b/a, if applicable. If applicant is not the owner of the premises, the applicant shall furnish the name, address, and telephone number of the property owner.

b. The previous occupation(s) of the applicant and, if applicable, all corporate officers and partners of the applicant within the preceding five years.

c. Whether a previous license or permit of applicant, or, if applicable, corporate or partner of applicant, has been revoked within two years of filing of the application.

d. Must provide proof of ownership, bill of sale, or lease agreement for amusement redemption machines, including serial numbers.

e. Number of amusement redemption machines at the designated amusement redemption machine location.

f. A statement that:

1. The amusement redemption machines are not and will not be used as gambling devices;
2. That all the facts contained in the application are true and correct;
3. The location and operation of the amusement redemption machine will not violate any applicable deed restrictions; and
4. The amusement redemption machine will be operated in accordance with all laws; and

g. Name, address, and telephone number of an emergency contact person who can be reached after hours.

(3) *Expiration and Renewal.*

a. *Expiration.*

An annual amusement redemption machine game room license issued by the city shall automatically expire on the 31st day of December following its issuance, except as otherwise stated herein. Such license shall automatically expire if the licensee thereof sells the property or the business, transfers equity to accomplish same, or otherwise disposes of such devices. An amusement redemption machine game room license is not assignable or transferable. The city shall not refund any portion of a license after the license is issued, nor shall it prorate or reduce in amount any fee due to the city.

b. *Late penalty.*

Upon the expiration of a license, the licensee shall obtain a renewal if the licensee wishes to continue operating an amusement redemption machine game room. Failure to obtain the renewal within 30 days after expiration will require such person to pay an additional late fee in an amount equal to 20 percent of the fee actually due or 20 percent of the previous year's fee, whichever is greater, in order to obtain reinstatement of this license. 10 days after expiration will require such person to pay a late fee in an amount equal to 20 percent of the fee actually due.

Failure to obtain the renewal within 15 days after expiration will require such person to pay a late fee in an amount equal to 25 percent of the fee actually due. Failure to obtain the renewal within 20 days after expiration will require such person to pay a late fee in an amount equal to 30 percent of the fee actually due. After 20 days, the license will be irrevocably suspended. ~~Nothing herein authorizes the licensee~~ No licensee shall be authorized to operate after the expiration of a license and before a renewal is effective.

(4) *Sealing.*

The city shall have the authority to seal any coin-operated machine for which a license fee has not been secured. A \$5.00 fee will be charged for the release of any machine sealed for non-payment of said license fee.

(5) *Posting of license.*

The license shall be conspicuously posted inside the building.

(6) *Restrictions, regulations, controls, and limitations.*

The following restrictions, regulations, controls, and limitations shall apply to all amusement redemption machine game rooms:

a. *Condition of premises.*

All building and fire code standards must be met. Inspection by building officials and certificate of occupancy shall be obtained before license is issued. Game room must be located in an area zoned for that activity.

b. *Methods of conduction of business.*

No alcoholic beverages shall be served or allowed on premises. No activities allowed outdoors.

c. *Hours of operation.*

Premises may only be operated between the hours of 7:00 a.m. and 2:00 a.m.

d. *Parking requirements.*

One space for each two machines, plus one space per employee per shift.

e. *Location requirements.*

Premises shall not operate within 300 feet of an established church, school, or hospital.

f. *Location requirement.*

Premises shall not operate within 1,500 feet of another amusement redemption machine game room.

g. The owner, operator, or manager of the premises must be present to supervise the operation of the machines. The machines shall not be left unattended.

h. Machines must be situated within the premises as to be in full and open public view, which entails being visible to all patrons of the establishment.

i. Minors may not operate machines during school hours on days when school is in session.

j. A game room operator must be a person who is at least 18 years of age.

k. Total number of machines in one establishment shall be limited to 50.

l. *Security requirements.* Premises shall not operate without recorded video surveillance and a panic alarm button. Surveillance shall capture all points of ingress and egress, and shall be maintained for at least seventy-two (72) hours.

(7) Any establishment which contains four (4) or less "amusement redemption machines" as the term is defined in Sec. 17.54 is exempt from the provisions of Sec. 71-60(c).

(d) *Refusal or termination of license/appeal.*

If the chief of police refuses to approve the issuance of a license or the renewal of a license to an applicant, or revokes a license issued to a licensee under this chapter, such action is final, unless the licensee, within ten (10) days after the receipt of written notice of the action, files with the city manager a written appeal. The city manager shall, within ten (10) days after the appeal is filed, consider all evidence in support of or against the action appealed. The city manager has the authority to sustain, reverse or modify the action appealed. The decision of the city manager is final. Filing of an appeal stays the previous action of the police chief. Failure or refusal to renew or revocation of an amusement redemption machine game room license does not affect operation of the principal business of which the amusement redemption machine game room is a part.

(e) *Disclaimer.*

By issuing the required license, the city is not certifying the installation or use of the amusement redemption machines applying for a license. The applicant shall acknowledge that the city is not certifying or sanctioning the installation or use of such machines.

(f) *Limitation of regulations on existing business.*

Those businesses operating amusement redemption machines or amusement redemption machine game rooms permitted by the city prior to August 29, 2006, are exempt from the regulations specified in sections 17-59, 17-60(c)(6)c., d., e., f., h., and k. The relocation of the business, or the closing of the business for ~~whatever~~ any reason, whether temporarily or permanently, or the loss of or failure to renew licenses or permits required by these regulations, or the violation of any regulation causing the closure and/or loss of license required, shall make these exemptions void. These exemptions are specific and do not include any other regulation or code that would otherwise be applicable.

SECTION TWO:

That Appendix A of the La Marque Code of Ordinances, Schedule of Fees and Charges, Coin Operated Amusement Machines; Tax, Payment of Fee and Issuance of License, is hereby amended to read as follows:

“Coin-operated amusement machines; License

Payment of fee and issuance of license.

An owner, operator, or lessee of an amusement machine game room shall be required to secure a license annually. An owner, operator, or lessee of an amusement redemption machine shall be required to pay to the city a non-refundable annual application fee of \$1,000.00 for all amusement redemption machine game rooms and an inspection/amusement redemption machine license fee of ~~\$600.00~~ \$1,000.00 per machine. Upon payment of fees and compliance with all licensing requirements, the license shall be issued by the chief of police, or designee.”

Savings and Repealing Clause. All provisions of any Ordinance in conflict with this Ordinance are hereby repealed, but such repeal shall not abate any pending prosecution for violation of the repealed Ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the Ordinance. Any remaining portions of said Ordinances shall remain in full force and effect.

Penalty Provision. Any person, firm, corporation or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined an amount not less than fifty and not more than five hundred dollars. Each unlawful act or continuing day’s violation under this Ordinance shall constitute a separate offense. The penal provisions imposed under this Ordinance shall not preclude La Marque from filing suit to enjoin the violation. La Marque retains all legal rights and remedies available to it pursuant to local, state and federal law.

PASSED AND APPROVED on first reading this 19th day of September, 2016.

PASSED, APPROVED AND ADOPTED on second and final reading this the ____ day of _____, 2016.

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor

ATTEST:

Robin Eldridge, TRMC
City Clerk

APPROVED AS TO FORM:

Ellis J. Ortego, City Attorney

ARTICLE III. - COIN-OPERATED AMUSEMENT MACHINES^[2]

Footnotes:

--- (2) ---

Editor's note—Ord. No. 964, adopted August 28, 2006, amended the Code by repealing former art. III, §§ 17-54—17-60, and adding a new art.

III. Former art. III pertained to similar subject matter; and derived from the Code of 1972, §§ 10-1—10-6; and Ord. No. 917, adopted February 10, 2003.

Sec. 17-54. - Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Amusement redemption machine means and includes every (1) skill or pleasure coin-operated machine or device which is operated by or with coins, currency, metal slugs, tokens, electronic payment or checks, that is designed, made and adapted solely for bona fide amusement purposes, and that by operation of chance or a combination of skill and chance, affords the user, in addition to any right of replay, an opportunity to receive exclusively non-cash merchandise prizes, toys, novelties, or a representation of value redeemable for those items; (2) any electronic, electromechanical, or mechanical contrivance designed, made and adapted solely for bona fide amusement purposes if the contrivance rewards the player exclusively with non-cash merchandise, prizes, or novelties, or a representation of value redeemable for those items, that have a wholesale value available from a single play of the game or device of not more than ten times the amount charged to play the game or device once or \$5.00, whichever is less.

Amusement redemption machine game room means any establishment where five or more amusement redemption machines, with the exception of excluded machines, are displayed or exhibited for public use.

Coin-operated machine means and includes every machine or device of any kind or character which is operated by or with coins, currency, metal slugs, tokens, electronic payments or checks. Music coin-operated machines and skill or pleasure coin-operated machines, as defined in this section, shall be included in such terms.

Music coin-operated machine means and includes every coin-operated machine of any kind or character which dispenses or vends or which is sued for dispensing or vending music and which is operated by or with coins, currency, metal slugs, tokens, electronic payments or checks. The following are expressly included within this term: phonographs, pianos, graphophones, and all other coin-operated machines which dispense or vend music.

Operator means and includes any person who exhibits, displays, or permits to be exhibited or displayed, in a place of business other than his own, any coin-operated machine in this city.

Owner means and includes any person owning or having the care, control, management, or possession of any coin-operated machine in this city.

Representation of value means cash paid under authority of sweepstakes contests as provided in the Texas Business and Commerce Code, Chapter 43(B), or a gift certificate or gift card that is presented to a merchant in exchange for merchandise.

Service coin-operated machine means every pay toilet, pay telephone, and all other machines or devices which dispense service only and not merchandise, music, skill, or pleasure.

Skill or pleasure coin-operated machine means and includes every coin-operated machine, of any kind or character whatsoever, when the machines dispense or are used or are capable of being used or operated for amusement or pleasure, or when the machines are operated for the purpose of dispensing or affording skill or pleasure, or for any other purpose other than the dispensing or vending of merchandise or music or service exclusively as those terms are defined in this section. The following are expressly included within this term: marble machines, marble table machines, marble shooting machines, miniature racetrack machines, miniature football machines, miniature golf machines, miniature bowling machines, and all other coin-operated machines which dispense or afford skill or pleasure. Every machine or device of any kind or character which dispenses or vends merchandise, commodities or confections, or plays music in connection with or in addition to these games or dispensing of skill or pleasure shall be considered as skill or pleasure machines and taxed at the higher rate fixed to these machines.

(Ord. No. 964, 8-28-2006; Ord. No. O-2012-1068, § 1, 11-12-12)

Sec. 17-55. - Occupation tax levied.

- (a) Every person who owns, controls, exhibits, displays, or permits to be exhibited or displayed in this city any coin-operated machines shall pay, and there is hereby levied on every coin-operated machine except such as are exempted in this article, an annual occupation tax on one-fourth the tax charged and collected by the state.
- (b) Nothing in this section shall prevent the operator of the machines from paying the tax levied in this section for the account of the owner, but the payment of the tax by the operator or other person shall not relieve the owner from the responsibility of complying with all provisions of this article.

(Ord. No. 964, 8-28-2006; Ord. No. O-2012-1068, § 1, 11-12-12)

Sec. 17-56. - Payment of occupation tax; receipt to be attached to machine.

- (a) The occupation tax levied by this article shall be paid to the city clerk, who shall issue an occupation tax receipt.
- (b) The occupation tax receipt shall be attached to the coin-operated machine mentioned in the receipt and shall bear the serial number of the particular machine.
- (c) It shall be unlawful for any person to operate, exhibit, or display any coin-operated machine in the city without having attached thereto an occupation tax receipt, and no occupation tax receipt issued for a certain coin-operated machine shall be transferred to any other machine.

(Ord. No. 964, 8-28-2006; Ord. No. O-2012-1068, § 1, 11-12-12)

Sec. 17-57. - Exemptions.

Utility meters, pay telephones, pay toilets, food vending machines, confection vending machines, beverage vending machines, merchandise vending machines, and cigarette vending machines which are subject to an occupation or gross receipts tax and service coin-operated machines are expressly exempt from the tax levied in this article and the other provisions of this article.

(Ord. No. 964, 8-28-2006; Ord. No. O-2012-1068, § 1, 11-12-12)

Sec. 17-58. - Illegal machines not authorized.

Nothing in this article shall be construed or have the effect to license, permit, authorize, or legalize any machine, device, table, or coin-operated machine, the keeping, exhibition, operation, display, or maintenance of which is illegal or in violation of any article of the Penal Code of this state or the constitution of this state.

(Ord. No. 964, 8-28-2006; Ord. No. O-2012-1068, § 1, 11-12-12)

Sec. 17-59. - Skill or pleasure coin-operated machines prohibited near schools.

No skill or pleasure coin-operated machine shall be permitted within 300 feet of any school building, church or hospital in this city.

(Ord. No. 964, 8-28-2006; Ord. No. O-2012-1068, § 1, 11-12-12)

Sec. 17-60. - Amusement redemption machines and game rooms.

- (a) Licensing and permitting.

(1) License. No person shall operate an amusement redemption machine game room in the city

without first obtaining a license from the chief of police, as required by this section. No license shall be issued until the occupation tax has been paid by the operator for each machine within the premises, as required by section 17-56.

- (2) Permit. No person shall operate an amusement redemption machine game room in the city without first obtaining a permit from the chief of police. No permit shall be issued until the occupation tax has been paid by the operator, as required by Section 17-56.
- (b) Excluded machines. An amusement redemption machine game room does not include:
 - (1) A machine that awards the user non-cash merchandise prizes, toys, or novelties, solely and direct from the machine, including claw, crane, or similar machines; nor
 - (2) A machine from which the opportunity to receive non-cash merchandise prizes, toys, or novelties, or a representation of value redeemable for those items, varies depending upon the user's ability to throw, roll, flip, toss, hit, or drop a ball or other physical object into the machine or a part thereof, including basketball, skeet ball, golf, bowling, pusher, or similar machines; nor
 - (3) A machine or any device defined in Section 47.01, Penal Code, as a gambling device, or any activity prohibited or described in Chapter 47, Penal Code.
- (c) Local license fee for amusement redemption machine and amusement redemption machine game room required.
 - (1) Payment of fee and issuance of license. An owner, operator, or lessee of an amusement redemption machine game room shall be required to secure a license annually. An amusement redemption machine game room shall be required to secure a license by paying to the city an annual inspection and amusement redemption machine game room license fee of \$600.00 per machine. Upon payment of fee and compliance with all licensing requirements, the license shall be issued by the Chief of Police, or designee.
 - (2) Application. Effective November 1, 2012, there will be a non-refundable \$1,000.00 annual application fee for all game rooms.

An applicant for a license or permit shall file with the chief of police a written application on a form provided for that purpose, which shall be signed by the applicant, who shall be the owner, operator, or lessee of the amusement redemption machine game room. Should an applicant maintain an amusement redemption machine game room at more than one location, a separate application must be filed for each location. The following information is required in the application:

- a. Name, address, telephone number and driver's license number of the applicant if a natural person; name, address, telephone number and driver's license number of all persons who own 25 percent or more interest in the amusement redemption machine game room; name, address, telephone number and driver's license number of all corporate officers, if any, of

the such business; name, address, telephone number of the business; if incorporated, the name of the business registered with the secretary of state; if a partnership, the name, address, telephone number and driver's license of each of the general and limited partners; a copy of the applicant's d/b/a, if applicable. If applicant is not the owner of the premises, the applicant shall furnish the name, address, and telephone number of the property owner.

- b. The previous occupation(s) of the applicant and, if applicable, all corporate officers and partners of the applicant within the preceding five years.
- c. Whether a previous license or permit of applicant, or, if applicable, corporate or partner of applicant, has been revoked within two years of filing of the application.
- d. Number of amusement redemption machines at the designated amusement redemption machine location.
- e. A statement that:
 - 1. The amusement redemption machines are not and will not be used as gambling devices;
 - 2. That all the facts contained in the application are true and correct;
 - 3. The location and operation of the amusement redemption machine will not violate any applicable deed restrictions; and
 - 4. The amusement redemption machine will be operated in accordance with all laws; and
- f. Name, address, and telephone number of an emergency contact person who can be reached after hours.

(3) Expiration and renewal.

- a. Expiration. An annual amusement redemption machine game room license issued by the city shall automatically expire on the 31st day of December following its issuance, except as otherwise stated herein. Such license shall automatically expire if the licensee thereof sells the property or the business, transfers equity to accomplish same, or otherwise disposes of such devices. An amusement redemption machine game room license is not assignable or transferable. The city shall not refund any portion of a license after the license is issued, nor shall it prorate or reduce in amount any fee due to the city.
- b. Late penalty. Upon the expiration of a license, the licensee shall obtain a renewal if the licensee wishes to continue operating an amusement redemption machine game room. Failure to obtain the renewal within 30 days after expiration will require such person to pay an additional late fee in an amount equal to 20 percent of the fee actually due or 20 percent of the previous year's fee, whichever is greater, in order to obtain reinstatement of his license. Nothing herein authorizes the licensee to operate after the expiration of a license and before a renewal is effective.

- (4) Sealing. The city shall have the authority to seal any coin-operated machine for which a license fee has not been secured. A \$5.00 fee will be charged for the release of any machine sealed for non-payment of said license fee.
- (5) Posting of license. The license shall be conspicuously posted inside the building.
- (6) Restrictions, regulations, controls, and limitations. The following restrictions, regulations, controls, and limitations shall apply to all amusement redemption machine game rooms:
 - a. Condition of premises. All building and fire code standards must be met. Inspection by building officials and certificate of occupancy shall be obtained before license is issued. Game room must be located in an area zoned for that activity.
 - b. Methods of conduction of business. No alcoholic beverages shall be served or allowed on premises. No activities allowed outdoors.
 - c. Hours of operation. May only be operated between the hours of 7:00 a.m. and 2:00 a.m.
 - d. Parking requirements. One space for each two machines, plus one space per employee per shift.
 - e. Location requirements. Premises shall not operate within 300 feet of an established church, school, or hospital.
 - f. Location requirement. Premises shall not operate within 1,500 feet of another amusement redemption machine game room.
 - g. The owner, operator, or manager of the premises must be present to supervise the operation of the machines. The machines shall not be left unattended.
 - h. Machines must be situated within the premises as to be in full and open public view, which entails being visible to all patrons of the establishment.
 - i. Minors may not operate machines during school hours on days when school is in session.
 - j. A game room operator must be a person who is at least 18 years of age.
 - k. Total number of machines in one establishment shall be limited to 50.
 - l. Security requirements. Premises shall not operate without video surveillance and a panic alarm button.
- (7) Any establishment which contains four (4) or less "amusement redemption machines" as the term is defined in Sec. 17.54 is exempt from the provisions of Sec. 71-60(c).
- (d) Refusal or termination of license/appeal. If the chief of police refuses to approve the issuance of a license or the renewal of a license to an applicant, or revokes a license issued to a licensee under this chapter, such action is final unless the licensee, within ten (10) days after the receipt of written notice of the action, files with the city manager a written appeal. The city manager shall, within ten (10) days after the appeal is filed, consider all evidence in support of or against the action appealed, and licensee may, within ten (10) days of that decision file a written appeal with the city clerk to the

city council setting forth specific grounds for the appeal. The city council shall, within thirty (30) days, grant a hearing to consider the action. The city council has authority to sustain, reverse or modify the action appealed. The decision of the city council is final. Filing of an appeal stays the previous action of the police chief or city manager, as applicable. Failure or refusal to renew or revocation of an amusement redemption machine game room license does not affect operation of the principal business of which the amusement redemption machine game room is a part. For example, establishments licensed by the Texas Alcoholic Beverage Commission, convenience stores and restaurants may continue to operate that business but will not be allowed to operate with the amusement redemption machines.

- (e) Disclaimer. By issuing the required license, the city is not certifying the installation or use of the amusement redemption machines applying for a license, the applicant shall acknowledge that the city is not certifying or sanctioning the installation or use of such machines.
- (f) Limitation of regulations on existing business. Those businesses operating amusement redemption machines or amusement redemption machine game rooms permitted by the city prior to August 29, 2006, are exempt from the regulations specified in sections 17-59, 17-60(c) (6)c., d., e., f., h., and k. The relocation of the business, or the closing of the business for whatever reason, whether temporarily or permanently, or the loss of or failure to renew licenses or permits required by these regulations, or the violation of any regulation causing the closure and/or loss of license required, make these exemptions void. These exemptions are specific and do not include any other regulation or code that would otherwise be applicable.

(Ord. No. 964, 8-28-2006; Ord. No. 972, § 1, 12-11-2006; Ord. No. 988, § 1, 9-24-2007; Ord. No. 1017, § 1, 2-23-2009; Ord. No. O-2012-1068, § 1, 11-12-12)

Secs. 17-61—17-78. - Reserved.



CITY COUNCIL AGENDA FORM

Meeting Date: October 10, 2016

Agenda item: 8a

Prepared by: Carol Buttler

Reviewed by: Carol Buttler

Department: Administration

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding authorizing the City Manager to execute a Professional Services Agreement with Burns McDonnell to perform consulting services for Request for Proposals, award, and negotiations of a new solid waste contract.

X

Attach for reference

1. Proposed Agreement

STAFF BRIEFING:

- Mr. Scott Pasternak and Ms. Veronica Roof of Burns McDonnell, as an affiliate vendor with H-GAC, began meeting with City staff several months ago to educate staff on solid waste practices and options for contracts.
- City staff prepared an analysis of the current Republic Services solid waste contract compared to recent solid waste contracts from neighboring cities to determine a strategy for continuing with outsourcing of solid waste services.
- City Manager determined an unbiased third party is necessary to proceed with the process for obtaining a solid waste services contract that is more current and more favorable to the City of La Marque.
- Burns McDonnell is reputable in preparing solid waste contracts throughout Texas.
- Proposal and Terms and Conditions were submitted to City Attorney for review.
- Finance Director confirmed funds are available for this item in Sanitation Fund 63 fund balance.

HISTORY:

- City of La Marque has contracted with Republic Services for solid waste services since at least 2007.
- Their contract was renewed in 2012.
- Until mid-2014, service was acceptable and customer service was excellent.
- However, service declined substantially once Republic Services began servicing at least three (3) additional cities.

TARGET IMPLEMENTATION: As soon as practicable.

SIGNIFICANT ACTION DATES:

October 10, 2016 – Workshop strategy with City staff and Burns McDonnell
Workshop with City Council and receive direction
Present proposal from Burns McDonnell to City Council for consideration and approval



CITY COUNCIL AGENDA FORM

ACTION:

- | | |
|--|---|
| ☐ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☒ Other – Professional Services Agreement | |
| ☒ Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures | |

Cost Details:	
Budgeted	
Actual Bid	\$67,590.00
Estimated Expenditure	\$67,590.00
Acct. Name(s)	Sanitation
Line Items #	63-0000-00-00
Other Funding	

STAFF'S RECOMMENDATION: Motion to authorize the City Manager to execute a Professional Services Agreement with Burns McDonnell to perform consulting services for Request for Proposals, award, and negotiations of a new solid waste contract

FISCAL IMPACT: Just over \$67,000.00 for consulting services

September 19, 2016

Ms. Carol Buttler
City Manager
City of La Marque
1111 Bayou Road
La Marque TX 77568

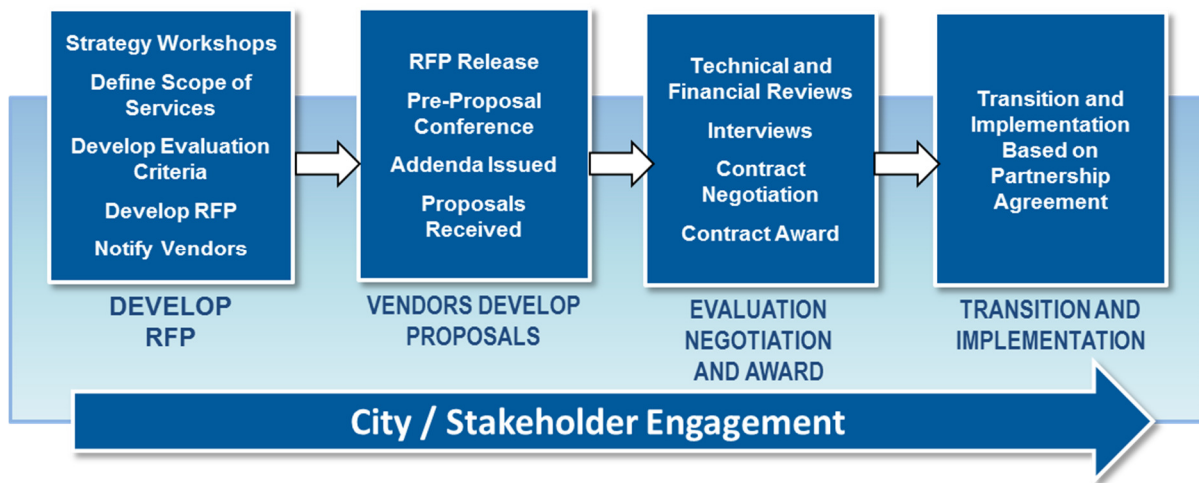
Re: ***Solid Waste and Recycling Services Procurement Assistance – Proposal***

Dear Ms. Buttler:

Burns & McDonnell is pleased to offer our services to the City of La Marque (City) to assist the City to procure solid waste and recycling services. This letter provides our Scope of Services and Fees.

SCOPE OF SERVICES

Based on discussions with staff from the City of La Marque, we have developed the following scope of work to assist the City with completing a solid waste and recycling procurement. We have developed this proposed scope of work to provide the City with important counsel and analysis during the procurement process. The following figure graphically communicates the tasks described in the scope of work.



Task 1: Information Request and Review

Following receipt of the Notice to Proceed, Burns & McDonnell will provide the City with a detailed data request that encompasses the data needs for completing the procurement. The City has already provided Burns & McDonnell with the following key documents:

- ▶ City of La Marque Solid Waste and Recyclable Material Collection Contract with Republic Services (October 19, 2012)
- ▶ Billing report (July 2015)
- ▶ Current contract analysis (September 2016)

Additional data to be requested may include, but may not be limited to, additional information such as the following:

- ▶ List and contact information for current solid waste and recycling providers (if available)
- ▶ Population and commercial establishment estimates and projections, including any planned annexations
- ▶ Ordinances and policy statements
- ▶ Historical tonnages of solid waste and recyclables generated
- ▶ Other information that may be determined to be relevant to the procurement

We recognize that the City may not have all information requested readily available or may track information differently than as requested. We will work with the City's appointed project manager to arrive at reasonable substitutes for key data, if needed. This task also includes organization and preliminary analysis of all data received.

Task 1 Deliverable(s)

- ▶ Preliminary Data Request

Task 2: Contract Review and Vendor Notification

City staff have conducted an evaluation of the current contract. Drawing from the City's analysis, Burns & McDonnell will review the City's current contract. The objective of the review is to address the following issues:

- ▶ **Identify key issues for reprourement.** For example, key issues for reprourement could include scheduled collection days, set-out requirements and contract enforcement for minor and major defaults.
- ▶ **Identify value added services that could be provided by the selected contractor.** Examples of issues to be addressed could include but not be limited to types of recyclable materials to be collected from residents, use of technology and provision of data and calculation of fees, recycling fees and rate adjustments.
- ▶ **Identify performance standards specific solid waste and recycling services.** For this task, Burns & McDonnell's focus will be to develop objective criteria that will allow the contractor to meet performance standards, as opposed to specifically stating how the contractor should provide the service. Examples of performance standards to be evaluated will include, but not be limited to, customer complaints for collection operations and provision of data from the various operations.

Burns & McDonnell will discuss the issues with City staff and provide broad recommendations on how to address these issues as part of Task 3: Procurement Planning and Strategy Workshop. In addition to the contract review, Burns & McDonnell will assist the City in notifying potential vendors of the procurement in an effort to encourage multiple companies to pursue this opportunity.

Task 2 Deliverable(s)

- ▶ Notification of potential vendors in the region

Task 3: Procurement Planning and Strategy Workshop

Based on our extensive procurement experience, we have found that utilizing workshops to discuss key issues is an effective and timely method for making important decisions. Following this workshop, City staff will have a key understanding of key issues that will need to be addressed while developing the Request for Proposal. The workshop will include discussion and evaluation of the following topics:

- ▶ Type of procurement process (i.e. Request for Proposals or Request for Bids process)
- ▶ Evaluation criteria and weighting (including consideration of minimum qualifications to participate)
- ▶ Customer base (i.e. residential, commercial, roll-off and municipal)
- ▶ Scope of services to be provided by the vendor (i.e. collection, disposal and processing services)
- ▶ Single or multiple vendors (i.e. collection vendor, disposal vendor and processing services vendor)
- ▶ City or vendor provided brush/bulky services
- ▶ Residential base services and optional services (decide process to select the service level that will be provided to all residential customers)
- ▶ Cart specifications, purchase, maintenance and ownership
- ▶ Transition plan (should the City elect to retain a new provider or change key services)
- ▶ Performance standards and assurances
- ▶ Initial and renewal terms of the contract
- ▶ Rate adjustments to be included in the contract (i.e. annual and unusual changes in costs of operations)
- ▶ Recyclable revenues sharing to be included in the contract
- ▶ Franchise fee to be included in contract
- ▶ Penalties for non-performance and performance bond
- ▶ Customer service responsibilities (e.g. customer complaints, call center, follow-up with City)
- ▶ Billing services responsibilities (i.e. residential, commercial, roll-off and municipal)
- ▶ Public outreach plan (i.e. customer surveys) and educational requirements
- ▶ Other issues pertinent to the procurement

Prior to conducting the workshop, Burns & McDonnell will provide a memo that will identify the specific questions that will be considered. Burns & McDonnell requests that the City arrange for a meeting room and coordinate that the appropriate individuals are in attendance. Burns & McDonnell will provide a copy of the agenda and any handout materials in advance of the workshop to provide an opportunity for the City to consider the issues prior to the workshop. In addition Burns & McDonnell will deliver a memorandum summarizing the key decisions of the procurement strategy workshop.

The Project Manager and Lead Procurement/Legal Consultant will facilitate a one day (e.g. 4 – 6 hour) procurement planning and strategy workshop to discuss the solid waste and recycling procurement. Burns & McDonnell may participate in a City Council Meeting the same day as the workshop upon the request of the City.

Task 3 Deliverable(s)

- ▶ Copies of agenda and handouts prior to the workshop
- ▶ Participation by Burns & McDonnell consultants at workshop and City Council Meeting
- ▶ Memorandum that summarizes the key decisions of the workshop

Task 4: Preparation of Procurement Documents

City staff has initiated revising the current contract. Drawing from the City's efforts, Burns & McDonnell will assist the City with the development of the procurement documents, which will include a Request for Proposals (RFP) and draft contract. For all parts of this task, Burns & McDonnell will coordinate with the designated purchasing staff and legal counsel and will rely on the City for any standard language to be included in procurement documents.

Develop RFP

As part of the development of the procurement documents, Burns & McDonnell will coordinate with the City to prepare a draft version of the following elements of the procurement documents:

- ▶ General terms and conditions of the procurement document, including any standard terms and conditions provided by the City
- ▶ Background information, including explanation of why the procurement document is being developed, historical program data, demographic information, etc.
- ▶ Proposal format and content
- ▶ Procurement process, including schedule and evaluation criteria
- ▶ Proposal response forms, including personnel, experience, cost, etc.
- ▶ Other sections of the procurement document

Develop Draft Contract

Burns & McDonnell will also assist the City with developing a solid waste and recycling services contract to be included in the procurement documents. The solid waste and recycling services contract may include the following contractual provisions:

- ▶ Contract term and renewal options
- ▶ Collection procedures
- ▶ Materials acceptance and rejection protocol
- ▶ Facility capacity and other requirements
- ▶ Equipment and personnel requirements
- ▶ Disposal and processing requirements
- ▶ Recordkeeping, recording and auditing requirements
- ▶ Public education responsibilities
- ▶ Rate structure and annual rate adjustment calculations
- ▶ Administrative fees/liquidated damages

- ▶ Other provisions related to the scope of services to be provided by the successful proposer(s)

Burns & McDonnell will prepare one draft and one final version of the RFP and draft contract. Any additional drafts will be considered Additional Services. Upon delivery of the first draft version of the procurement document, the Burns & McDonnell Project Manager and the Lead Procurement/Regulatory Consultant will participate in a conference call with the City to discuss the first draft procurement documents. We would request the City's project manager will be responsible for consolidating comments to the draft procurement documents from multiple reviewers for incorporation by Burns & McDonnell.

Burns & McDonnell will assist City in notifying potential proposers in advance of the release of the procurement document and contract. Specifically, we will provide the City with a listing of companies and contacts that may have an interest in the services being procured. The City will be responsible for final production and distribution of the procurement documents to potential proposers. The budget assumes the City shall be responsible for publicizing the procurement documents in trade publications and/or local media sources.

Task 4 Deliverable(s)

- ▶ One draft and one final version of the RFP and draft contract
- ▶ Participation by Burns & McDonnell consultants in conference call to discuss draft RFP and draft contract

Task 5: Pre-proposal Coordination and Addendum Preparation

Burns & McDonnell Project Manager or Lead Procurement/Regulatory Consultant will attend the pre-proposal meeting to assist the City in responding to questions related to the procurement package. Upon request of the City, Burns & McDonnell may make revisions to the procurement package (via addenda) based on the results of the pre-proposal meeting and provide responses to questions. Burns & McDonnell will provide such revised procurement package and questions/responses to the City's project manager for distribution to all interested vendors.

A portion of the cost of this task will depend on the level of effort required to respond to questions from the respondents. The budget estimate is based on 16 hours.

Task 5 Deliverable(s)

- ▶ Participation by Burns & McDonnell consultants at pre-proposal meeting via conference call
- ▶ Assistance with addendum preparation

Task 6: Evaluation of Proposals

Burns & McDonnell will perform an evaluation of up to four proposals received in support of the City's efforts to evaluate the proposals. The goal of this task is to evaluate proposals based on the evaluation criteria set forth in the procurement document. As part of the evaluation of proposals, Burns & McDonnell will:

- ▶ Evaluate whether the proposer meets the City's minimum qualifications
- ▶ Identify whether the proposed has provided the requested information and the specific page(s) of their proposal that identifies the requested information
- ▶ Evaluate the strengths and weaknesses of each component of the proposals

- ▶ Review and evaluate respondent's technical capability (may include such categories as evaluation of proposed equipment, proposed work plan, etc.)
- ▶ Review of respondent's experience
- ▶ Evaluate cost proposals via Excel model
- ▶ Identify questions and negotiating points

Upon the conclusion of the evaluation, Burns & McDonnell will participate in one conference with the City to discuss the results of the findings. This task does not include identification of proposals as compliant or non-compliant with proposal procedures (i.e. attendance at mandatory pre-proposal meeting, submittal on or prior to due date and time, signed by an authorized agent, contains a statement to the effect that the proposal is firm for the required period from the closing date, etc.) since it is assumed that the identification of proposals as compliant and non-compliant will be performed by the City.

Task 6 Deliverable(s)

- ▶ Memo and Excel model that summarizes the evaluation of proposals

Task 7: Facilitation of Proposer Interviews

Following the evaluation of proposals, we will assist the City with the facilitation of proposer interviews. As part of this task, we will:

- ▶ Assist with identifying proposers to be interviewed
- ▶ Develop questions for proposer interviews
- ▶ Participate in proposer interviews
- ▶ Revise Burns & McDonnell Project Team evaluation based on interview
- ▶ Compilation of scoring from evaluation committee in an Excel based format

The budget assumes interviews will be conducted in a single day.

Task 7 Deliverable(s)

- ▶ Interview questions
- ▶ Participation of one Project Team member at vendor interviews
- ▶ Revised memo and Excel matrix that summarizes the technical and financial evaluation
- ▶ Compilation of scoring from the evaluation committee

Task 8: Contract Negotiations

If requested, Burns & McDonnell can provide contract negotiations assistance to the City. Burns & McDonnell has extensive experience in contract negotiations and can provide both technical and financial input. We can customize this task to allow for flexibility in the role played by our team. The role in the contract negotiations will be determined by various factors including:

- ▶ Approach selected by the City (i.e., negotiate with one company or with multiple companies simultaneously)
- ▶ Composition of the negotiation team (i.e., technical, legal and financial)

- ▶ Number of contracts awarded (i.e., one or multiple contracts)
- ▶ Other factors related to the procurement

The cost for this task would depend on the length and duration of the contract negotiation process. As part of this task, we could conduct activities including, but not limited to, the following:

- ▶ On-site meetings with prospective provider(s)
- ▶ Conference call(s) with City staff and/or service provider(s)
- ▶ Updating financial analysis to reflect negotiated rates
- ▶ Review of proposed changes or amendments to contract
- ▶ Other tasks as needed

Burns & McDonnell recognizes that the amount of time will vary based on the pace and progress of the negotiations. Burns & McDonnell has allotted a budget allowance for this task.

Task 8 Deliverable(s)

- ▶ To be determined

Task 9: Additional Services (Optional)

The City may request additional services from Burns & McDonnell. This assistance may include but not be limited to the following services:

- ▶ Evaluation of additional proposals
- ▶ Additional meetings and/or workshops
- ▶ Ordinance revision

Additional services will be billed to the City on a time and expense basis, based on the billing rates provided in the Fees section below. If requested, we can develop a specific scope of work for future requested services.

Task 9 Deliverable(s)

- ▶ To be determined

FEES

Burns & McDonnell will complete Tasks 1 - 7 for a fixed fee of \$52,590. These costs include professional fees and out-of-pocket expenses. We have provided cost allowance for Tasks 8 and 9, but these services will not be provided unless we receive written authorization from the City. As requested, Burns & McDonnell will develop specific task scopes and fee estimates to complete any requested additional services under Task 9.

Task	Fee
Task 1: Information Request and Review	\$890
Task 2: Contract Evaluation and Vendor Notification	\$2,800
Task 3: Procurement Planning and Strategy Workshop	\$6,750
Task 4: Preparation of Procurement Documents	\$20,500
Task 5: Pre-proposal Coordination and Addendum Preparation	\$3,450
Task 6: Evaluation of Proposals	\$11,200
Task 7: Facilitation of Proposer Interviews	\$7,000
Task 8: Contract Negotiations	\$5,000
Task 9: Additional Services	\$10,000
Total	\$67,590

The following table provides hourly billing rates for services that will be provided on an hourly basis (e.g. Task 8 Contract Negotiations and Task 9 Additional Services) based on a Burns & McDonnell 916 standard rate sheet. These proposed billing rates are in effect through December 31, 2017.

Team Member Title	Hourly Billing Fee
Senior Technical Advisor	\$214
Senior Project Manager	\$202
Senior Consultant	\$191
Lead Procurement/Regulatory Consultant	\$174
Consultant 2	\$158
Consultant 1	\$145
Administrative	\$82

Conclusion

Burns & McDonnell appreciates the opportunity to work with the City of La Marque. Please contact Scott Pasternak at (512) 872-7141 to discuss any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Pasternak".

Scott Pasternak
Senior Project Manager

A handwritten signature in black ink, appearing to read "Veronica Roof".

Veronica Roof, Esq.
Senior Environmental Policy Specialist

TERMS AND CONDITIONS FOR PROFESSIONAL SERVICES

Project: _____
Client: C i t y o f L a M a r q u e

Date of Letter, Proposal, or Agreement: October 11, 2016
Client Signature: _____

1. SCOPE OF SERVICES

For the above-referenced Project, Burns & McDonnell Engineering Company, Inc. (BMCD) will perform the services set forth in the above-referenced Letter, Proposal, or Agreement, in accordance with these Terms and Conditions. BMCD has relied upon the information provided by Client in the preparation of the Proposal, and shall rely on the information provided by or through Client during the execution of this Project as complete and accurate without independent verification.

2. PAYMENTS TO BMCD

A. Compensation will be as stated in the above-referenced Letter, Proposal, or Agreement. Statements will be in BMCD's standard format and are payable upon receipt. Time is of the essence in payment of statements, and timely payment is a material part of the consideration of this Agreement. A late payment charge will be added to all amounts not paid within 30 days of statement date and shall be calculated at 1.5 percent per month from statement date. Client shall reimburse any costs incurred by BMCD in collecting any delinquent amount, including reasonable attorney's fees. If a portion of BMCD's statement is disputed, Client shall pay the undisputed portion by the due date. Client shall advise BMCD in writing of the basis for any disputed portion of any statement.

B. Taxes as may be imposed on professional consulting services by state or local authorities shall be in addition to the payment stated in the above-referenced Letter, Proposal, or Agreement.

3. INSURANCE

A. During the course of performance of its services, BMCD will maintain Worker's Compensation insurance with limits as required by statute, Employer's Liability insurance with limits of \$1,000,000, and Commercial General Liability and Automobile Liability insurance each with combined single limits of \$1,000,000.

B. If the Project involves on-site construction, construction contractors shall be required to provide (or Client may provide) Owner's Protective Liability Insurance naming Client as a Named Insured and BMCD as an Additional Insured or to endorse Client and BMCD using ISO form CG 20 10 11 85 endorsement or its equivalent as Additional Insureds on all construction contractor's liability insurance policies covering claims for personal injuries and property damage in at least the amounts required of BMCD in 3A above. Construction contractors shall be required to provide certificates evidencing such insurance to Client and BMCD. Contractor's compensation shall include the cost of such insurance including coverage for contractual and indemnification obligations herein.

C. Client and BMCD release each other and waive all rights of subrogation against each other and their officers, directors, agents, or employees for damage covered by property insurance during and after the completion of BMCD's services. A provision similar to this shall be incorporated into all construction contracts entered into by Client, and all construction contractors shall be required to provide waivers of subrogation in favor of Client and BMCD for damage covered by any construction contractor's property insurance.

4. INDEMNIFICATION

A. To the extent allowed by law, Client will require all construction contractors to indemnify, defend, and hold harmless Client and BMCD from any and all loss where loss is caused or alleged to be caused in whole or in part by the construction contractors, their employees, agents, subcontractors or suppliers.

B. If this Project involves construction and BMCD does not provide consulting services during construction including, but not limited to, on-site monitoring, site visits, site observation, shop drawing review, and/or design clarifications, Client agrees to indemnify and hold

harmless BMCD from any liability arising from this Project or Agreement, except to the extent caused by BMCD's negligence.

5. PROFESSIONAL RESPONSIBILITY- LIMITATION OF REMEDIES

A. BMCD will exercise reasonable skill, care, and diligence in the performance of its services and will carry out its responsibilities in accordance with customarily accepted professional practices. If BMCD fails to meet the foregoing standard, BMCD will perform at its own cost, the professional services necessary to correct errors and omissions reported to BMCD in writing within one year from the completion of BMCD's services for the Project. No warranty, express or implied, is included in this Agreement or regarding any drawing, specification, or other work product or instrument of service.

B. In no event will BMCD be liable for any special, indirect, or consequential damages including, without limitation, damages or losses in the nature of increased Project costs, loss of revenue or profit, lost production, claims by customers of Client, and/or governmental fines or penalties.

C. BMCD's aggregate liability for all damages connected with its services for the Project not excluded by the preceding subparagraph, whether or not covered by BMCD's insurance, will not exceed \$100,000.

D. These mutually negotiated obligations and remedies stated in this Paragraph 5, Professional Responsibility – Limitation of Remedies, are the sole and exclusive obligations of BMCD and remedies of Client, whether liability of BMCD is based on contract, warranty, strict liability, tort (including negligence), indemnity, or otherwise.

6. PERIOD OF SERVICE AND SCHEDULE

The provisions of this Agreement have been agreed to in anticipation of the orderly and continuous progress of the Project through completion of the services stated in the Proposal. BMCD's obligation to render services hereunder will extend for a period that may reasonably be required for the completion of said services. BMCD shall make reasonable efforts to comply with deliverable schedules (if any) and consistent with BMCD's professional responsibility.

7. COMPUTER PROGRAMS OR MODELS

Any use, development, modification, or integration by BMCD of computer models or programs does not constitute ownership or a license to Client to use or modify such computer models or programs.

8. ELECTRONIC MEDIA AND DATA TRANSMISSIONS

A. Any electronic media (computer disks, tapes, etc.) or data transmissions furnished (including Project Web Sites or CAD file transmissions) are for Client information and convenience only. Such media or transmissions are not to be considered part of BMCD's instruments of service. BMCD, at its option, may remove all indicia of its ownership and involvement from each electronic display.

B. BMCD shall not be liable for loss or damage directly or indirectly, arising out of Client's use of electronic media or data transmissions.

9. DOCUMENTS

A. All documents prepared by BMCD pursuant to this Agreement are instruments of service in respect of the Project specified herein. They are not intended or represented to be suitable for reuse by Client or others in extensions of the Project beyond that now contemplated or on any other Project. Any reuse, extension, or completion by Client or others without written verification, adaptation, and permission by BMCD for the specific purpose intended will be at Client's sole risk and without liability or legal exposure to BMCD.

B. In the event that BMCD is to reuse, copy or adapt all or portions of reports, plans, or specifications prepared by others, Client represents

(continued on reverse side)

that Client either possesses or will obtain permission and necessary rights in copyright, patents, or other proprietary rights and will be responsible for any infringement claims by others. Client warrants the completeness, accuracy, and efficacy of the information, data, and design provided by or through Client (including prepared for Client by others), for which BMCD shall rely on to perform and complete its services.

10. ESTIMATES, SCHEDULES, FORECASTS, AND PROJECTIONS

Estimates, schedules, forecasts, and projections prepared by BMCD relating to loads, interest rates and other financial analysis parameters, construction costs and schedules, operation and maintenance costs, equipment characteristics and performance, and operating results are opinions based on BMCD's experience, qualifications, and judgment as a professional. Since BMCD has no control over weather, cost and availability of labor, cost and availability of material and equipment, cost of fuel or other utilities, labor productivity, construction contractor's procedures and methods, unavoidable delays, construction contractor's methods of determining prices, economic conditions, government regulations and laws (including the interpretation thereof), competitive bidding or market conditions, and other factors affecting such estimates or projections, BMCD does not guarantee that actual rates, costs, quantities, performance, schedules, etc., will not vary significantly from estimates and projections prepared by BMCD.

11. POLLUTION

In view of the uncertainty involved in investigating and recommending solutions to environmental problems and the abnormal degree of risk of claims imposed upon BMCD in performing such services, notwithstanding the responsibility of BMCD set forth in Paragraph 5A to the maximum extent allowed by law, Client agrees to release, defend, indemnify and hold harmless BMCD and its officers, directors, employees, agents, consultants and subcontractors from all liability, claims, demands, damages, losses, and expenses including, but not limited to, claims of Client and other persons and organizations, reasonable fees and expenses of attorneys and consultants, and court costs, except where there has been a final adjudication that the damages were caused by BMCD's willful disregard of its obligations under this Agreement. Such indemnification includes claims arising out of, or in any way relating to, the actual, alleged, or threatened dispersal, escape, or release of, or failure to detect or contain, chemicals, wastes, liquids, gases, or any other material, irritant, contaminant, or pollutant.

12. ON-SITE SERVICES

A. Project site visits by BMCD during investigation, observation, construction or equipment installation, or the furnishing of Project representatives shall not make BMCD responsible for construction means, methods, techniques, sequences, or procedures; for construction safety precautions or programs; or for any construction contractor(s)' failure to perform its work in accordance with the contract documents.

B. Client shall disclose to BMCD the location and types of any known or suspected toxic, hazardous, or chemical materials or wastes existing on or near the premises upon which work is to be performed by BMCD's employees or subcontractors. If any hazardous wastes not identified by Client are discovered after a Project is undertaken, Client and BMCD agree that the scope of services, schedule, and compensation may be adjusted accordingly. Client agrees to release BMCD from all damages related to any pre-existing pollutant, contaminant, toxic, or hazardous substance at the site.

13. CHANGES

Client shall have the right to make changes within the general scope of BMCD's services, with an appropriate change in compensation and schedule, upon execution of a mutually acceptable amendment or change order signed by authorized representatives of Client and BMCD.

14. TERMINATION

Services may be terminated by Client or BMCD by seven (7) days' written notice in the event of substantial failure to perform in accordance with the terms hereof by the other party through no fault of the terminating party. If so terminated, Client shall pay BMCD all

amounts due BMCD for all services properly rendered and expenses incurred to the date of receipt of notice of termination, plus reasonable costs incurred by BMCD in terminating the services. In addition, Client may terminate the services for Client's convenience upon payment of twenty percent of the yet unearned and unpaid estimated, lump sum, or not-to-exceed fee, as applicable.

15. DISPUTES, NEGOTIATIONS, MEDIATION

A. If a dispute arises relating to the performance of the services to be provided and, should that dispute result in litigation, it is agreed that the substantially prevailing party (as determined in equity by the court) shall be entitled to recover all reasonable costs of litigation, including staff time, court costs, attorney's fees and other related expenses.

B. The parties shall participate in good faith negotiations to resolve any and all disputes. Should negotiations fail, the parties agree to submit to and participate in a third party-facilitated mediation as a condition precedent to resolution by litigation. Unless otherwise agreed to, mediation shall be conducted under the rules of the American Arbitration Association.

C. Causes of action between the parties shall accrue, and applicable statutes of limitation shall commence to run the date BMCD's services are substantially complete.

16. WITNESS FEES

A. BMCD's employees shall not be retained as expert witnesses, except by separate written agreement.

B. Client agrees to pay BMCD pursuant to BMCD's then current schedule of hourly labor billing rates for time spent by any employee of BMCD responding to any subpoena by any party in any dispute as an occurrence witness or to assemble and produce documents resulting from BMCD's services under this Agreement.

17. CONTROLLING LAW AND VENUE

This Agreement shall be subject to, interpreted and enforced according to the laws of the State of Texas, without regard to any conflicts of law provisions. Parties agree to submit to the exclusive venue and jurisdiction of the State District Court, ~~Harris~~ Galveston County, Texas, or the United States District Court, Southern District of Texas.

18. RIGHTS AND BENEFITS – NO ASSIGNMENT

BMCD's services will be performed solely for the benefit of Client and not for the benefit of any other persons or entities. Neither Client nor BMCD shall assign or transfer interest in this Agreement without the written consent of the other.

19. ENTIRE CONTRACT

These Terms and Conditions and the above-referenced Letter, Proposal, or Agreement contain the entire agreement between BMCD and Client relative to BMCD's services for the Project herein. All previous or contemporaneous agreements, representations, promises, and conditions relating to BMCD's services for the Project are superseded. Since terms contained in purchase orders do not generally apply to professional services, in the event Client issues to BMCD a purchase order, no preprinted terms thereon shall become part of this Agreement. Said purchase order documents, whether or not signed by BMCD, shall be considered only as an internal document of Client to facilitate administrative requirements of Client's operations.

20. SEVERABILITY

Any unenforceable provision herein shall be amended to the extent necessary to make it enforceable; if not possible, it shall be deleted and all other provisions shall remain in full force and affect.

- END -



CITY COUNCIL AGENDA FORM

Meeting Date: October 10, 2016

Prepared by: Les Rumburg

Department: Public Services

Agenda item: 8b

Reviewed by: *Carol Buttler*

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding award of Bid #LM 08-17 to C & R Wastewater, LLC. for Sludge Removal at the Wastewater Treatment Facility in the amount of \$95,000

X

Attach for references

1. Bid Tab

STAFF BRIEFING:

- Staff recommends accepting the bid submitted by C&R Wastewater Division as the only qualified bidder meeting all specifications
- C&R's process and methodology is preferable as more environmentally sound and efficient
- C&R provides additional services such as tank cleaning after sludge removal
- All bids were based on estimated quantities supplied by the City
- There were thirteen (13) bids solicited as well as a legal add placed in the Galveston County Daily Newspaper that ran twice in a fifteen (15) day period
- The bid was placed on the City's web site
- Two (2) qualified bids were received
- Finance Director has approved

HISTORY:

- The sludge removal process is required approximately every six to eight weeks
- The removal process takes about 10 days to complete

TARGET IMPLEMENTATION: October 10, 2016

SIGNIFICANT ACTION DATES:

September 21, 2016 – Formal Bid Opening at City Hall



CITY COUNCIL AGENDA FORM

ACTION:

- | | |
|--|---|
| ☐ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☒ Other - Award Bid | |
| ☒ Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures | |

Cost Details:	
Budgeted	\$120,000
Actual Bid	\$95,000
Estimated Expenditure	\$95,000
Acct. Name(s)	Sludge Removal
Line Items #	02-3010-24-00
Other Funding	

STAFF'S RECOMMENDATION: Motion to award Bid #LM 08-17 to C & R Wastewater, LLC. for Sludge Removal at the Wastewater Treatment Facility in the amount of \$95,000

FISCAL IMPACT: Sludge Removal expense is an annual, reoccurring cost and subject to annual review and bid

SLUDGE REMOVAL BID TABULATIONS

C&R Wastewater, LLC

ESTIMATED AMOUNTS	DESCRIPTION	UNIT PRICE PER DRY TON	TOTAL BASED ON ESTIMATED AMOUNTS
250 Dry Tons	Aerobic non-hazardous municipal sludge (removal and disposal) as per specifications	\$ 380.00	\$ 95,000.00

Sprint Waste Services, LP

ESTIMATED AMOUNTS	DESCRIPTION	UNIT PRICE PER DRY TON	TOTAL BASED ON ESTIMATED AMOUNTS
250 Dry Tons	Aerobic non-hazardous municipal sludge (removal and disposal) as per specifications	\$ 381.97	\$ 95,492.50



CITY COUNCIL AGENDA FORM

Meeting Date: October 10, 2016

Prepared by: Les Rumburg

Department: Public Services

Agenda item: 8c

Reviewed by: *Carol Buttler*

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding award of the acquisition of a 250 kw generator to Crescent Electric through the Buy Board in the amount of \$85,000.00.

☒ X

Attach for reference

1. Quote from Crescent Electric

STAFF BRIEFING:

- Item previously budgeted and accounted for as a Capital Purchase item
- Generator is necessary and essential in the event of loss of power to the 6th Street lift station
- Station provides service to almost half of the community
- Purchase is through a local vendor who is a member of the "Buy Board"
- Purchase is supported by Texas Commission on Environmental Quality (TCEQ) as it will greatly assist in maintaining compliance with permit requirements
- Anticipate receiving written confirmation from TCEQ stating this purchase satisfies permit compliance issues
- Consultation with legal counsel specializing in this area of law, enabled and enlisted the TCEQ support
- Finance Director has been involved throughout this process.

HISTORY:

- Purchase was anticipated during last year's budget process and was approved as a "Capital Project"

TARGET IMPLEMENTATION: Upon City Council approval, and following the prescribed financial process, generator could be installed within 90 days, depending on availability of product.

SIGNIFICANT ACTION DATES:

May 5, 2016 – Notification from TCEQ of permit non-compliance issues

September 1, 2016 – Assurance letter from legal counsel regarding TCEQ's support of generator purchase



CITY COUNCIL AGENDA FORM

ACTION:

- | | |
|--|---|
| ☐ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☒ Other – Award through Buy Board | |
| ☒ Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures | |

Cost Details:	
Budgeted	\$100,000,000
Actual Bid	
Estimated Expenditure	\$85,000.00
Acct. Name(s)	
Line Items #	
Other Funding	

STAFF'S RECOMMENDATION: Motion to award the acquisition of a 250 kw generator to Crescent Electric through the Buy Board in the amount of \$85,000.00.

FISCAL IMPACT: \$85,000

Date: 7/30/15

Customer: City of La Marque

Location: L.S. 6 Ave.

Thank you for the opportunity to budget the following scope of work.

1. Supply and install new 250 kw diesel generator (Blue Star Model JD250-02)with 24 hour fuel tank (fuel not included).
2. Install new nema 3R automatic transfer switch.
3. Provide drawings for permitting and construction purposes.
4. Build new service to feed new Automatic transfer switch.
5. Install feeder from automatic transfer switch to generator.
6. Install feeder from automatic transfer switch to building service.
7. Install grounding as per NEC.
8. Install branch circuit conduit and wire for battery charger for generator.
9. Install control wiring from automatic transfer switch to generator control cabinet.
10. Set and anchor generator.
11. Set parameters for generator exercise circuit.
12. Test and commission generator.

The price for this scope is \$85,000. Tax not included.

Labor: 9,000

Equipment (including Crane): 2,000

Material: \$74,000

All work performed during normal business hours.

Thank you,

Grady Mack

This price is guaranteed for thirty days unless otherwise noted.

P O Box 36, 1319 First Street, La Marque, TX 77568 Phone 409-935-2416 Fax 409-935-2428



CITY COUNCIL AGENDA FORM

Meeting Date: October 10, 2016

Agenda item: 8d

Prepared by: Les Rumburg

Reviewed by: Carol Buttler

Department: Public Services

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding authorizing the City Manager to sign a Change Order, increasing the total amount of the Interlocal Agreement with Galveston County for the repair of select streets within La Marque by \$7,980.00, from \$345,141.59 to \$353,121.59

☒

Attach for reference

1. Interlocal Agreement including Exhibit "A"
2. Estimate of increase

STAFF BRIEFING:

- Street Project is 2 years in process.
- Current iteration was approved and Interlocal Agreement with Galveston County went into effect in August 2016
- While County crews are initiating the overall project, they became concerned that the project specific to Lawndale Street would require more material (approximately 300 tons of crushed concrete) than anticipated in initial bid
- It is believed that there has been a significant decay to the base structure since initially observed, thus warranting the Change Order
- As entire project is scheduled to be completed mid-November (weather permitting), staff needed to request City Council's consideration at the regular October meeting
- Finance Director has been made aware of the request

HISTORY:

TARGET IMPLEMENTATION: Change Order to Interlocal Agreement upon City Council approval

SIGNIFICANT ACTION DATES:

- **June, 2014** – Street Project in initial stage of development
- **August, 2016** - Interlocal signed allowing Galveston County to initiate construction
- **October, 2016** – County begins work in earnest only to discover the need for additional material on Lawndale Street



CITY COUNCIL AGENDA FORM

ACTION:

- | | |
|--|---|
| ☐ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☒ Other – Change Order to Interlocal Agreement | |
| ☒ Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures | |

Cost Details:	
Budgeted	
Actual Bid	\$345,141.59
Estimated Expenditure	\$353,121.59
Acct. Name(s)	
Line Items #	
Other Funding	

STAFF'S RECOMMENDATION: Motion to authorize the City Manager to sign a Change Order, increasing the total amount of the Interlocal Agreement with Galveston County for the repair of select streets within La Marque by \$7,980.00, from \$345,141.59 to \$353,121.59

FISCAL IMPACT: Increase of \$7,980.00 to Street Project to be derived from Capital Projects

III. Terms

1. **Recitals True.** Each Party hereto represents and warrants for itself that the recitals set forth in the Preamble above are true and correct and that such recitals are not mere recitations of fact, but are also contractual terms of this Agreement.
2. **Scope/Duties/Costs.**
 - a. **Description/Location.**

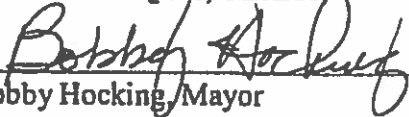
The Project is the reclaiming of existing base in-place and providing hot mix paving on the city streets specified in Exhibit A, and the Project is further described within Exhibit A. Exhibit A is incorporated into this Agreement for all purposes.
 - b. **Costs and Services.**

The County shall provide the materials, labor and equipment to repair the city roads listed in Exhibit A. The cost of repairs of for all roads listed in Exhibit A totals \$345,841.59. Upon completion of the Project, the County shall invoice the City for the County's expenses in conducting the Project and the City shall pay the County for the County's costs in conducting the Project; payment shall be due in accordance with the Texas Prompt Pay Act, Chapter 2251 of the Government Code.
3. **Payments are from current revenues.** Each Party hereunder agrees that it shall make its' payments from current revenues available to the paying Party.
4. **No Third Party Beneficiary.** This Agreement inures only to the benefit of the County, and the City. This Agreement does not create, is not intended to create, and shall not be deemed or construed to create, any rights or benefits in third parties.
5. **Entirety of Agreement.** This Agreement constitutes the entire agreement of the Parties and supersedes any prior understanding or written or oral agreement between or among the Parties representing the within subject matter. Any prior agreement, promise, negotiation, or representation not expressly set forth in this Agreement has no force or effect.
6. **Governing Law and Venue.** This Agreement shall be governed by the laws of the State of Texas, and venue for any action arising from or related to this Agreement shall lie exclusively in a court of competent jurisdiction located in Galveston County, Texas.
7. **Authority to Bind.**

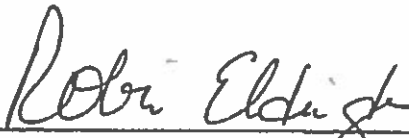
- a. Each Party represents and warrants for itself that this Agreement, in accordance with the requirements of the Interlocal Cooperation Act and that it has been authorized by its' respective governing body.
 - b. Each Party represents and warrants for itself that the individual executing this Agreement on its behalf has the full power and authority to do so and to legally bind the Party to all the terms and provisions of this Agreement and that this Agreement constitutes the legal, valid, and binding agreement of each Party hereto.
8. **Immunity Retained.** No Party herein waives or relinquishes any immunity or defense on behalf of itself, its trustees, officers, employees, and agents as a result of its execution of this Agreement and performance of the covenants and terms contained herein. Each Party hereto specifically reserves any claim it may have to sovereign, qualified, or official immunity as a defense to any action arising in conjunction with this Agreement.
9. **Severability.** If a provision contained in this Agreement is held invalid for any reason by a court of competent jurisdiction, the invalidity shall not affect other provisions of the Agreement that may be given effect without the invalid provision, and to this end the provisions of this Agreement are severable.
10. **Validity/Enforceability.** If any current or future legal limitations affect the validity or enforceability of a provision of this Agreement, then the legal limitations are made a part of this Agreement and shall operate to amend this Agreement to the minimum extent necessary to bring this Agreement into conformity with the requirements of the limitation, and as so modified, this Agreement shall continue in full force and effect.

This Agreement is hereby **EXECUTED** by the Parties hereto, each respective Party acting by and through its duly authorized official as required by law, in *duplicate* counterparts, each of which shall be deemed to be an original, to be Effective upon full execution and with the date of the Party that is executing last in time:

CITY OF LA MARQUE, TEXAS,

By: 
Bobby Hocking, Mayor

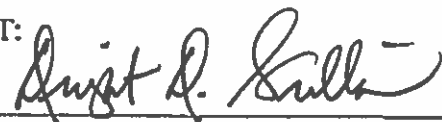
7.28.2016
Date Signed

ATTEST:
By: 
Robin Eldridge, TRMC, City Clerk

COUNTY OF GALVESTON, TEXAS,

By: 
Mark Henry, County Judge

8/18/2016
Date Signed

ATTEST:
By: 
Dwight D. Sullivan, County Clerk

****Exhibit A begins following this Page****

Whereas, the instant project involves the repair of various roads; and

Whereas, the Commissioners Court issues this resolution in compliance with the requirements of the Interlocal Cooperation Act.

Now Therefore, it is hereby RESOLVED, by the Commissioners Court of Galveston County, Texas, that:

- 1.) The Commissioners Court hereby **APPROVES** the project, which such location and description is stated in the findings above and within the Interlocal Contract, including without limitation Exhibit A of said Interlocal Contract;
- 2.) The Commissioners Court hereby **APPROVES** the Interlocal Contract that is attached hereto and **AUTHORIZES** the County Judge to execute said Interlocal Contract on behalf of the Commissioners Court; and
- 3.) The Commissioners Court hereby **AUTHORIZES** the County Judge to execute this **RESOLUTION** on behalf of the Commissioners Court.

Upon Motion Duly Made and Seconded, the above Resolution is hereby **ADOPTED**, on this, the 18th day of August, 2016.

COUNTY OF GALVESTON, TEXAS,

By:



Mark Henry, County Judge

ATTEST:



Dwight D. Sullivan,
County Clerk of Galveston County, Texas

LaMarque

Street	Length	Width	Sq. Yds	Base	Slurry	S.C	HMAC	Materials	Labor	Equipment	TOTAL	COST/LF	COST/SY	COST/SF	COMMENTS
N Campus Heights	370	28	1,151	\$ -	\$ -	\$ 4,141.41	\$ 769.26	\$ 5,945.94	\$ 5,946						
N Campus Heights	740	28	2,302	\$ -	\$ -	\$ 8,282.82	\$ 1,538.52	\$ 11,891.87	\$ 11,892						
N Campus Heights	-	75	491	\$ -	\$ -	\$ 1,765.15	\$ 327.87	\$ 2,550.94	\$ 2,551						
N Campus Heights	-	75	491	\$ -	\$ -	\$ 1,765.15	\$ 327.87	\$ 2,550.94	\$ 2,551						
	1,110		4,435	\$ -	\$ -	\$ 15,964.52	\$ 2,963.52	\$ 22,939.70	\$ 22,940	\$ 6,416.30	\$ 4,589.00	\$ 33,945.00	\$ 30.58	\$ 7.55	\$ 1.09 Reclaim, 1.5" HMAC
Volney	1,360	22	3,324	\$ -	\$ -	\$ 11,960.52	\$ 2,221.64	\$ 17,172.05	\$ 17,172						
Volney	420	22	1,027	\$ -	\$ -	\$ 3,693.69	\$ 686.10	\$ 7,012.66	\$ 7,013						
Dallan	1,780		4,931	\$ -	\$ -	\$ 15,654.21	\$ 2,907.74	\$ 24,184.71	\$ 24,185	\$ 4,660.00	\$ 3,386.00	\$ 32,230.71	\$ 18.11	\$ 7.41	\$ 0.82 Reclaim, 2" HMAC
	1,850	24	4,933	\$ -	\$ -	\$ 17,748.90	\$ 3,296.82	\$ 25,482.58	\$ 25,483						
Maxwell	1,850		4,933	\$ -	\$ -	\$ 17,748.90	\$ 3,296.82	\$ 25,482.58	\$ 25,483	\$ 4,660.00	\$ 3,386.00	\$ 33,528.58	\$ 18.12	\$ 6.80	\$ 0.76 Reclaim, 1.5" HMAC
	2,100	20	4,667	\$ -	\$ -	\$ 16,789.50	\$ 3,118.62	\$ 31,875.73	\$ 31,876						
	2,100		4,667	\$ -	\$ -	\$ 16,789.50	\$ 3,118.62	\$ 31,875.73	\$ 31,876	\$ 4,589.00	\$ 4,589.00	\$ 42,881.03	\$ 20.42	\$ 9.19	\$ 0.73 Reclaim, 2" HMAC
Barrana	1,400	24	3,733	\$ -	\$ -	\$ 13,431.60	\$ 7,653.33	\$ 19,284.12	\$ 19,284	\$ 2,333.20	\$ 1,476.00	\$ 23,043.32	\$ 16.46	\$ 6.17	\$ 0.59 1.5" HMAC Only
	1,400		3,733	\$ -	\$ -	\$ 13,431.60	\$ 7,653.33	\$ 19,284.12	\$ 19,284						
Martin L King	1,048	20	2,329	\$ -	\$ -	\$ 8,378.76	\$ 1,556.94	\$ 12,029.62	\$ 12,030						
Martin L King	2,575	20	5,722	\$ -	\$ -	\$ 20,587.13	\$ 3,824.02	\$ 29,557.50	\$ 29,558						
Partridge	3,623		8,051	\$ -	\$ -	\$ 28,965.89	\$ 5,380.36	\$ 41,587.12	\$ 41,587	\$ 5,833.00	\$ 4,411.50	\$ 51,831.62	\$ 14.31	\$ 6.44	\$ 0.51 Reclaim, 1.5" HMAC
Partridge	1,400	20	3,111	\$ -	\$ -	\$ 11,193.00	\$ 2,079.08	\$ 16,070.10	\$ 16,070						
Partridge	400	20	889	\$ -	\$ -	\$ 3,198.00	\$ 594.02	\$ 4,591.46	\$ 4,591						
	1,800		4,000	\$ -	\$ -	\$ 14,391.00	\$ 2,673.10	\$ 20,661.55	\$ 20,662	\$ 4,898.70	\$ 3,653.00	\$ 29,213.25	\$ 16.23	\$ 7.30	\$ 0.58 Reclaim, 1.5" HMAC
Fleming	950	20	2,111	\$ -	\$ -	\$ 7,595.25	\$ 1,410.80	\$ 10,904.71	\$ 10,905						
	1,161	20	2,580	\$ -	\$ -	\$ 9,282.20	\$ 1,724.15	\$ 17,622.73	\$ 17,623						
	2,111		4,691	\$ -	\$ -	\$ 16,877.45	\$ 3,134.95	\$ 28,527.43	\$ 28,527	\$ 12,274.80	\$ 10,491.00	\$ 51,293.23	\$ 24.30	\$ 10.93	\$ 1.21 Reclaim, 1.5" HMAC
Cedar	365	40	1,622	\$ -	\$ -	\$ 5,836.35	\$ 1,084.09	\$ 8,379.41	\$ 8,379						
	365		1,622	\$ -	\$ -	\$ 5,836.35	\$ 1,084.09	\$ 8,379.41	\$ 8,379	\$ 4,048.62	\$ 4,411.50	\$ 16,839.53	\$ 46.14	\$ 10.38	\$ 1.15 Reclaim, 1.5" HMAC
Lawndale	2,513	24	4,035	\$ -	\$ -	\$ 14,515.72	\$ 2,696.27	\$ 20,840.62	\$ 20,841						
	3,513		4,035	\$ -	\$ -	\$ 14,515.72	\$ 2,696.27	\$ 20,840.62	\$ 20,841	\$ 5,637.20	\$ 4,557.50	\$ 31,035.32	\$ 20.51	\$ 7.69	\$ 0.85 Reclaim, 1.5" HMAC
	17,652	30	44,518	\$ -	\$ -	\$ 160,165.13	\$ 34,908.80	\$ 243,762.97	\$ 243,762.97	\$ 57,178.12	\$ 44,900.50	\$ 345,841.59	\$ 21.52	\$ 8.03	\$ 0.83

\$ 438,836.90 Estimated Cost for County Typical Scope of Work \$ 345,841.59 LaMarque's Cost for City's Scope of Work

Les Rumburg

From: Crowder, Lee <Lee.Crowder@co.galveston.tx.us>
Sent: Wednesday, October 05, 2016 7:22 AM
To: Les Rumburg
Subject: Lawndale Rd

Les,

Zack Smith, GC Paving Manager, estimates 300 tons of base material to level up the large ruts and holes. Galveston County current contract price for recycled crushed concrete base delivered to the LaMarque area is \$26.60 per ton.

Total amount \$7,980.00

Thank you,

Lee Crowder
Director Road and Bridge



Lee.Crowder@co.galveston.tx.us
www.galvestoncountytexas.gov

409-682-3690 Cell
281-534-4152 Office
>)))),"`•>



CITY COUNCIL AGENDA FORM

Meeting Date: October 10, 2016

Prepared by: Carol Buttler

Department: Administration

Agenda item: 8e

Reviewed by: *Carol Buttler*

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding authorizing the Mayor to execute a new Interlocal Agreement with Galveston County to provide Animal Services for the City of La Marque

X

Attach for reference

1. Proposed New Interlocal Agreement

STAFF BRIEFING:

- Mr. Osteen serves as the City's primary representative for the Animal Services Advisory Committee.
- The City's Police Chief serves as the alternate representative on this committee.
- The new agreement allows for automatic renewal annually effective October 1, 2017.
- The new agreement requires an overall increase of 11% for field and shelter costs.
- Council already included this increase during the budget workshops for FY2016-2017.
- Finance Director has added the approved increase to the Animal Services budget.
- The new Interlocal Agreement already has been approved by the Animal Services Advisory Committee and the United Board of Health.
- Each City must execute the document for the new agreement to be valid.
- Animal Services staff is analyzing costs to remove deceased animals and preparing options for the City of La Marque and any other interested Galveston cities to consider.

HISTORY:

- City of La Marque along with other cities within Galveston County have contracted with the County since at least 1981.

TARGET IMPLEMENTATION: October 1, 2016 through September 30, 2017

SIGNIFICANT ACTION DATES:

September 2016 – Resolution to Galveston County regarding solution for removal of deceased animals within City of La Marque

July 2012 – City Council approved the Interlocal Agreement for the next five (5) years



CITY COUNCIL AGENDA FORM

ACTION:

- | | |
|--|---|
| ☐ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☒ Other –Interlocal Agreement | |
| ☒ Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures | |

Cost Details:	
Budgeted	\$97,827.00
Actual Bid	\$99,685.00
Estimated Expenditure	\$99,685.00
Acct. Name(s)	Animal Control Contracts
Line Items #	01-4071-15-00
Other Funding	01-4072-15-00

STAFF'S RECOMMENDATION: Motion to authorize the Mayor to execute a new Interlocal Agreement with Galveston County to provide Animal Services for the City of La Marque.

FISCAL IMPACT:

- An increase of 11% (\$7,778.00) over FY2015-2016.
- An increase of approximately 6% (\$5,920) was provided as an estimate for City Council budget workshops

State of Texas §
County of Galveston §

THIS AGREEMENT is entered into by and between the County of Galveston, Texas (the “County”), the Galveston County Health District (“GCHD”), the City of Bayou Vista (“Bayou Vista”), the City of Hitchcock (“Hitchcock”), the City of Kemah (“Kemah”), the City of La Marque (“La Marque”) and the City of Texas City (“Texas City”).

GCHD, the County, and the Cities (collectively “Parties”) enter into this Interlocal Agreement under the authority of the Interlocal Cooperation Act (the “Act”), Chapter 791 of the Texas Government Code, as amended. The Parties wish to enter into an agreement for GCHD’s provision of animal shelter and/or field animal control services through the Galveston County Health District Animal Resource Center (the “Center”).

NOW THEREFORE, in consideration of the mutual covenants set forth hereinafter, GCHD, the County and the Cities agree as follows:

A. Preamble constitutes contractual provisions. The Parties agree that the provisions set forth in the Preamble above are true and correct and constitute contractual provisions of this Agreement.

1. Securing and maintaining valid certification with the Texas Department of State Health Services for all pertinent animal control and quarantine services.
2. Its designation as the local animal control authority by the Cities and the County.

GALVESTON COUNTY ANIMAL SERVICES AGREEMENT

3. Serving as the local rabies control authority on behalf of the Cities and the County, as authorized by Chapter 826 of the Texas Health and Safety Code.
4. Adhering to all Animal Services Advisory Committee (the “Committee”) authority regulations, as authorized by Chapter 823 of the Texas Health and Safety Code.
5. Overseeing daily operations of the Center and associated field work.
6. Managing the Center and governing the Committee in accordance with the procedures as set forth by the official Committee Bylaws and/or the Policy/Order.
7. Proactively and continuously seeking funding streams and partnerships with outside parties in an attempt to generate additional resources for the Center.
8. Unless proper notice is provided in accordance with *Section III* of this Agreement, GCHD shall render sheltering services and field animal control services to all Parties hereto. The elements encompassed within the provisions of these services shall include, but not be limited to:
 - a. Sheltering services will include:
 - i. Sheltering and care of stray and unwanted animals;
 - ii. Quarantine services;
 - iii. Humane euthanasia of unwanted, sick, injured, and unadoptable animals;
 - iv. Administration of redemption of owned animals;
 - v. Administration of animal adoptions;
 - vi. Administration of pet registrations;
 - vii. Registration of rescue organizations;
 - viii. Administration of community education and volunteer services; and
 - ix. Cremation services.
 - b. Field animal control services shall include, but not be limited to:
 - i. Dispatching all calls for service to certified animal control officers;
 - ii. Investigating animal bites on both humans and other animals, and assuring the proper quarantining of biting animals;
 - iii. Investigating civil animal cruelties (improper sheltering, abuse, etc.);
 - iv. Assisting authorities in commencing court ordered seizures;
 - v. Filing civil complaints in the courts of proper jurisdiction; and
 - vi. Investigating, documenting and briefing the Center’s Animal Services Manager on potential dangerous dog declarations.
9. Devising the Animal Services Funding Formula, with recommendations by all Parties to the Agreement, prior to its effectuation, and which shall be affixed to this Agreement as *Attachment A* and incorporated herein for all purposes.

C. County and City Responsibilities

In accordance with this Agreement, the County and Cities consent to:

1. Appointing GCHD as the local animal control authority and local rabies control authority which shall render services on behalf of the County and Cities.
2. Permitting GCHD primary control, administration, and direction of policies and operations of the Center, except as otherwise provided by this Agreement.
3. Complying with Committee membership responsibilities as set forth in the official Committee Bylaws and/or Policy/Order manual.
4. Remunerating GCHD in the amount determined by the Animal Services Funding Formula, which shall be devised by GCHD’s Chief Executive Officer and/or designee, and presented to all Parties to the Agreement.
 - a. The Animal Services Funding Formula, once finalized, will become a binding part of this Agreement and shall be affixed to the Agreement as *Attachment A*, which shall be incorporated herein for all purposes.

GALVESTON COUNTY ANIMAL SERVICES AGREEMENT

III. INDEMNITY

To the extent allowed under applicable law, the County and Cities agree to hold harmless, indemnify and defend GCHD and its employees, agents, officers and servants from any and all lawsuits, claims, demands and causes of action of any kind arising from the negligent or intentional acts, errors or omissions of the County or Cities, their officers, employees or agents with respect to services rendered under the scope this Agreement.

Respectively, to the extent allowed under applicable law, GCHD agrees to hold harmless, indemnify and defend the County and Cities and their employees, agents, officers and servants from any and all lawsuits, claims, demands and causes of action of any kind arising from the negligent or intentional acts, errors or omissions of GCHD, its officers, employees, or agents with respect to services rendered under the scope this Agreement.

IV. TERM, TERMINATION AND AMENDMENT OF SERVICES

The terms of this Agreement shall commence on October 1, 2016 and end on September 30, 2017. Thereafter, the Agreement shall automatically renew on an annual basis.

Any Party shall retain the right to terminate or limit the services it receives through its participation in this Agreement solely to that of either field or shelter services by providing written notice of termination or amendment to GCHD's Chief Executive Officer at least six (6) months prior to the end of the Agreement's term, which parallels GCHD's fiscal year (October 1 – September 30). A Party may terminate or amend services prior to the end of the fiscal year so long as said Party provides at least six (6) months prior notice of the change; however, the Party is still mandated to fulfill its complete compensatory obligation through the conclusion of the Agreement's fiscal year and as defined in *Attachment A*. Such termination or amendment notice must be authorized by the governing body of the terminating or amending party and signed by the party's authorized official. The terminating or amending party shall specify the effective date of termination or amendment within the notice. The termination or amendment shall not relieve the terminating or amending party of any obligation incurred by the Party prior to the effective date of termination or service change. GCHD shall provide a copy of the notice of termination or amendment terms to the authorized official of all Parties to the Agreement within thirty (30) days of receiving said notice. Withdrawal or amendment by, or removal of a party, shall not terminate this Agreement to non-terminating or non-amending Parties.

V. APPORTIONMENT OF COSTS UPON CHANGE OF PARTIES OR SERVICE PROVISIONS

A. Reduction of or Change in Service Provisions to Current Parties

Should there be a reduction of current Parties to the Agreement or change in the provision of services rendered to a current Party to the Agreement, GCHD's Chief Executive Officer and/or designee shall be tasked with amending the Animal Services Funding Formula for the following fiscal year and presenting said formula to all remaining Parties for review and deliberation prior to its effectuation. Upon finalization, the revised Funding Formula shall replace the existing one, affixed to this Agreement as *Attachment A*, which shall then become operative at the start of the new fiscal year.

GALVESTON COUNTY ANIMAL SERVICES AGREEMENT

B. Addition of New Municipalities

Should there be an addition of a municipality to the Agreement, GCHD's Chief Executive Officer and/or designee shall be tasked with amending the Animal Services Funding Formula to reflect the expense contribution of the joining municipality and presenting said formula to all Parties for review and deliberation prior to its effectuation. Upon finalization, the revised Funding Formula shall replace the existing one, affixed to this Agreement as *Attachment A*, which shall become operative immediately at the time in which the amended Agreement is wholly executed.

VI. MISCELLANEOUS PROVISIONS

A. Interlocal Cooperation

GCHD, the County and the Cities agree to cooperate with each other in good faith at all times during the term of this Agreement in order to achieve the purposes and intent of this Agreement. Each Party to this Agreement acknowledges and represents that this Agreement has been executed by its duly authorized representative.

B. Amendment/No Assignment

This Agreement contains the entire agreement between the Parties and supersedes all prior understandings and agreements between the Parties regarding such matters. This Agreement may not be modified or amended except by written agreement executed by all Parties. No Party may assign this Agreement in whole or in part without the prior written consent of every other participant Party.

C. Interpretation

The Parties acknowledge and confirm that this Agreement has been entered into pursuant to the authority granted under the Interlocal Cooperation Act, and that all terms and conditions herein are to be construed and interpreted as intended by this Act.

D. Invalid Provisions

Should any provision of this Agreement be found or deemed to be invalid, this Agreement shall be construed as not containing the invalid provision, and all other provisions which are otherwise lawful will remain in full force and effect.

E. Applicable Law

This Agreement is governed by the law of the State of Texas. Exclusive venue for any dispute arising under this Agreement is in Galveston County, Texas.

F. Notice

Any notice required or permitted under this Agreement shall be in writing and shall be delivered in person, or mailed via certified mail, return receipt requested with proper postage affixed, or may be transmitted electronically to the applicable party at the physical or electronic mailing address as provided within *Attachment B*.

GALVESTON COUNTY ANIMAL SERVICES AGREEMENT

G. Public Information Act

The County and the Cities understand that GCHD is legally considered a special purpose district and thus governed by the Texas Public Information Act, Chapter 552 of the Texas Government Code. This Agreement and all written information generated under this Agreement is therefore subject to release under the Public Information Act.

H. Immunity Retained

No Party hereto waives or relinquishes any immunity or defense on behalf of itself, its trustees, officers, employees and agents as a result of its execution of this Agreement and performance of the covenants contained herein. Each Party to the Agreement specifically reserves any claim it may have to sovereign, qualified, or official immunity as a defense to any action arising from this Agreement.

I. Current Revenues

Pursuant to Section 791.011(d)(3) of the Texas Government Code, the Cities and County must make payments for services rendered through this Agreement from current revenues available to the paying party.

J. Billing Procedure

GCHD shall bill the County and each City at the beginning of each quarter of the fiscal year for its respective portion of the animal services' annual operating expense, and the County and Cities agree to submit payments to GCHD in accordance with the terms set forth under the Texas Prompt Payment Act.

K. Entire Agreement

This Agreement constitutes the entire agreement of the Parties. No oral or written statements, agreements, promises, conditions, assurances, covenants or other terms with respect to covenants, whether written or verbal, not expressly set forth in this Agreement or expressly incorporated herein shall be of any force or effect. The County and Cities shall rely solely upon the representation and terms contained in this Agreement.

L. Binding Effect

Each Party represents and warrants for itself that the Party is acting by and through its governing body and that the individual executing this Agreement on its behalf has the full power and authority to do so and to legally bind the Party to this Agreement. Each Party shall become bound to this Agreement when the Agreement is executed by all Parties hereto.

-----The rest of this page has intentionally been left blank-----

**GALVESTON COUNTY
ANIMAL SERVICES AGREEMENT**

Galveston County Health District:

Kathy Barroso
Chief Executive Officer

Date

ATTEST:

Amanda Taber
Executive Assistant

Date

**GALVESTON COUNTY
ANIMAL SERVICES AGREEMENT**

Galveston County, Texas:

Mark A. Henry
County Judge

Date

ATTEST:

Dwight D. Sullivan
County Clerk

Date

**GALVESTON COUNTY
ANIMAL SERVICES AGREEMENT**

City of Bayou Vista, Texas:

Daniel Konyha
Mayor

Date

ATTEST:

Paula Eshelman
City Secretary

Date

**GALVESTON COUNTY
ANIMAL SERVICES AGREEMENT**

City of Hitchcock, Texas:

Anthony Matranga
Mayor

Date

ATTEST:

Lucy Dieringer
City Secretary

Date

**GALVESTON COUNTY
ANIMAL SERVICES AGREEMENT**

City of Kemah, Texas:

Carl Joiner
Mayor

Date

ATTEST:

Carolyn Anderson
City Secretary

Date

**GALVESTON COUNTY
ANIMAL SERVICES AGREEMENT**

City of La Marque, Texas:

Bobby Hocking
Mayor

Date

ATTEST:

Robin Eldridge
City Clerk

Date

**GALVESTON COUNTY
ANIMAL SERVICES AGREEMENT**

City of Texas City, Texas:

Matthew Doyle
Mayor

Date

ATTEST:

Nick Finan
City Secretary

Date

Galveston County Animal Services Agreement

Attachment A

**The Advisory Committee shall review and make recommendations on any amendment(s) to the annual budget. All amendments to the annual budget must be approved by the United Board of Health. Any amendment(s) that increases the County's proportion must be approved by the Commissioners' Court of Galveston County, Texas. Any amendment(s) that increases a City's proportion must be approved by the governing body of the respective City.*

FY17 Allocation for Animal Services (based on FY16 allocation)

	Field Services	%	Shelter Services	%	Combined Proposed FY17 Contribution	%
Bayou Vista	\$ 4,066	1.5%	\$ 6,495	1.1%	\$ 10,560	1.2%
Hitchcock	\$ 18,411	7%	\$ 29,416	4.8%	\$ 47,826	5.4%
Kemah	\$ 4,689	2%	\$ 7,492	1.2%	\$ 12,181	1.4%
LaMarque	\$ 38,374	14%	\$ 61,311	10.0%	\$ 99,685	11.2%
Texas City	\$ -	0%	\$ 190,576	31.0%	\$ 190,576	21.4%
Unincorporated (County)	\$ 211,951	76%	\$ 319,038	51.9%	\$ 530,989	59.5%
Total	\$ 277,490	100%	\$ 614,327	100%	\$ 891,817	100%

	Shelter	Shelter	Total
FY17 Budget ----->	\$ 277,490	\$ 977,151	\$ 1,254,641
Less ARC building costs (maintenance, utilities, etc.) ----->		\$ (199,699)	\$ (199,699)
Less Budgeted Fees: ----->	\$ -	\$ (163,125)	\$ (163,125)
	\$ 277,490	\$ 614,327	\$ 891,817

FY17 Funding Formula



CITY COUNCIL AGENDA FORM

Meeting Date: October 10, 2016

Agenda item: 9b

Prepared by: Chief Kirk A. Jackson

Reviewed by: *Carol Buttler*

Department: Police

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding Ordinance No. **O-2016-0018**, reducing the speed limit within the Painted Meadows subdivision from 30 miles per hour to 25 miles per hour. **THIS IS THE FIRST READING**

X

Attach for reference

1. Ordinance
2. Texas Transportation Code, Section 545.356

STAFF BRIEFING:

- The Painted Meadows subdivision is a densely populated residential area.
- The current speed limit in Painted Meadows is 30 miles per hour.
- The majority of the roadways are twenty-five (25) feet wide and the residential lots are fifty-five (55) feet wide (in most cases).
- A request for reduction of the speed limit was presented to Chief Jackson by a citizen of Painted Meadows.
- On September 20th, a community meeting was held in Painted Meadows and the citizens of the neighborhood were invited; seventeen (17) residents attended the meeting.
- At the meeting, a discussion of safety issues within the neighborhood was held.
- At the meeting, 82% of the citizens agreed that the speed limit should be reduced.
- Texas Transportation Code, Section 545.356 provides for the lowering of speed limits on roadways (which are not part of a State highway system) to no less than 25 miles per hour unless a speed zone study is conducted.
- City Attorney has reviewed and approved.

HISTORY:

- The Painted Meadows subdivision is a residential area where the speed limit is 30 miles per hour.
- A request was submitted to the office of the Chief of Police for reduction of the speed limit.
- A community meeting was held where a sampling of citizens attended.
- At that meeting, the majority of those present agreed that the speed limit should be lowered.
- State law allows the reduction in the speed limit on municipal roadways of not less than 25 miles per hour if the local governing body determines that the prima facie speed limit is unreasonable or unsafe.
- Given the width of the roadways and the frequency of residential properties within the subdivision, it is the opinion of the Chief of Police that 30 miles per hour is an unsafe speed in the Painted Meadows subdivision.



CITY COUNCIL AGENDA FORM

TARGET IMPLEMENTATION: November 21, 2016

ACTION:

- | | |
|--|---|
| ☒ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☐ Other | |
| ☒ Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures | |

Cost Details:	
Budgeted	\$0.00
Actual Bid	
Estimated Expenditure	\$80.00
Acct. Name(s)	Traffic Control Maintenance
Line Items #	01-3090-12-00
Other Funding	N/A

STAFF'S RECOMMENDATION: Motion to adopt Ordinance No. **O-2016-0018**, reducing the speed limit within the Painted Meadows subdivision from 30 miles per hour to 25 miles per hour. **THIS IS THE FIRST READING**

FISCAL IMPACT: If approved, the cost for replacement of the speed limit signs would be the only monetary impact. Four (4) signs are estimated to cost twenty dollars (\$20.00) each.

ORDINANCE NO. O-2016-0018

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, AMENDING CHAPTER 62, TRAFFIC AND VEHICLES, OF THE CODE OF ORDINANCES, CITY OF LA MARQUE, TEXAS, BY ADDING A NEW SECTION 62-90 TO LOWER THE SPEED LIMIT OF PAINTED MEADOWS SUBDIVISION TO 25 MILES PER HOUR.

WHEREAS, Painted Meadows Subdivision is a densely populated residential area; and

WHEREAS, the current speed limit in Painted Meadows Subdivision is 30 miles per hour; and

WHEREAS, on September 20, 2016, a community meeting was held in Painted Meadows Subdivision to discuss the lowering of the speed limit of 30 miles per hour; and

WHEREAS, a high majority of those citizens attending the community meeting voted in favor of lowering the speed limit; and

WHEREAS, Section 545.356 authorizes the reduction of the speed limit on roadways which are not part of a State Highway System to no less than 25 miles per hour; and

WHEREAS, all the public streets and roadways of Painted Meadows Subdivision are not part of a State Highway System. **NOW, THEREFORE,**

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

SECTION ONE:

That Chapter 62, Traffic and Vehicles, of the Code of Ordinances, City of La Marque, Texas, is hereby amended to add a new section to be numbered Section 62-90, which said section shall read as follows:

“Section 62-90. Painted Meadows Subdivision.

The speed limit on all public streets and roadways in Painted Meadows Subdivision shall be 25 miles per hour.”

PASSED AND APPROVED by City Council of the City of La Marque on the First reading this the ____ day of _____, 2016.

PASSED, APPROVED and ADOPTED by the City Council of the City of La Marque

on the Second and Final reading this the _____ day of _____, 2016.

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor

ATTEST:

Robin Eldridge, City Clerk

APPROVED AS TO FORM:

Ellis J. Ortego, City Attorney

Sec. 545.356. AUTHORITY OF MUNICIPALITY TO ALTER SPEED LIMITS. (a) The governing body of a municipality, for a highway or part of a highway in the municipality, including a highway of the state highway system, has the same authority to alter by ordinance prima facie speed limits from the results of an engineering and traffic investigation as the Texas Transportation Commission on an officially designated or marked highway of the state highway system. The governing body of a municipality may not modify the rule established by Section 545.351(a) or establish a speed limit of more than 75 miles per hour.

(b) The governing body of a municipality, for a highway or part of a highway in the municipality, including a highway of the state highway system, has the same authority to alter prima facie speed limits from the results of an engineering and traffic investigation as the commission for an officially designated or marked highway of the state highway system, when the highway or part of the highway is under repair, construction, or maintenance. A municipality may not modify the rule established by Section 545.351(a) or establish a speed limit of more than 75 miles per hour.

(b-1) Except as provided by Subsection (b-3), the governing body of a municipality, for a highway or a part of a highway in the municipality that is not an officially designated or marked highway or road of the state highway system, may declare a lower speed limit of not less than 25 miles per hour, if the governing body determines that the prima facie speed limit on the highway is unreasonable or unsafe.

(b-2) Subsection (b-1) applies only to a two-lane, undivided highway or part of a highway.

(b-3) The governing body of a municipality with a population of 2,000 or less, for a highway or a part of a highway in the municipality that is a one-lane highway used for two-way access and that is not an officially designated or marked highway or road of the state highway system, may declare a lower speed limit of not less than 10 miles per hour, if the governing body determines that the prima facie speed limit on the highway is unreasonable or unsafe.

(c) A prima facie speed limit that is altered by the governing body of a municipality under Subsection (b), (b-1), or (b-3) is effective when the governing body erects signs giving notice of the new limit and at all times or at other times as determined.

(d) The governing body of a municipality that declares a lower speed limit on a highway or part of a highway under Subsection (b-1) or (b-3), not later than February 1 of each year, shall publish on its Internet

website and submit to the department a report that compares for each of the two previous calendar years:

(1) the number of traffic citations issued by peace officers of the municipality and the alleged speed of the vehicles, for speed limit violations on the highway or part of the highway;

(2) the number of warning citations issued by peace officers of the municipality on the highway or part of the highway; and

(3) the number of vehicular accidents that resulted in injury or death and were attributable to speed limit violations on the highway or part of the highway.

Acts 1995, 74th Leg., ch. 165, Sec. 1, eff. Sept. 1, 1995.

Amended by:

Acts 2005, 79th Leg., Ch. 166 (H.B. 87), Sec. 1, eff. May 27, 2005.

Acts 2009, 81st Leg., R.S., Ch. 1144 (H.B. 2682), Sec. 1, eff. June 19, 2009.

Acts 2011, 82nd Leg., R.S., Ch. 265 (H.B. 1353), Sec. 6, eff. September 1, 2011.

Acts 2011, 82nd Leg., R.S., Ch. 1016 (H.B. 2596), Sec. 1, eff. June 17, 2011.



CITY COUNCIL AGENDA FORM

Meeting Date: October 10, 2016
 Prepared by: Robin Eldridge
 Department: Administration

Agenda item: 9c
 Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding Resolution No. **R-2016-0016**, designating members of the City Council as Representative and Official Alternate to the General Assembly of the Houston-Galveston Area Council for year 2017.

- ☒ Attachments for reference
1. Resolution
 2. Letter from H-GAC

STAFF BRIEFING:

- H-GAC's bylaws provide that each member Home Rule City with a population under 25,000, as of the last (2010) Federal Census, is entitled to designate one Representative and one Alternate to the H-GAC General Assembly, which will meet in early 2017.

HISTORY:

- The current designees are: Mayor Bobby Hocking as the Representative and Councilmember Chris Lane the Alternate

TARGET IMPLEMENTATION: October 10, 2016

SIGNIFICANT ACTION DATES:

- **November 2015** – Dinner and meeting of Home Rule City Representatives is to be held on November 3, 2016.
- **October 19, 2016** – Due date for our City's designation to be submitted to HGAC

ACTION:

- | | |
|--|--|
| ☐ Ordinance | ☒ Resolution |
| ☐ Proclamation Presentation | ☐ Special |
| ☐ Finance Report | ☐ Public Hearing |
| ☐ Other (be Specific) | |

Cost Details:	
Budgeted	N/A
Actual Bid	N/A
Estimated Expenditure	N/A
Acct. Name	N/A
Line Items #	N/A
Other Funding	N/A

- ☒ Check box if there is no conflict with City Charter, ordinances, resolutions, or policies

STAFF'S RECOMMENDATION: Motion to adopt Resolution No. **R-2016-0016**, designating _____ as Representative and _____ as Official Alternate to the General Assembly of the Houston-Galveston Area Council for year 2017.



CITY COUNCIL AGENDA FORM

Fiscal Impact: N/A

RESOLUTION NO. R-2016-0016

**DESIGNATION OF REPRESENTATIVE AND ALTERNATE
HOUSTON-GALVESTON AREA COUNCIL
2017 GENERAL ASSEMBLY**

BE IT RESOLVED, by the Mayor and City Council of La Marque, Texas that
_____ be, and is hereby designated as its Representative to the
GENERAL ASSEMBLY of the Houston-Galveston Area Council for the year 2017.

FURTHER, that the Official Alternate authorized to serve as the voting representative should the
hereinabove named representative become ineligible, or should he/she resign, is
_____.

THAT the Executive Director of the Houston-Galveston Area Council be notified of the
designation of the hereinabove named representative and alternate.

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

Bobby Hocking, Mayor

ATTEST:

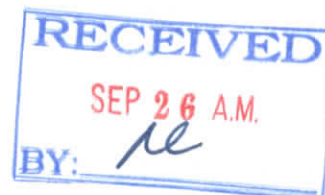
Robin Eldridge, TRMC
City Clerk

APPROVED AS TO FORM:

Ellis J. Ortego, City Attorney



September 19, 2016



Hon. Bobby Hocking
Mayor
City of La Marque
1111 Bayou Rd
La Marque, TX 77568

Dear Mayor Hocking:

I am writing regarding the appointment of your city's representative to H-GAC's 2017 General Assembly.

H-GAC's Bylaws provide that each member Home Rule city with a population under 25,000 as of the last (2010) Federal Census is entitled to designate one representative and one alternate to the H-GAC General Assembly, which will meet in early 2017.

I am enclosing the appropriate form for your city's use in officially designating a representative and an alternate. The two designees must be elected official members of your city's governing body. Please return the completed form by fax to 713-993-2414 or email rick.guerrero@h-gac.com.

A dinner meeting of Home Rule city representatives is scheduled for the evening of November 3. At that meeting, your 2016 Home Rule Cities' H-GAC Board of Directors representatives will report on this year's activities and look ahead to issues and progress in 2017.

We are sending a copy of these designation materials to your city secretary as well. We would appreciate receiving your city's designation form no later than October 19. If you have any questions during the designation process, please call Rick Guerrero at 713-993-4598.

Sincerely,

Jack Steele

JS/cj

Enclosure
cc: City Secretary



CITY COUNCIL AGENDA FORM

Meeting Date: October 10, 2016
Prepared by: Erica Grundmann
Department: Development Services

Agenda item: 9d
Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding the approval of the Final Plat of Landing at Delaney Cove Section 4 being 10.2+ acres of land containing 42 lots (50 X 120 Typ.) and five reserves in four blocks out of the Stephen F. Austin League No. 4 Survey, A-2, City of La Marque, Galveston, County, Texas, and, allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60' X 120' to 50' X 120' in size as recommended by Planning and Zoning Commission

☒ X

Attachments for reference

1. Final Plat
2. Planning and Zoning Commission Minutes for September 13, 2016
3. Recommendation letter from Planning and Zoning Commission

STAFF BRIEFING:

- The Planning and Zoning Commission discussed at regular meeting of September 13, 2016.
- The Board voted to forward item to City Council with a favorable recommendation.

HISTORY:

- **July 21, 2016** – Preliminary Plat submittal request to Planning and Zoning Commission.
- **July 29, 2016** – Letter from for Lennar Homes of Texas
- **September 13, 2016** – Planning and Zoning Commission Regular Meeting/Public Hearing- approved a favorable recommendation to City Council for the Final Plat of Landing at Delaney Cove, Sec. 4

TARGET IMPLEMENTATION: October 10, 2016

SIGNIFICANT ACTION DATES:

- **July 21, 2016** – Representative for Lennar Homes of Texas submitted a Preliminary Plat request to Planning and Zoning Commission.
- **July 29, 2016** – Letter from Lennar Homes of Texas
- **September 13, 2016** – Planning and Zoning Commission Regular Meeting/Public Hearing approved a favorable recommendation to City Council for the Final Plat of Landing at Delaney Cove Sec. 4



CITY COUNCIL AGENDA FORM

ACTION:

- | | |
|--|---|
| ☐ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☒ Other- recommendation to accept Final Plat | |
| ☒ Mark if this item does not conflict with any Resolution, Ordinance or City Charter | |

Cost Details:	
Budgeted	
Actual Bid	
Estimated Expenditure	
Acct. Name(s)	
Line Items #	
Other Funding	

STAFF'S RECOMMENDATION: Motion to approve the Final Plat of Landing at Delany Cove Section 4, being 10.2+ acres of land containing 42 lots (50 X 120 Typ.) and five reserves in four blocks out of the Stephen F. Austin League No. 4 Survey, A-2, City of La Marque, Galveston, County, Texas, and, allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60'X 120' to 50' X 120' in size as recommended by Planning and Zoning Commission

FISCAL IMPACT: The construction of additional new residences should increase the city's tax revenue and may potentially increase the amount of goods purchased in the city.



1111 Bayou
La Marque, Texas 77568
409.938.9202

**Planning and Zoning Commission
Regular Meeting
September 13, 2016
Minutes**

(1) CALL TO ORDER

Chairman Deanna Bethea called the Special Planning & Zoning Committee meeting to order at 4:03 p.m.

(2) ROLL CALL

PRESENT:

Chairman Deanna Bethea
Commissioner Dickey Stanley
Commissioner Russell Washington
Commissioner Augustino Molis
Commissioner Russell Washington
Commissioner Greg Cornett

ABSENT:

Commissioner Chris Crowder
Commissioner Charles Castelline

STAFF PRESENT:

Les Rumburg, Director of Public Works
Erica Grundmann – Inspections

(3) INVOCATION AND PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was dispensed by the Planning & Zoning Commission led by Commissioner Stanley

(4) APPROVAL OF MINUTES

- a. Special Meeting Minutes of August 30, 2016
Commissioner Dickey Stanley made a motion to accept the minutes for August 30, 2016, Commissioner Greg Cornett seconded the motion. **MOTION PASSED.**

(5) CITIZENS COMMENTS

None

(6) PUBLIC HEARING Open at 4:10 PM , Closed at 4:15 PM

- a. Conduct Public Hearing to receive public input regarding: a Re-Zone from I-1 Light Industrial to Industrial I-2. ABST 150 J D MOORE SUR LOTS 4 THRU 6 & PT OF LOTS 2,3,7&8 (2-1) BLK 16 HIGHLAND PARK AND ABST 150 PAGE 9 LTS 1 THRU 4 & LTS 11 THRU 14 BLK 25 ½ OF ADJ STREETS SURROUNDING BLK 25 HIGHLAND PARK. At 2700 Hwy 3

(7) OLD BUSINESS

- a. **PZ-FP-LANDING AT DELANY COVE SEC. 4** Discussion/possible action regarding the Final Plat of Landing at Delany Cove Section 4 being 10.2+ Acres of land containing 42 lots (50 X 120 Typ.) and five reserves in four blocks out of the Stephen F. Austin League NO.4 Survey, A-2, City of La Marque, Galveston, County, Texas, allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60'X 120' to 50' X 120' in size.

Commissioner Dickey Stanley made a motion to accept the Final Plat of Landing at Delany Cove Section 4 , Commissioner Greg Cornett seconded the motion.
MOTION PASSED.

- b. **PZ-FP-LANDING AT DELANY COVE SEC. 5** Discussion/possible action regarding the Final Plat: Delany Cove Section 5. Being 11.3 + Acres of Land Containing 46 lots (50x120 TYP.) and six reserves in three blocks out of the S.F. Austin League No. 4 Survey, A-2 City of La Marque, Galveston County, Texas and allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60'X 120' to 50' X 120'

Commissioner Dickey Stanley made a motion to accept the Final Plat of Landing at Delany Cove Section 5, Commissioner Greg Cornett seconded the motion.
MOTION PASSED.

- c. Discussion/possible action regarding an ordinance to create a Residential Canal Zone to reflect a unique characteristic of subdivision similar to Omega Bay into the operation and maintenance standards of the City of La Marque.

Commissioner Augustino Molis made a motion to accept the Residential Canal Zone ordinance as is , Commissioner Greg Cornett seconded the motion.

MOTION PASSED.

(8) NEW BUSINESS

- a. Discussion/possible action regarding a Re-Zone from I-1 Light Industrial to Industrial I-2. ABST 150 J D MOORE SUR LOTS 4 THRU 6 & PT OF LOTS 2,3,7&8 (2-1) BLK 16 HIGHLAND PARK AND ABST 150 PAGE 9 LTS 1 THRU 4 & LTS 11 THRU 14 BLK 25 ½ OF ADJ STREETS SURROUNDING BLK 25 HIGHLAND PARK. At 2700 Hwy 3

Commissioner Dickey Stanley made a motion to accept the Re-Zone from I-1 Light Industrial to Industrial I- 2. Commissioner Greg Cornett seconded the motion.
MOTION PASSED.

- (9) **CHAIRMAN REPORT**
There was no Chairman Report
- (10) **EXECUTIVE SESSION**
There was no Executive Session
- (11) **REQUESTS AND ANNOUNCEMENTS**
None at this time
- (12) **ADJOURNMENT**
Commissioner Dickey Stanley made a motion to adjourn the meeting at 5:58 p.m.
Commissioner Greg Cornett seconded. **MEETING ADJOURNED.**

Planning & Zoning Commission,
Chairman Deanna Bethea



September 13, 2016

Mayor and City Council
City of La Marque
1111 Bayou Road
La Marque, Texas 77568

Dear Mayor and City Council:

On September 13, 2016 the Planning and Zoning Commission Conducted a meeting regarding the Final Plat of Landing at Delany Cove Section 4 being 10.2+ Acres of land containing 42 lots (50 X 120 Typ.) and five reserves in four blocks out of the Stephen F. Austin League NO.4 Survey, A-2, City of La Marque, Galveston, County, Texas, allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60' X 120' to 50' X 120' in size.

By unanimous vote, Planning and Zoning Commission recommended forwarding a favorable response of this request to City Council for their consideration.

Thank you,

Deanna Bethea
Chairman, Planning and Zoning Commission



CITY COUNCIL AGENDA FORM

Meeting Date: October 10, 2016
Prepared by: Erica Grundmann
Department: Development Services

Agenda item: 9e
Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible regarding adopting Ordinance No. **O-2016-0019**, approving a rezoning classification from I-1 Light Industrial to I-2 Industrial ABST 150 J. J.D. Moore Survey, Lots 4 thru 6 & pt. of lots 2, 3, 7&8 (2-1) Blk. 16, Highland Park and ABST 150 Page 9, Lots 1 thru 4 & lots 11 thru 14 Blk. 25 ½ of adj. streets surrounding Blk. 25, Highland Park, at 2700 Hwy 3. **THIS IS THE FIRST READING**

☒ **Attachments for reference:**

1. Ordinance
2. Letter of request and application
3. Map of location
4. Minutes of 09/13/2016 Planning and Zoning meeting
5. Letter of recommendation form Planning and Zoning

STAFF BRIEFING:

- The Planning and Zoning Commission discussed at regular meeting of September 13, 2015.
- Property is currently zoned I-1 Light Industrial
- Property owner is requesting to re-zone to I-2 Industrial.
- Upon approval of re-zone, property owner will sell to a developer desiring to plan and construct an office building and a concrete “batch” plant.
- The Commission voted to forward item to City Council with a favorable recommendation based on the configuration and public input received.

HISTORY:

- **June 23, 2016** – Property owner submitted zoning change application.
- **June 29, 2016** – Rezoning classification fees are paid.
- **June 29, 2016** – Planning and Zoning Commission held a regular meeting/public hearing, approves and recommended to City Council to change the zoning classification from I-1 Light Industrial to I-2 Industrial.

TARGET IMPLEMENTATION: Establishment of new Residential Canal Zone would become effective thirty days after the 2nd reading of ordinance by City Council, as per City Charter.

SIGNIFICANT ACTION DATES:

- **June 23, 2016** Property owner completed planning and zoning application.
- **June 29, 2016** rezoning classification fees are paid.



CITY COUNCIL AGENDA FORM

- **June 29, 2016** - Planning and Zoning Commission held a regular meeting/public hearing and approves and recommended to City Council to change the zoning classification from I-1 Light Industrial to I-2 Industrial.
- **October 10, 2016** – First Reading of Ordinance before City Council

ACTION:

- | | |
|---|---|
| ☒ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☐ Other | |
- ☒ Mark if this item does not conflict with any Resolution, Ordinance or City Charter

Cost Details:

Budgeted	
Actual Bid	
Estimated Expenditure	
Acct. Name(s)	
Line Items #	
Other Funding	

STAFF'S RECOMMENDATION: Motion to adopt Ordinance No. **O-2016-0019**, approving a rezoning classification from I-1 Light Industrial to I-2 Industrial ABST 150 J D Moore SUR Lots 4 thru 6 & pt. of Lots 2, 3, 7&8 (2-1) Blk. 16, Highland Park and ABST 150 Page 9 Lots 1 thru 4 & lots 11 thru 14 Blk. 25 ½ of adj. streets surrounding Blk. 25, Highland Park, at 2700 Hwy 3 **THIS IS THE FIRST READING**

FISCAL IMPACT: As vacant land becomes productive, City should recognize changes in tax revenue

ORDINANCE NO. O-2016-0019

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, CHANGING THE ZONING CLASSIFICATION FROM I-1 LIGHT INDUSTRIAL, TO I-2 INDUSTRIAL, PROPERTY DESCRIBED AS ABST 150 J D MOORE SUR LOTS 4 THRU 6 & PT OF LOTS 2, 3, 7&8 (2-1) BLK 16 HIGHLAND PARK AND ABST 150 PAGE 9 LTS 1 THRU 4 & LTS 11 THRU 14 BLK 25 ½ OF ADJ STREETS SURROUNDING BLK 25 HIGHLAND PARK, AT 2700 HWY. 3, AND MORE FULLY DESCRIBED BY METES AND BOUNDS ON EXHIBIT “A” ATTACHED HERETO AND MADE PART HEREOF, AMENDING THE ZONING MAP OF THE CITY ADOPTED THE 12TH DAY OF DECEMBER 2005, BY ORDINANCE NUMBER 953; CONTINGENT UPON PROPERTY OWNER DEVELOPING SAID PROPERTY IN ACCORDANCE WITH PROPOSED USE AS A CONCRETE BATCH PLANT WITHIN A TWELVE MONTH PERIOD FOLLOWING COUNCIL APPROVAL OF THE RE-ZONE.

WHEREAS, the tract of land described as Abst. 150 J D Moore Survey, lots 4 thru 6 & part of lots 2, 3, 7&8 (2-1) Block 16 Highland Park and Abst. 150 Page 9 lots 1 thru 4 & lots 11 thru 14 Block 25 ½ of adjacent streets surrounding Block 25 Highland Park, at 2700 Hwy. 3, same property more fully described by metes and bounds as found on EXHIBIT “A” attached hereto; (the “Property”) generally situated in the corporate city limits of the City of La Marque, Texas (the “City”) made part hereof for all purposes; and

WHEREAS, the Property presently has a zoning classification of I-1 Light Industrial under Chapter 71: Zoning of the Code of ordinances of the City of La Marque; and

WHEREAS, the applicant, Anthony Speakman, has made application to the City to change such zoning classification of said property from Light Industrial to Industrial as authorized by the City’s Zoning Ordinance; and

WHEREAS, the City Council has conducted, in time and manner and after the notice required by law and Chapter 71: Zone of the Code of Ordinances of the City of La Marque, a public hearing on such request in classification; and

WHEREAS, the request for amendment to the zoning boundaries was submitted together with the required fees to the administrative official causing the petition to be placed on the September 19, 2016 agenda for a Public Hearing before the Planning and Zoning Commission; and

WHEREAS, written notice of all public hearings on proposed changes to district boundaries was sent to all property owners within 200 feet of the tract to be re-zoned using the last known address as listed on the City tax roll and depositing the notice, postage paid, in the United States mail sent not less than ten days before such hearing was held; and

WHEREAS, at its meeting on September 19, 2016, the Planning and Zoning Commission recommended approval of the requested change of zoning classification of said property from light industrial to industrial; and

WHEREAS, City Council deems the requested change in zoning classification appropriate.
NOW THEREFORE

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

Section 1.

That the facts and the matters set forth in the preamble on this Ordinance are hereby found to be true and correct.

Section 2.

That the request for zoning classification change of the certain tract of land described as Abst. 150 J D Moore Survey, lots 4 thru 6 & part of lots 2, 3, 7&8 (2-1) Blk. 16, Highland Park and Abst. 150 Page 9 lots 1 thru 4 & lots 11 thru 14 Block 25 ½ of adjacent streets surrounding Block 25, Highland Park at 2700 Hwy. 3, same property more fully described by metes and bounds as found on EXHIBIT “A” attached hereto; (the “Property”) generally situated in the corporate city limits of the City of La Marque, Texas (the “City”) is hereby approved from I-1 Light Industrial to Industrial (I-2) as authorized by the Chapter 71: Zoning of the Code of Ordinances of the City of La Marque, providing property owner develops said property in accordance with proposed concrete batch plant plan within a twelve month period following City Council approval of the rezone.

Section 3.

That the zoning map of the City, adopted on the 12th day of December, 2005, by ordinance number 953, shall be revised and amended to show the zoning reclassification of said tract of land as provided in section 2 hereof, subject to above referenced contingency. Failure to comply provides City Council the right and authority to revert the zone change to the original I-1 Light Industrial zone designation.

Section 4.

In the event any clause, phrase, provision, sentence or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or the provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of La Marque, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED AND APPROVED by the City Council of the City of La Marque, Texas, on the First reading this the _____ day of _____, 2016.

PASSED, APPROVED and ADOPTED by the City Council of the City of La Marque, Texas, on the Second and Final reading this the _____ day of _____, 2016.

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor

ATTEST:

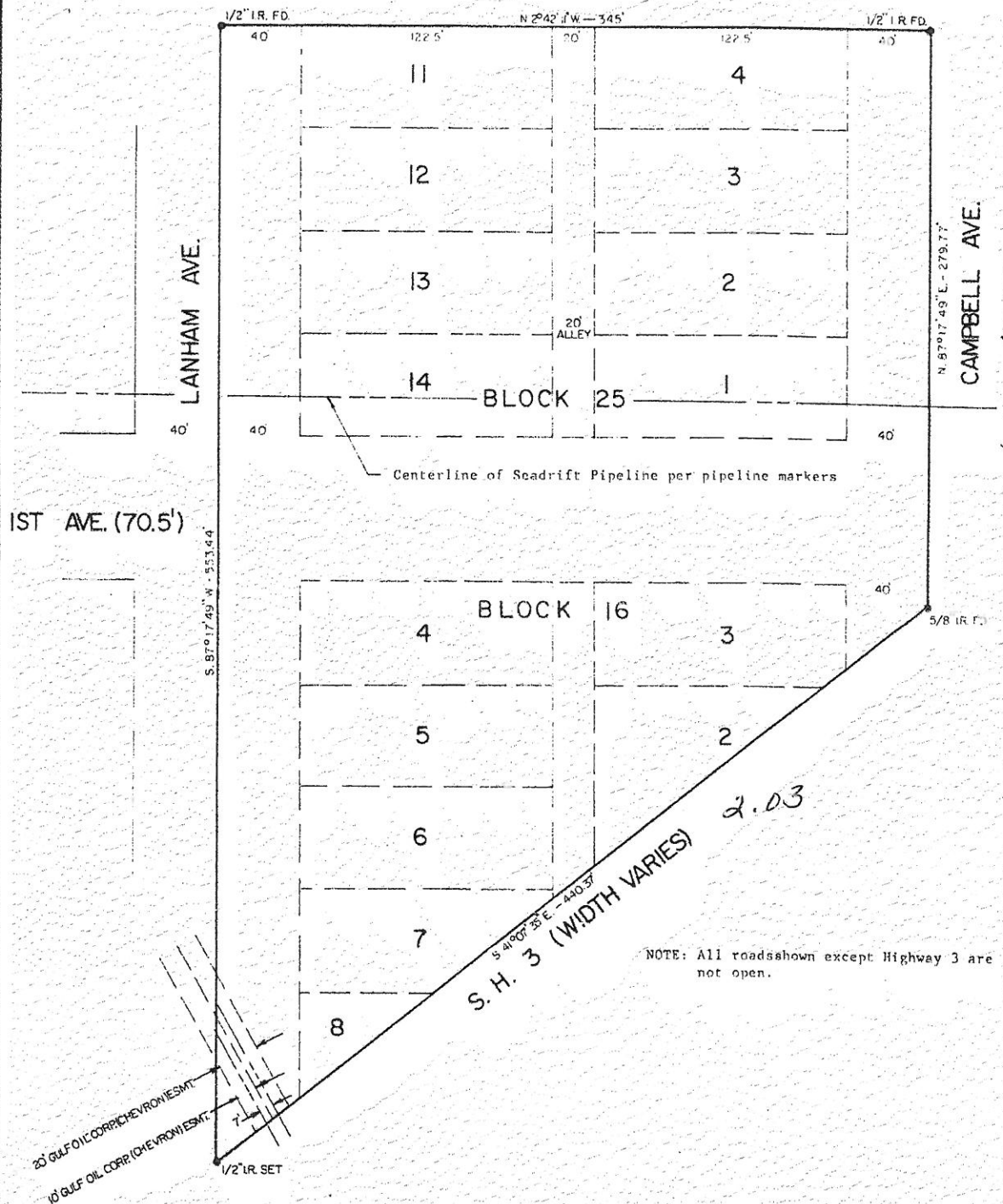
Robin Eldridge, City Clerk

APPROVED AS TO FORM:

Ellis J. Ortego, City Attorney

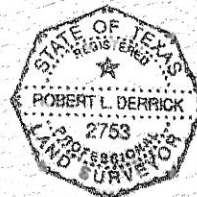
Survey of part of Blocks 16 and 25 of Highland Park and Highland Park Annex, according to the map thereof recorded in Volume 254-A, Page 2 in the office of the County Clerk of Galveston County, Texas, together with adjoining streets and alleys as set out and shown on a survey made by Paul A. Milligan for Charles B. Stubbs on June 1, 1946, and recorded in Book 731, Pages 23 and 24 in the office of the County Clerk of Galveston County, Texas, said tract being awarded by the court, J. B. Howard, Judge, to Charles J. Stubbs by judgment executed October 22, 1947, and recorded in Book 763, Page 214 in the office of the County Clerk of Galveston County, Texas, and conveyed from Theodore B. Stubbs, et al. to Don Brown, et al. by deed executed August 10, 1976, and recorded in Volume 2737, Page 546 of the Galveston County Deed Records, and being more particularly described by metes and bounds on the attached Exhibit "A".

SCALE 1"=50'



I hereby certify that this is an accurate plat on the above property indicating all improvements thereon which was prepared under my supervision from an actual survey made on the ground on November 19, 1992.

Subject property DOES lie within the 100 year flood plain; Property lies in Zone A-2, Elevation 5' according to Map No. 485486 0020 D.



Robert L. Derrick
Job No. 5496



CITY OF LA MARQUE
DEVELOPMENT SERVICES DEPARTMENT

1111 Bayou Rd.
La Marque, Texas 77568
O. 409.938.9204
F. 409.908.0549

PLANNING AND ZONING APPLICATION

ZONING CHANGE

CASE No. _____

DATE OF APPLICATION 6/23/16 STAFF ACCEPTANCE DATE: _____

NAME OF OWNER Anthony W. Speakman PHONE 409-466-6800 *Agent* 281-910-3500

MAILING ADDRESS: 1435 Tiki Dr. Galveston, TX 77554 409 938 1180

EMAIL: _____ FAX: 409 938 1121

NAME OF AGENT _____ PHONE _____
(IF APPLICABLE)

ADDRESS _____

EMAIL: _____ FAX: _____

PROPERTY INFORMATION: CAD I.D. 398500160002001 & 398500250001000

LEGAL DESCRIPTION: ABST 150 J D MOORE SUR LOTS 4 THRU 6 & PT OF LOTS 2,3,7 & 8
(2-1) BLK 16 HIGHLAND PARK and
ABST 150 PAGE 9 LTS 1 THRU 4 & LTS 11 TRU 14 BLK 25 & 1/2 OF ADJ STREETS
SURROUNDING BLK 25 HIGHLAND PARK

ADDRESS: 2700 Highway 3 La Marque, 77568

PLOT OF AREA ATTACHED ☒ METES AND BOUNDS ATTACHED ☒

PRESENT ZONE; Light Industrial EXISTING USE: WAREHOUSE

ZONE APPLYING FOR: Heavy Industrial

REASON FOR CHANGE: To Install and operate a concrete batch plant

DESIRED OUTCOME:

APPLICANT'S CERTIFICATE

I AFFIRM THAT MY STATEMENT CONTAINED IN THE APPLICATION ARE TRUE AND
CORRECT TO THE BEST OF MY KNOWLEDGE.

Anthony W. Speakman

June 23, 2016

City Commissioners
City of La Marque
1111 Bayou Rd.
La Marque, TX 77568

RE: **Rezone Request from Light Industry to Heavy Industry on 3.3 acres in La Marque.**

Dear City Commissioners:

My name is Anthony Speakman. I am the owner of the 3.3 acre tract located at 2700 Highway 3 in La Marque. I am writing in favor of rezoning the subject property from Light Industry to Heavy Industry. The purpose of this rezoning request is to allow Mr. Rodolfo Gonzalez to construct an office building and a concrete plant. He intends on making a substantial investment in the City of La Marque.

The new zoning designation will benefit the City of La Marque by (1) increasing the property tax base, (2) increase sales tax revenue, and (3) create new jobs for its citizens. Mr. Gonzalez is committed in developing a safe and clean business on this subject property. Additionally, he will comply with all municipal, state, and/or federal laws which may regulate his line of business.

Thank you for your consideration.

Sincerely,

A handwritten signature in cursive script, appearing to read "Anthony W. Speakman".

Anthony W. Speakman

City of La Marque, TX
1111 Bayou Rd.
La Marque, TX 77568

Receipt Number: 201600796

(409)938-9204

Payer/Payee: RODOLFO GONZALEZ
2506 BARCELONA WAY
LEAGUE CITY TX 77573

Cashier: Erica G.

Date: 06/29/2016

PZ2016-008 RE- 2700 HWY 3
ZONING/PLATS/VARIANCES/ABANDON
MENTS

<u>Fee Description</u>	<u>Fee Amount</u>	<u>Amount Paid</u>	<u>Fee Balance</u>
REZONING CLASSIFICATION FEE	\$450.00	\$450.00	\$0.00
	\$450.00	\$450.00	\$0.00

<u>Payment Method</u>	<u>Reference Number</u>	<u>Payment Amount</u>
CHECK	1074	\$450.00
Total Paid:		\$450.00



1111 Bayou
La Marque, Texas 77568
409.938.9202

**Planning and Zoning Commission
Regular Meeting
September 13, 2016
Minutes**

(1) CALL TO ORDER

Chairman Deanna Bethea called the Special Planning & Zoning Committee meeting to order at 4:03 p.m.

(2) ROLL CALL

PRESENT:

Chairman Deanna Bethea
Commissioner Dickey Stanley
Commissioner Russell Washington
Commissioner Augustino Molis
Commissioner Russell Washington
Commissioner Greg Cornett

ABSENT:

Commissioner Chris Crowder
Commissioner Charles Castelline

STAFF PRESENT:

Les Rumburg, Director of Public Works
Erica Grundmann – Inspections

(3) INVOCATION AND PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was dispensed by the Planning & Zoning Commission led by Commissioner Stanley

(4) APPROVAL OF MINUTES

- a. Special Meeting Minutes of August 30, 2016
Commissioner Dickey Stanley made a motion to accept the minutes for August 30, 2016, Commissioner Greg Cornett seconded the motion. **MOTION PASSED.**

(5) CITIZENS COMMENTS

None

(6) PUBLIC HEARING Open at 4:10 PM , Closed at 4:15 PM

- a. Conduct Public Hearing to receive public input regarding: a Re-Zone from I-1 Light Industrial to Industrial I-2. ABST 150 J D MOORE SUR LOTS 4 THRU 6 & PT OF LOTS 2,3,7&8 (2-1) BLK 16 HIGHLAND PARK AND ABST 150 PAGE 9 LTS 1 THRU 4 & LTS 11 THRU 14 BLK 25 ½ OF ADJ STREETS SURROUNDING BLK 25 HIGHLAND PARK. At 2700 Hwy 3

(7) OLD BUSINESS

- a. **PZ-FP-LANDING AT DELANY COVE SEC. 4** Discussion/possible action regarding the Final Plat of Landing at Delany Cove Section 4 being 10.2+ Acres of land containing 42 lots (50 X 120 Typ.) and five reserves in four blocks out of the Stephen F. Austin League NO.4 Survey, A-2, City of La Marque, Galveston, County, Texas, allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60'X 120' to 50' X 120' in size.

Commissioner Dickey Stanley made a motion to accept the Final Plat of Landing at Delany Cove Section 4 , Commissioner Greg Cornett seconded the motion.

MOTION PASSED.

- b. **PZ-FP-LANDING AT DELANY COVE SEC. 5** Discussion/possible action regarding the Final Plat: Delany Cove Section 5. Being 11.3 + Acres of Land Containing 46 lots (50x120 TYP.) and six reserves in three blocks out of the S.F. Austin League No. 4 Survey, A-2 City of La Marque, Galveston County, Texas and allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60'X 120' to 50' X 120'

Commissioner Dickey Stanley made a motion to accept the Final Plat of Landing at Delany Cove Section 5, Commissioner Greg Cornett seconded the motion.

MOTION PASSED.

- c. Discussion/possible action regarding an ordinance to create a Residential Canal Zone to reflect a unique characteristic of subdivision similar to Omega Bay into the operation and maintenance standards of the City of La Marque.

Commissioner Augustino Molis made a motion to accept the Residential Canal Zone ordinance as is , Commissioner Greg Cornett seconded the motion.

MOTION PASSED.

(8) NEW BUSINESS

- a. Discussion/possible action regarding a Re-Zone from I-1 Light Industrial to Industrial I-2. ABST 150 J D MOORE SUR LOTS 4 THRU 6 & PT OF LOTS 2,3,7&8 (2-1) BLK 16 HIGHLAND PARK AND ABST 150 PAGE 9 LTS 1 THRU 4 & LTS 11 THRU 14 BLK 25 ½ OF ADJ STREETS SURROUNDING BLK 25 HIGHLAND PARK. At 2700 Hwy 3

Commissioner Dickey Stanley made a motion to accept the Re-Zone from I-1 Light Industrial to Industrial I-2. Commissioner Greg Cornett seconded the motion.

MOTION PASSED.

- (9) **CHAIRMAN REPORT**
There was no Chairman Report
- (10) **EXECUTIVE SESSION**
There was no Executive Session
- (11) **REQUESTS AND ANNOUNCEMENTS**
None at this time
- (12) **ADJOURNMENT**
Commissioner Dickey Stanley made a motion to adjourn the meeting at 5:58 p.m.
Commissioner Greg Cornett seconded. **MEETING ADJOURNED.**

Planning & Zoning Commission,
Chairman Deanna Bethea



September 13, 2016

Mayor and City Council
City of La Marque
1111 Bayou Road
La Marque, Texas 77568

Dear Mayor and City Council:

On September 13, 2016 the Planning and Zoning Commission Conducted a meeting regarding a a Re-Zone from I-1 Light Industrial to I – 2 Industrial. ABST 150 J D MOORE SUR LOTS 4 THRU 6 & PT OF LOTS 2,3,7&8 (2-1) BLK 16 HIGHLAND PARK AND ABST 150 PAGE 9 LTS 1 THRU 4 & LTS 11 THRU 14 BLK 25 ½ OF ADJ STREETS SURROUNDING BLK 25 HIGHLAND PARK. At 2700 Hwy 3

By unanimous vote, Planning and Zoning Commission recommended forwarding a favorable response of this request to City Council for their consideration.

Thank you,

Deanna Bethea
Chairman, Planning and Zoning Commission



CITY COUNCIL AGENDA FORM

Meeting Date: October 10, 2016

Prepared by: Les Rumburg

Department: Development Services

Agenda item: 9f

Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding adopting Ordinance No. **O-2016-0020**, amending Chapter 71, Zoning Section 71.5, General Provisions, of the Code of Ordinance of the City of La Marque, Texas by adding a new subsection (q), entitled Livestock; providing a clause for Exotic, Wild, or Dangerous animals. **THIS IS THE FIRST READING**

x

Attach for reference

1. Ordinance
2. Minutes of Planning and Zoning Commission Regular meeting – 09/13/2016
3. Letter of Approval from Planning and Zoning Chairperson

STAFF BRIEFING:

- Issue raised by Code Compliance as a means to enforce the potential disruptions in residential neighborhoods with the introduction and continuation of animals and livestock deemed to be better suited in non-urban environs.
- Issue was discussed at length by Planning and Zoning prior to receiving a unanimous approval
- City Attorney has been involved in the process and was present at the Planning and Zoning meeting of 9/13/2016
- Adoption of this ordinance will allow enforcement as a reaction to citizen complaints – not to initiate immediate removal of non-compliant animals and practices
- Planning and Zoning approved with the recommendation of a change in wording in the ordinance title, thus, the addition of “...providing a clause for Exotic, Wild, or Dangerous animals...”

HISTORY:

- **09/13/2016** – Second opportunity for this issue to be discussed at a Planning and Zoning Board meeting

TARGET IMPLEMENTATION: This ordinance would become effective thirty days after the 2nd reading of ordinance by City Council, as per City Charter.

SIGNIFICANT ACTION DATES:

09/13/2016 – Issue received approval to forward to City Council by the Planning and Zoning Board

10.10.2016 – First Reading of Ordinance before City Council



CITY COUNCIL AGENDA FORM

ACTION:

- | | |
|--|---|
| ☒ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☐ Other | |
| ☒ Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures | |

Cost Details:	
Budgeted	
Actual Bid	
Estimated Expenditure	
Acct. Name(s)	
Line Items #	
Other Funding	

STAFF'S RECOMMENDATION: Motion to adopt Ordinance No. **O-2016-0020**, amending Chapter 71, Zoning Section 71.5, General Provisions, of the Code of Ordinance of the City of La Marque, Texas by adding a new subsection (q), entitled Livestock; providing a clause for Exotic, Wild, or Dangerous animals. **THIS IS THE FIRST READING**

FISCAL IMPACT: Only if fines issued.

ORDINANCE NO. O-2016-0020

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, AMENDING CHAPTER 71, ZONING, SECTION 71.5, GENERAL PROVISIONS, OF THE CODE OF ORDINANCES OF THE CITY OF LA MARQUE, TEXAS, BY ADDING A NEW SUBSECTION (q), ENTITLED, “LIVESTOCK”; PROVIDING A CLAUSE PROHIBITING EXOTIC, WILD, OR DANGEROUS ANIMALS AND PROVIDING A SEVERABILITY AND REPEALING CLAUSE

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

That Chapter 71, Zoning, Section 71.5, General Provisions, is hereby amended by adding Subsection (q), Livestock, to read as follows.

Definitions:

“(q) **Livestock**: It shall be unlawful for any person to own, harbor or keep any livestock or fowl within the city limits except in AG (Agricultural Districts). Livestock and fowl must be located a minimum of 300 feet from any adjoining habitable building. Livestock pens, stables, corrals must be constructed so as to prevent the escape of the livestock and fowl. Livestock or fowl shall not be allowed to run at large. The property owner shall prevent annoying odors, insects, rodents, or any other health and safety risks from adjoining properties.”

Run at large, running at large, or at large means any canine, feline or animal, livestock or fowl, not under direct physical (not verbal) control of its owner or keeper, on the streets, sidewalks, or other public or private places. It shall be presumed that any animal found "running at large" was permitted or allowed to do so by the owner or keeper thereof. This includes livestock placed on any non-AG (Agriculture District) property for the purpose of grass or weed control.

Animal shall mean, but not limited to any domestic, wild, exotic or dangerous animal, including livestock, fowl, reptiles, amphibians, and wildlife, as well as dogs, cats, rabbits and other creatures owned as pets.

Public nuisance (a) No owner shall fail to exercise proper care and control of his animal and the premises where said animals are kept to prevent them from becoming a public nuisance: It is unlawful to keep an animal in such a manner that it **creates a nuisance** by reason of excessive noise (barking), odors, flies, disease, or unsightly appearance. (b) All of the following

Livestock

conditions, situations or occurrences are hereby declared to be a public nuisance and a failure of the owner to exercise proper care and control of his animal and/or the premises where said animal or animals are or have been kept. (1) Any animal(s) which turns over garbage containers or scatters garbage or which otherwise damages private or public property. (2) Any animal running at large. (3) Any animal or fowl which makes noise in an excessive, continuous or untimely fashion. (4) Any building, room, cage, yard, run or any other place or facility where animals are kept or harbored, except commercial animal establishment, which is not maintained in a clean and sanitary condition so as to prevent obnoxious odors, the attraction, breeding or potential breeding of flies, the attraction, harboring or breeding of rodents or the creation of any other public health nuisances.

Excessive Noise: Section 44-14 (3): The keeping of any animal or bird causing a frequent or long-continued **noise** plainly audible at a distance of 50 feet or more constitutes a nuisance. Refer to existing Galveston County Health District Rules for animal control, section .028(b).

Livestock shall include: regardless of age, sex or breed, horses and all equine species, including mules, donkeys and jennies; cows and all bovine species; sheep and all ovine species; llamas; goats and all caprine species; and pigs and all swine species.

Poultry: domesticated fowl collectively, especially those valued for their meat and eggs, as chickens, turkeys, ducks, geese, emus and guinea fowl.

Exotic, wild, or dangerous animals are **prohibited**. Examples include, but are not limited to: any poisonous or dangerous reptiles, raccoons, monkeys, skunks, foxes, leopards, panthers, tigers, lions, lynx, emus or any other animal for which there is no approved rabies vaccine.

SECTION 1. No pre-existing designations shall be allowed. Current owners of animals described in this ordinance not living within the Agricultural District will be given a sixty-day (60) “grace period”, to provide time to relocate the animal (s) to comply with this ordinance.

SECTION 2. Each property owner is charged with ownership of any animal that establishes a habitation on said property.

SECTION 3. Severability and Repealing Clause. All provisions of any Ordinance in conflict with this Ordinance are hereby repealed, but such repeal shall not abate any pending prosecution for violation of the repealed Ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of this Ordinance. Any remaining portions of said Ordinances shall remain in full force and effect.

PASSED AND APPROVED by the City Council of the City of La Marque on the First reading this ____ day of _____, 2016.

PASSED, APPROVED AND ADOPTED by the City Council of the City of La Marque on the Second and Final reading this the ____ day of _____, 2016.

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor
City of La Marque, Texas

ATTEST:

Robin Eldridge, City Clerk

APPROVED AS TO FORM:

Ellis J. Ortego, City Attorney



1111 Bayou
La Marque, Texas 77568
409.938.9202

**Planning and Zoning Commission
Special Meeting
August 30, 2016
Minutes**

(1) CALL TO ORDER

Chairman Deanna Bethea called the Special Planning & Zoning Committee meeting to order at 4:03 p.m.

(2) ROLL CALL

PRESENT:

Chairman Deanna Bethea
Commissioner Dickey Stanley
Commissioner Greg Cornett

ABSENT:

Commissioner Augustino Molis
Commissioner Russell Washington
Commissioner Chris Crowder
Commissioner Charles Castelline

STAFF PRESENT:

Les Rumburg, Director of Public Works
Erica Grundmann – Inspections

(3) INVOCATION AND PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was dispensed by the Planning & Zoning Commission led by Commissioner Stanley

(4) APPROVAL OF MINUTES

- a. Special Meeting Minutes of August 30, 2016
Commissioner Dickey Stanley made a motion to accept the minutes for July 12, 2016, Commissioner Greg Cornett seconded the motion. **MOTION PASSED.**

(5) CITIZENS COMMENTS

None

(6) PUBLIC HEARING Opened at 4:06 PM – Closed at 6:14 PM

Conduct Public Hearing to receive public input regarding: Painted Meadows Section 5. Preliminary Plat A SUBDIVISION OF 27.317 ACRES LOCATED IN THE J.R. PACE SURVEY, ABSTRACT – 161 GALVESTON COUNTY, TEXAS, City of La Marque Galveston County, Texas, and allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60'X 120' to 50' X 110' in size. East of intersection at Autry Rd. and Ave. A

(7) OLD BUSINESS

- a. Discussion/possible action regarding proposed ordinance related to livestock within

the city limits. Commissioner Dickey Stanley made a motion to accept the livestock ordinance as is with a title change, Commissioner Greg Cornett seconded the motion. **MOTION PASSED.**

(8) **NEW BUSINESS**

Painted Meadows Section 5. Discussion/possible action regarding a proposed Preliminary plat A SUBDIVISION OF 27.317 ACRES LOCATED IN THE J.R. PACE SURVEY, ABSTRACT - 161 GALVESTON COUNTY, TEXAS, City of La Marque Galveston County, Texas, and allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60' X 120' to 50' X 110' in size. East of intersection at Autry Rd. and Ave. A

Commissioner Dickey Stanley made a motion to accept Painted Meadows Section 5. Preliminary Plat, Commissioner Greg Cornett seconded the motion. **MOTION PASSED.**

(9) **CHAIRMAN REPORT**

There was no Chairman Report

(10) **EXECUTIVE SESSION**

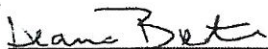
There was no Executive Session

(11) **REQUESTS AND ANNOUNCEMENTS**

None at this time

(12) **ADJOURNMENT**

Commissioner Dickey Stanley made a motion to adjourn the meeting at 4:35 p.m. Commissioner Greg Cornett seconded. **MEETING ADJOURNED.**



Planning & Zoning Commission,
Chairman Deanna Bethea



September 13, 2016

Mayor and City Council
City of La Marque
1111 Bayou Road
La Marque, Texas 77568

Dear Mayor and City Council:

On September 13, 2016 the Planning and Zoning Commission Conducted a meeting regarding the proposed ordinance related to livestock within the city limits.

By unanimous vote, Planning and Zoning Commission recommended forwarding a favorable response of this request to City Council for their consideration.

Thank you,

Deanna Bethea
Chairman, Planning and Zoning Commission



CITY COUNCIL AGENDA FORM

Meeting Date: October 10, 2016
Prepared by: Les Rumburg
Department: Development Services

Agenda item: 9g
Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible action adopting Ordinance No. **O-2016-0021**, amending Chapter 71, Zoning, Section 71.14, Definitions, and adding a new Section 71-A, entitled Residential Canal Zone. **THIS IS THE FIRST READING**

X

Attachments for reference

1. Ordinance
2. Minutes of Planning and Zoning – September 13, 2016
3. Letter of Approval Planning and Zoning Chairperson

STAFF BRIEFING:

- Issue has been in discussion in various forms through several administrations over 2 decades.
- The impetus for the zone establishment is, primarily, for the benefit of the residents of Omega Bay, but application can be City-wide.
- Staff has developed the verbiage as an effort to meet the needs and address the neighborhood-wide issues that face the residents of Omega Bay in a manner equitable to other residents within the city limits of La Marque
- Primary issue is in regard to local streets.
- Residential Canal Zone would allow for street widths that are less than other zones
- End result is, the City could accept a dedication from Omega Bay of their streets at which point they would be part of the City's Street Inventory.
- City Attorney has been active in the development of the ordinance

HISTORY:

- 1970's - Omega Bay subdivision was established as an exclusive development, consciously avoiding City-imposed requirements regarding infrastructure, while enjoying the benefits of annexation to the City of La Marque
- 1980's through current – As residential make-up changes, the subdivision begins to recognize the need for city assistance in infrastructure maintenance and repair, while also questioning the cost/benefit of being a tax-paying entity with a different level of service from the rest of the City
- 2015 – current administration has taken the question and concern on as the latest in a string of attempts
- It was determined that the most equitable means to address the issue without a perception of either prejudice or preference, was to create a new zone that would have application city-wide while benefitting the current residents.



CITY COUNCIL AGENDA FORM

TARGET IMPLEMENTATION: Establishment of new Residential Canal Zone would become effective thirty days after the 2nd reading of ordinance by City Council, as per City Charter.

SIGNIFICANT ACTION DATES:

09/13/2016 – After 2 rounds of discussion, Planning and Zoning votes favorably to recommend approval to City Council

10-10-2016 - First Reading of Ordinance before City Council

ACTION:

- | | |
|--|---|
| ☒ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☐ Other | |
| ☒ Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures | |

Cost Details:	
Budgeted	N/A
Actual Bid	N/A
Estimated Expenditure	N/A
Acct. Name(s)	N/A
Line Items #	N/A
Other Funding	N/A

STAFF'S RECOMMENDATION: Motion to adopt Ordinance No. **O-2016-0021**, amending Chapter 71, Zoning, Section 71.14, Definitions, and adding a new Section 71-A, entitled Residential Canal Zone. **THIS IS THE FIRST READING**

FISCAL IMPACT: Additional costs in future-years maintenance of streets, drainage/culverts, and Rights-of-Way.

ORDINANCE NO. O-2016-0021

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, AMENDING CHAPTER 71, ZONING, SECTION 71.4, DEFINITIONS AND ADDING A NEW SECTION 71-A, ENTITLED RESIDENTIAL CANAL ZONE; PROVIDING A SEVERABILITY AND REPEALING CLAUSE; PROVIDING A PENALTY.

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

SECTION 1

That Section 71.4, Definitions, Code of Ordinances, City of La Marque, is hereby amended by adding the following definitions:

“Residential Canal Zone” means a community of residential homes predominantly abutting a canal (navigable waterway) designated as single family dwellings, and conforming to R-1 (single family residential).”

“Governing Body of the Residential Canal Zone” means a property owners’ association referred to as a “homeowner’s association”, “community association”, “Civic Association”, or similar term contained in the deed restrictions.”

SECTION 2

That Section 71, Zoning, is hereby amended by adding a section to be numbered Sec. 71-A, Residential Canal Zone, which said section shall read as follows:

“(a) That Omega Bay Subdivision, located within the city limits of the City of La Marque is hereby recognized as a Residential Canal Zone.

(b) That any and all roads within the designated Canal Zone may be no less than twenty (20) feet in width and shall conform to all current City of La Marque Code of Ordinance requirements.

(c) (1) New construction and improvements require the approval of the governing authority of the Residential Canal Zone and a City of La Marque Building permit.

(2) Premises shall not be used for anything other than residential purposes and shall not be used directly or indirectly for the conduct of any business whatsoever, commercial or otherwise.

(3) Within a Residential Canal Zone, the following shall apply:

- Only one residence is permitted per lot; no duplexes are allowed.

- Where lots are sixty (60) feet or less in width, residences shall be a minimum of 1,000 square feet. For lots greater than sixty (60) feet in width, residences shall be a minimum of 1,200 square feet.
- Building setbacks are 20' from roads and canals and 5' on sides adjacent to other lots, Fences are allowed in the 5' setbacks but prohibited in the 20' setbacks.
- The outside finish on all residences and other accessory buildings must be of acceptable materials and shall be kept in good repair and in a neat and clean condition, and shall be cleaned or painted when necessary to preserve attractiveness.
- Construction shall be completed within 120 days from date of issuance of a building permit.
- No temporary building, tent, house trailer, or any other form of shelter shall be placed upon the lot during construction or at any other time.

(d) All new or remodeled structures on any lot within a Residential Canal Zone shall be constructed in such a way as to have a zero drainage impact to any street or adjacent property. Each lot shall be maintained so as to preserve the drainage of the lots and adjacent roadway areas. The erections or placing of any structure or object, or the filling in or excavation of any area of the lot which will prevent free and adequate drainage or allow water to stand on the lot, or adjacent lots, or adjacent waterway, is prohibited.

(e) That any accessory to buildings, attached or detached, such as sheds and decks, shall be erected in accordance with Section 71.21(b) of the Code of Ordinances, City of La Marque and be consistent with the style and outside finish of the residence and be constructed only upon approval of the governing authority of the Residential Canal Zone and subsequently submitted to the City of La Marque for permit.

(f) That any privacy fence shall not be located within the twenty (20) foot setback from any canal (navigable waterway) and conform with Section 71.21(a)(3) of the Code of Ordinances, City of La Marque and be constructed only upon approval of the governing body of the Residential Canal Zone and subsequently submitted to the City of La Marque for permit.

(g) A permit application with engineered plans shall be submitted to the governing authority of the Residential Canal Zone and upon approval submitted to the City of La Marque for permit approval prior to the commencement of construction of any boat house/vessel docks and shall require final inspection. Further, any boat house/vessel dock shall not extend more than twelve (12) feet into a navigable waterway. With approval from the governing body of the Residential Canal Zone, a variance allowing an additional two (2) feet may be requested.

(h) No livestock, poultry or other domestic or exotic animals of any kind whatsoever other than cats or dogs shall be placed, allowed or kept on any lots and permitted pets must be kept and maintained so as not to constitute an annoyance or nuisance to the other lots in the subdivision. Permitted pets shall be licensed and in conformance to Galveston County Animal Control Regulations.

(i) In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstances shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of La Marque, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

(j) Savings and Repealing Clause. All provisions of any Ordinance in conflict with this Ordinance are hereby repealed, but such repeal shall not abate any pending prosecution for violation of the repealed Ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the Ordinance. Any remaining portions of said Ordinances shall remain in full force and effect.

(k) Any violation of this section or subsection, shall be a misdemeanor and subject to punishment as described in Section 1-7 of the Code of Ordinances.”

PASSED AND APPROVED by City Council of the City of La Marque on the First reading this ____ day of ____, 2016.

PASSED, APPROVED AND ADOPTED by City Council of the City of La Marque on the Second and Final reading this the ____ day of ____, 2016.

CITY OF LA MARQUE

Bobby Hocking, Mayor

ATTEST:

Robin Eldridge, City Clerk

Page 4, Ordinance No. O-2016-0021
Canal Zone

APPROVED AS TO FORM:

Ellis J. Ortego, City Attorney



1111 Bayou
La Marque, Texas 77568
409.938.9202

**Planning and Zoning Commission
Regular Meeting
September 13, 2016
Minutes**

(1) CALL TO ORDER

Chairman Deanna Bethea called the Special Planning & Zoning Committee meeting to order at 4:03 p.m.

(2) ROLL CALL

PRESENT:

Chairman Deanna Bethea
Commissioner Dickey Stanley
Commissioner Russell Washington
Commissioner Augustino Molis
Commissioner Russell Washington
Commissioner Greg Cornett

ABSENT:

Commissioner Chris Crowder
Commissioner Charles Castelline

STAFF PRESENT:

Les Rumburg, Director of Public Works
Erica Grundmann – Inspections

(3) INVOCATION AND PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was dispensed by the Planning & Zoning Commission led by Commissioner Stanley

(4) APPROVAL OF MINUTES

- a. Special Meeting Minutes of August 30, 2016
Commissioner Dickey Stanley made a motion to accept the minutes for August 30, 2016, Commissioner Greg Cornett seconded the motion. **MOTION PASSED.**

(5) CITIZENS COMMENTS

None

(6) PUBLIC HEARING Open at 4:10 PM , Closed at 4:15 PM

- a. Conduct Public Hearing to receive public input regarding: a Re-Zone from I-1 Light Industrial to Industrial I-2. ABST 150 J D MOORE SUR LOTS 4 THRU 6 & PT OF LOTS 2,3,7&8 (2-1) BLK 16 HIGHLAND PARK AND ABST 150 PAGE 9 LTS 1 THRU 4 & LTS 11 THRU 14 BLK 25 ½ OF ADJ STREETS SURROUNDING BLK 25 HIGHLAND PARK. At 2700 Hwy 3

(7) **OLD BUSINESS**

- a. **PZ-FP-LANDING AT DELANY COVE SEC. 4** Discussion/possible action regarding the Final Plat of Landing at Delany Cove Section 4 being 10.2+ Acres of land containing 42 lots (50 X 120 Typ.) and five reserves in four blocks out of the Stephen F. Austin League NO.4 Survey, A-2, City of La Marque, Galveston, County, Texas, allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60'X 120' to 50' X 120' in size.

Commissioner Dickey Stanley made a motion to accept the Final Plat of Landing at Delany Cove Section 4 , Commissioner Greg Cornett seconded the motion.

MOTION PASSED.

- b. **PZ-FP-LANDING AT DELANY COVE SEC. 5** Discussion/possible action regarding the Final Plat: Delany Cove Section 5. Being 11.3 + Acres of Land Containing 46 lots (50x120 TYP.) and six reserves in three blocks out of the S.F. Austin League No. 4 Survey, A-2 City of La Marque, Galveston County, Texas and allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60'X 120' to 50' X 120'

Commissioner Dickey Stanley made a motion to accept the Final Plat of Landing at Delany Cove Section 5, Commissioner Greg Cornett seconded the motion.

MOTION PASSED.

- c. Discussion/possible action regarding an ordinance to create a Residential Canal Zone to reflect a unique characteristic of subdivision similar to Omega Bay into the operation and maintenance standards of the City of La Marque.

Commissioner Augustino Molis made a motion to accept the Residential Canal Zone ordinance as is , Commissioner Greg Cornett seconded the motion.

MOTION PASSED.

(8) **NEW BUSINESS**

- a. Discussion/possible action regarding a Re-Zone from I-1 Light Industrial to Industrial I- 2. ABST 150 J D MOORE SUR LOTS 4 THRU 6 & PT OF LOTS 2,3,7&8 (2-1) BLK 16 HIGHLAND PARK AND ABST 150 PAGE 9 LTS 1 THRU 4 & LTS 11 THRU 14 BLK 25 ½ OF ADJ STREETS SURROUNDING BLK 25 HIGHLAND PARK. At 2700 Hwy 3

Commissioner Dickey Stanley made a motion to accept the Re-Zone from I-1 Light Industrial to Industrial I- 2. Commissioner Greg Cornett seconded the motion.

MOTION PASSED.

(9) **CHAIRMAN REPORT**

There was no Chairman Report

(10) **EXECUTIVE SESSION**

There was no Executive Session

(11) **REQUESTS AND ANNOUNCEMENTS**

None at this time

(12) **ADJOURNMENT**

Commissioner Dickey Stanley made a motion to adjourn the meeting at 5:58 p.m.
Commissioner Greg Cornett seconded. **MEETING ADJOURNED.**

Planning & Zoning Commission,
Chairman Deanna Bethea



September 13, 2016

Mayor and City Council
City of La Marque
1111 Bayou Road
La Marque, Texas 77568

Dear Mayor and City Council:

On September 13, 2016 the Planning and Zoning Commission Conducted a meeting regarding the Residential Canal Zone.

By unanimous vote, Planning and Zoning Commission recommended forwarding a favorable response of this request to City Council for their consideration.

Thank you,

Deanna Bethea
Chairman, Planning and Zoning Commission



CITY OF LA MARQUE INTER-DEPARTMENTAL COMMUNICATION

**To act in the best interest of the City
To consistently demonstrate respect to Staff
To invest our resources effectively for our future
To handle our disagreements/conflicts in a
Respectful manner that keeps our Image
Positive with the public and each other**

TO: Honorable Mayor Hocking and City Councilmembers
FROM: October 10, 2016
SUBJECT: City Manager Report- September 2016 Activity

a. Judicial

- See report attached.

b. Police

• **Staffing Levels**

There are four (4) vacancies in the Telecommunications Section. We have four (4) operational TCOs. Employment applications have been received and will be processed until the vacancies are filled.

The police department sworn police personnel level has one (1) vacancy. A Civil Service entrance examination was administered on August 31st. The candidates from that exam are being processed.

• **Training**

The following individuals attended training during the month of September:

- Officer J. Guzman attended **Basic Instructor** training
- Sergeant S. Samuelson attended **Basic Instructor** training
- Sergeant J. Human attended **Basic Instructor** training
- Sergeant G. Rodriguez attended **Basic Instructor** training
- Officer S. Jackson attended **Kidnapping and Child Abduction** training
- Sergeant G. Price attended **Kidnapping and Child Abduction** training
- Detective H. Walton attended **Kidnapping and Child Abduction** training
- Detective H. Walton attended **Reid Interview and Interrogation** training
- Sergeant J. Human attended **Tactical Emergency Care for Law Enforcement Officers** training
- Sergeant G. Rodriguez attended **Tactical Emergency Care for Law Enforcement Officers** training

- **Operations**

In the month of September, the La Marque Police Department generated 1870 calls for service. Of those calls for service, 957 (approximately 51%) were “self-initiated.” Citizen calls to the police department accounted for 913 of the total (approximately 49%) calls for service. There was an average response time of six and a half minutes (6:30) and an average time spent on calls of twenty-five minutes (24:48).

An analysis of crime statistics shows a 66% increase in violent crime between the end of the third quarter of 2015 and the end of the third quarter of 2016. However, there was a 0% increase in Homicides, an 18% decrease in Rapes, and a 44% decrease in Robberies. The significant increase in violent crime is realized in a 65% increase in the number of Aggravated Assaults. Aggravated Assault is defined as the use or threatened use of a firearm, cutting instrument, blunt object or other deadly weapon to commit an assault, or an assault which causes serious bodily injury.

During the same time period, there was a 1% increase in property crime. The La Marque Police Department reported a 9% decrease in Burglaries, a 5% increase in Thefts (Larcenies), and a 3% decrease in Motor Vehicle Thefts. Due to the fact that quarter 1 through quarter 3 of 2015 saw no Arsons, but there was one (1) Arson in the same time frame of 2016, a 100% increase is reflected in the category of Arson.

On September 21, 2016 the La Marque Police Department, with the assistance of the Galveston Police Department SWAT team executed a narcotics search warrant at a residence in the 1100 block of Roosevelt in La Marque. As a result of the search warrant, Jermaine Anthony Jackson (34 YOA) from La Marque was arrested and charged with Manufacture/Deliver of a Controlled Substance – Penalty Group One >4<200 grams, a First Degree Felony.

- **OVERTIME UTILIZATION**

The Police Department has two (2) functional Peace Officer vacancies (one Peace Officer is in training) and four Telecommunicator vacancies. Late calls, priority investigations, court appearances, training and occasional staff shortages also contribute to overtime expenditures.

- c. **Fire**

- **Personnel:**

One (1) employee continues training in the “**Internship Program**” for subsequent certification by the Fire Commission as a structural fire fighter with an anticipated completion date of January 2017. ***Both Interns successfully completed the Emergency Medical Technician curriculum and are now certified by the State Department of Health Services.*** The department recently employed a licensed Paramedic who is in the process of {recertifying} with the Texas Commission on Fire Protection which brings LMFD to full staffing.

- **Operations:**

All apparatus are currently operational with the exception of Engine 1 which remains in the shop for significant mechanical repairs. In addition Engine 1 incurred body damage when it was struck by another large truck while parked at the repair facility. A claim has been filed with the Driver’s insurance carrier. Existing LMFD Fire Apparatus and Medic Units continue to experience an exceptionally high rate of mechanical failures and unscheduled maintenance and/or repairs due in large measure to aging of our fleet, particularly our Medic Units.

- **Training:**

LMFD currently has one (1) Fire Fighter who just completed the EMT-Paramedic licensure program at Alvin Community College as a condition of employment. He is now in the process

of testing for licensure by the National Registry of Paramedics. Two additional Fire Fighters are enrolled in an Advanced / Paramedic Emergency Medical Technician curriculum; one at COM and the other at Alvin Community College. Completion is anticipated at the conclusion of the fall semester in 2017 with National Registry examinations to follow. One (1) Intern is enrolled in an Online Structural Fire Fighter Certification program which is expected to conclude in January 2017.

- **Insurance Services Office (ISO) Classification Status and Historical Overview**

The City of La Marque was notified in early 2014 by ISO of an impending change to our community's "Public Fire Protection Classification" **following an extensive inspection of our city in late 2013**. ISO proposed to increase our ISO rating from the existing Class 3 which we have enjoyed since 2005 to a Class 5. I requested and received approval from ISO to hold the classification increase in abeyance until we could develop and submit a comprehensive **"Improvement Plan"** for consideration. ISO subsequently approved our Improvement Plan which provided for implementation over a two (2) year period ending in March 2016. A detailed status report (**attached**) of our improvements was submitted to ISO in April 2016 delineating the numerous modifications and/or improvements completed and/or pending completion during the two (2) year grace period. I have since been officially informed by ISO that the Texas Department of Insurance at the recommendation of ISO formally adopted the latest ISO rating schedule in January which arguably is a significant departure from the rating schedule utilized during our 2013 inspection and, which became the basis of our Improvement Plan. ISO advises that a new inspection of our community is tentatively scheduled for later this year to once again evaluate our resources and establish an ISO Public Protection Classification. A thorough analysis of the new rating schedule is underway to determine the potential impact on our current rating and, the feasibility of additional improvements that may become necessary. It is important to reiterate that our current Class 3 rating remains unchanged at this time.

- **Overtime Utilization:**

Overtime is required to maintain acceptable and safe staffing levels depleted by scheduled and/or unscheduled leaves of absence, training, special work assignments, and ongoing vacancies not yet filled by fully certified personnel.

FY 2016 YTD: \$141,813.13

Sep MTD: \$13,042.96

- **Other:**

Statistical information:

Average Response Times: 5:19

Engine Company Responses for Service:

MTD: 117

YTD: 1,334

Medic Responses for Service:

MTD: 164

YTD: 2,021

Mutual Aid Given and Received:

MTD Given: 6

YTD Given: 126

MTD received: 17

YTD received: 272

Detailed statistical information enclosed

d. Library

- See report attached.

e. La Marque Transit Service

- See report attached.

f. Public Services

- **Public Works Administrative Assistant** – For the month of August, compared to last year, there was a decrease in calls for Water Leaks, Sewer Stops, Leak @ Meter, Low Pressure/No Pressure, Billing Department, Blue/Trash Cart, Wednesday Pick-Up, Code Compliance, Ditch-Drainage, Street Light Outages, Director, PW/Utility Department Supervisors, City Hall Administrative Assistants, City Clerk, Inspections, Customers at the Window, Recycling, and Miscellaneous Calls. Compared to last year, there was an increase in calls for Dress-Ups, Pot Holes, Driveway Repair, Culverts, Mowers/Mowing, Human Resources, Animal Control, Locates, LM's, Community Service, and Gas Company.
- **Parks** – For the month of August, compared to last year there was a decrease in hours for Bayou City Park, Highland Bayou Park, Lagana Park, Westlawn, and Mahan Park, due to outsourced contract for mowing. City staff still is responsible for cleaning and maintaining restrooms, playground equipment, and emptying trash.
- **Right-of-Way Maintenance** – For the month of August, compared to last year there was an increase in hours for Potholes Filled, Grading Ditch, Brush/Debris Removal; there was a decrease in hours for Culverts – Linear Feet Set, Traffic Sign Repair, Weed-Eat/Mowing, and Checking of Drains & Ditches.
- **Utility 22 - Water & Sewer Maintenance** – For the month of August, compared to last year there was an increase in Water Leaks, Low Pressure on the Citizens Side, Water Turned On/Off on the Citizens side, Sewer Lines Repaired, Clean-Outs Installed, Dress-Ups, and Valves Replaced; there was a decrease in, Residential Water Taps, Commercial Water Taps, Low Pressure on the City Side, Meter Boxes & Lids Replaced, Residential and Commercial Sewer Taps, Lines Locate for Water & Sewer, and Linear Feet of Water Lines Installed.
- **Utility 24 – Water & Waste Water** – For the month of August, compared to last year there was a decrease in, Rainfall, Plant Man Hours, Bio Solids Removed/Tons, Total Surface Water, Total Well Water, Dead Ends Flushed, and Fire Hydrants Weed-Eated; there was an increase in Flow Total, Chemicals Used, Residual Samples, Total Lift Station Pump Hours, and Man Hours Wells Station.
- **Utility 24 – Water & Waste Water Maintenance** – For the month of August, there was an overall increase in Preventive & Corrective Maintenance.
- **Overtime Hours:**
Public Services (Parks, Right-of-Way Maintenance & Service Center) – overtime hours for being on-call; carrying the on-call telephone
- **Department 22** – overtime hours for on call maintenance worker and operator who worked sewer stops and water leaks after hours and also for being on-call; carrying the on-call telephone

- **Department 24** – overtime hours for weekend Plant operations duties
- g. Financials**
- See report attached

JUDICIAL DEPARTMENT



**CITY OF LA MARQUE
COURT STATISTICS
August 2016**

Judicial Monthly Report August 2016

	Non-Parking	Traffic Parking	Traffic City Ordinance	Penal Code	Non-Traffic State Law	City Ordinance	Total this Month	Current Fiscal yr to date	Total This Month PY	Prior Fiscal yr to date
Total Cases Pending First of Month	5627	2	6	2263	1950	467	10,315	113,977	9236	103,748
Active Cases	1,336	1	3	319	263	170	2,092	28,342	1683	22,804
Inactive Cases	4,291	1	3	1944	1687	297	8,223	70,639	7553	80,944
New Cases Filed	351	1	0	99	93	17	561	6,579	376	5,886
Cases Reactivated	82	0	0	39	52	7	180	1,666	177	2,534
All Other Cases Added	0	0	0	0	0	0	0	0	0	0
Total Cases on Docket	1,769	2	3	457	408	194	2,833	36,587	2235	31,137
Dispositions Prior to Trial:										
Uncontested Dispositions	196	0	0	37	42	17	292	3,757	212	2885
Dismissed by Prosecution	22	0	0	5	4	5	36	443	40	309
Dispositions at Trial:										
Convictions:										
Guilty Plea or Nolo Contendere	10	0	0	0	1	0	11	133	14	848
By the Court	0	0	0	0	0	1	1	9	0	262
By the Jury	0	0	0	0	0	0	0	0	0	0
Acquittals:										
By the Court	0	0	0	0	0	0	0	355	0	0
By the Jury	0	0	0	0	0	0	0	3	0	0
Dismissed by Prosecution	3	0	0	4	0	3	10	83	15	220
Compliance Dismissals:										
After Driver Safety Course	68						68	573	27	367
After Deferred Disposition	80	0	0	6	10	0	96	713	57	756
After Proof of Financial Responsibility	3						3	51	1	62
	Non-Parking	Traffic Parking	Traffic City Ordinance	Penal Code	Non-Traffic State Law	City Ordinance	0	Current Fiscal yr to date	Total Prior Month	Prior Fiscal yr to date
All Other Transportation Code Dismissals	7	0	0	0	1	0	8	241	4	147
All Other Dispositions	4	0	0	1	0	1	6	690	1	513
Total Cases Disposed	393	0	0	53	58	27	531	7,038	372	5,864
Cases Placed on Inactive Status	190	0	0	111	87	60	448	2,787	320	3,174
Total Cases Pending End of Month:	5,585	3	6	2,309	1,985	457	10,345	113,513	9,239	103,770
Active Cases	1,186	2	3	293	263	107	1,854	24,353	1,543	22,119
Inactive Cases	4,399	1	3	2,016	1,722	350	8,491	86,753	7,696	81,671
Show Cause Hearings Held	41	0	0	1	4	0	46	451	29	479
Cases Appealed:										
After Trial	0	0	0	0	0	0	0	382	5	44
Without Trial	0	0	0	0	0	0	0	119	2	37

--	--	--	--



**CITY OF LA MARQUE
COURT STATISTICS
August 2016**

	This Month Current Yr	Current Fiscal yr to date	This Month Prior Yr	Prior Fiscal yr to date
Juvenile/Minor Activity:				
Non-driving Alcoholic Beverage Code Cases Filed	2	9	0	9
Driving Under Influence of Alcohol Cases Filed	0	0	0	0
Drug Paraphernalia Cases Filed	0	4	2	5
Tobacco Cases Filed	0	2	0	5
Failure to Attend School Cases Filed	0	0	0	0
Education Code Cases Filed (except fail to attend)	0	0	0	0
Curfew Violation Cases Filed	0	0	1	2
All Other Non-traffic Fine-only Cases Filed	3	28	1	38
Additional Activity:				
Magistrate Warnings:				
Class C Misdemeanors	1	42	0	41
Class A and B Misdemeanors	3	61	3	62
Felonies	1	28	2	34
Arrest Warrants Issued:				
Class C Misdemeanors	158	1,178	223	2,963
Capias Pro Fine Issued:				
Class C Misdemeanors	77	526	75	1084
Emergency Protection Orders Issued	0	7	1	4
Stolen Property Hearings Held	0	2	0	1
Cases Satisfied by Community Service:				
Partial Satisfaction	0	10	0	15
Full Satisfaction	5	70	7	90
Cases Satisfied by Jail Time Credit	74	836	43	1,015
Fines, Court Costs and Other Amounts Collected:				
	Total this Month	Current Fiscal yr to date	Total This Month Prior Yr	Prior Fiscal yr to date
Kept by City	\$61,511.73	\$739,656.40	\$51,111.88	\$745,042.93
Remitted to State	\$26,270.47	\$308,005.70	\$21,332.86	\$311,254.25
Total	\$87,782.20	\$1,047,661.80	\$72,444.74	\$1,056,297.10

POLICE DEPARTMENT

LA MARQUE POLICE DEPARTMENT
MONTHLY REPORTING STATISTICS

	CURRENT MONTH (SEPTEMBER 2016)	CURRENT MONTH PREVIOUS YEAR (SEPTEMBER 2015)	PREVIOUS MONTH (AUGUST 2016)	YEAR TO DATE (2016)	PREVIOUS YEAR TO DATE (2015)
<u>PART I CRIMES</u>					
HOMICIDE	1	1	1	3	3
RAPE	1	1	2	9	11
ROBBERY	2	3	1	10	18
ASSAULT (*INCLUDES SIMPLE)	38	29	36	303	448
BURGLARY	12	17	15	83	125
THEFT	54	44	27	332	406
MV THEFT	4	1	4	26	34
<u>PART II CRIMES</u>	208	203	167	1566	1894
<u>CALLS FOR SERVICE</u>	1870	1745	1758	17573	15805
<u>ACCIDENTS</u>	22	26	43	266	273
INJURIES	9	9	16	95	77
NON-INJURY	12	16	27	170	196
FATALITIES	1	1	0	3	2
ALCOHOL RELATED	2	0	0	15	4
<u>ADULT ARRESTS</u>	130	128	100	1024	1405
<u>JUVENILE DETENTIONS</u>	0	1	1	2	3
<u>TRAFFIC STOPS</u>	413	231	352	3505	2822
CITATIONS	257	126	187	2511	1872
VIOLATIONS	319	167	246	3070	2409
WARNINGS	156	0	165	994	950
<u>DISTURBANCES</u>	92	93	101	982	960

THIS MONTH THE POLICE DEPARTMENT ARRESTED 51 PEOPLE ON MUNICIPAL WARRANTS, SERVING 133 WARRANTS.

YEAR TO DATE, THE POLICE DEPARTMENT HAS ARRESTED 395 PEOPLE ON MUNICIPAL WARRANTS, SERVING 964 WARRANTS.



**2015 LA MARQUE POLICE DEPT.
CRIME STATS**

	2012				2013				2014				2015				2016						
	January - December				January - December				January - December				January - December				January - September						
	OFF	% +/-	CL	% CL	OFF	% +/-	CL	% CL	OFF	% +/-	CL	% CL	OFF	% +/-	CL	% CL	Offense 2015	Offense 2016	% +/-	Clearance 2015	Clearance 2016	% CL 2015	% CL 2016
Murder	1	-50%	1	100%	1	-50%	1	100%	0	-100%	0	100%	4	400%	2	50%	3	3	0%	0	2	0%	67%
Rape	14	280%	8	57%	5	280%	5	100%	6	20%	1	17%	14	150%	5	35%	11	9	-18%	5	2	45%	22%
Robbery	23	-18%	11	48%	26	-18%	9	35%	24	-8%	7	29%	26	8%	9	35%	18	10	-44%	4	6	22%	60%
Aggravated Assault	32	10%	31	97%	41	10%	26	63%	45	10%	40	87%	50	9%	31	62%	40	66	65%	19	30	48%	45%
La Marque Violent Crime Total	70	10%	51	73%	73	10%	41	56%	75	3%	48	63%	94	24%	43	45%	72	88	22%	28	40	39%	45%
Texas Violent Crime Total	106,262	1%	47,818	45%	105,713	-5%	47,571	45%	108,848	3%	44,628	41%	*	*	*	*	*	*	*	*	*	*	*
Burglary	193	-6%	17	9%	162	-6%	23	14%	207	28%	34	16%	167	-19%	14	8%	125	114	-9%	11	18	9%	16%
Theft	477	7%	202	42%	747	7%	313	42%	721	-3%	428	59%	583	-19%	236	40%	407	426	5%	151	237	37%	56%
Motor Vehicle Theft	43	30%	15	35%	51	30%	11	22%	45	-12%	23	51%	43	-4%	19	44%	38	37	-3%	11	18	29%	49%
Arson	9	900%	0	0%	5	900%	0	0%	1	-80%	0	0%	0	-100%	0	0%	0	1	100%	0	0	0%	0%
La Marque Property Crime Total	722	5%	234	32%	965	5%	347	36%	974	1%	485	30%	793	19%	269	34%	570	578	1%	173	273	30%	47%
Texas Property Crime Total	875,320	2%	140,051	16	860,627	-2%	146,307	17	804,555	-7%	144,820	18%	*	*	*	*	*	*	*	*	*	*	*
	RATE		% +/-		RATE		% +/-		RATE		% +/-		RATE		% +/-		RATE		% +/-				
La Marque Violent Crime Rate	482		9%		503		-5%		624		3%		*		*		607		22%				
Texas Violent Crime Rate	408		0%		400		-2%		404		1%		*		*		*		*				
La Marque Property Crime Rate	4,976		5%		6,651		31%		6,706		2%		*		*		3,984		1%				
Texas Property Crime Rate	3,359		-3%		3,254		-3%		2,988		-8%		*		*		*		*				
Calls For Service	24,036				24,371				22,456				21,722				17,573						
Population Estimate	14,509				14,509				14,509				14,509				14,509						
Officers per 1,000 pop.	TX = 2.2 LM = 1.9				TX = 2.2 LM = 1.9				TX = 2.2 LM = 1.9				TX = 2.2 LM = 1.9				TX = 2.2 LM = 1.9						
DWI	63				42				56				54				55						
Traffic Citations	3,237				3,514				3,598				3,684				2,511						
Drug Arrests	189				183				253				216				233						

*Data unavailable

GALVESTON COUNTY SHERIFF

Events by Nature Code by Agency

Agency: LMPD, Event date/Time range: 09/01/2016 00:00:00 - 09/30/2016 23:59:59

Agency Code	Nature Code	Rpt Only	Self Init	CFS	Total	% Total	Avg Disp Time	Avg Resp Time	Avg Scene Time	Total Call Time	Avg Call Time
LMPD	ABANDONED VEHICLE	0	1	2	3	0%	0:15:25	0:00:12	0:19:46	1:45:46	0:35:15
	ALARM	0	0	102	102	5%	0:02:58	0:06:37	0:07:24	27:41:10	0:16:17
	ANIMAL ASTRAY	0	0	3	3	0%	0:17:08	0:04:03	0:11:46	1:38:52	0:32:57
	ANIMAL COMPLAINT DOMESTIC	0	0	22	22	1%	0:06:34	0:09:56	0:20:12	12:39:42	0:34:32
	ASSAULT	0	0	14	14	1%	0:04:38	0:11:00	0:36:35	12:11:08	0:52:13
	ASSIST CITIZEN	0	10	60	70	4%	0:10:51	0:05:34	0:14:50	33:16:04	0:28:31
	ASSIST EMS	0	0	4	4	0%	0:00:16	0:02:02	0:08:09	0:41:49	0:10:27
	ASSIST OTHER AGENCY	0	18	21	39	2%	0:02:34	0:07:23	0:26:00	19:50:33	0:30:32
	ATTEMPT TO SERVE WARRANT	0	1	1	2	0%	0:11:25	0:04:45	0:35:01	1:26:12	0:43:06
	AUTO PEDESTRIAN ACCIDENT	0	0	3	3	0%	0:01:20	0:03:56	1:13:50	3:57:17	1:19:06
	BAR CHECK	0	6	0	6	0%	0:00:00	0:03:18	0:13:29	1:24:12	0:14:02
	BURGLARY OF BUILDING	0	0	5	5	0%	0:02:17	0:10:53	0:37:24	4:12:54	0:50:35
	BURGLARY OF HABITATION	0	0	13	13	1%	0:09:57	0:08:58	0:40:04	12:46:46	0:58:59
	BURGLARY OF MOTOR VEHICLE	0	0	23	23	1%	0:03:53	0:11:11	0:19:32	13:15:56	0:34:36
	BUSINESS CHECK	0	283	3	286	15%	0:00:02	0:03:13	0:13:07	65:07:25	0:13:43
	CHILD CUSTODY	0	0	3	3	0%	0:12:22	0:02:58	0:46:04	2:19:58	0:46:39
	CIVIL MATTER OR STANDBY	0	1	34	35	2%	0:11:57	0:06:38	0:24:21	24:06:42	0:41:20
	CORRECTIONS TRANSPORT	0	1	0	1	0%	0:00:00	0:00:00	0:49:30	0:49:30	0:49:30
	CRIMINAL MISCHIEF	0	0	13	13	1%	0:07:26	0:05:00	0:21:08	7:16:26	0:33:34
	DEAD ON SCENE	0	0	4	4	0%	0:01:39	0:07:18	1:50:42	7:58:38	1:59:40
	DISORDERLY CONDUCT	0	0	1	1	0%	0:01:29	0:04:53	0:35:12	0:41:34	0:41:34
	DISTURBANCE	0	0	43	43	2%	0:02:17	0:04:12	0:21:06	19:33:59	0:27:18
	DRUNK OR INTOXICATED PERSON	0	1	16	17	1%	0:03:53	0:04:52	0:25:34	9:34:36	0:33:48
	DUP	0	0	1	1	0%	0:00:04	0:09:50	0:06:09	0:16:03	0:16:03

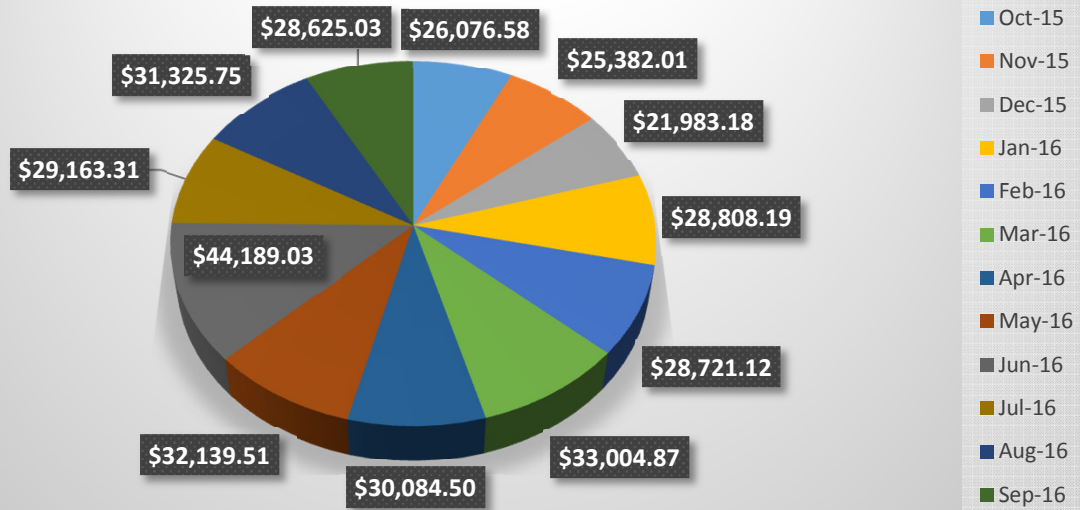
Agency Code	Nature Code	Rpt Only	Self Init	CFS	Total	% Total	Avg Disp Time	Avg Resp Time	Avg Scene Time	Total Call Time	Avg Call Time
	FIRE - NON SPECIFIC	0	0	1	1	0%	0:00:09	0:01:35	0:41:45	0:43:29	0:43:29
	FRAUD - FORGERY - CC ABUSE	0	0	15	15	1%	0:07:29	0:06:39	0:19:01	8:17:25	0:33:10
	FSGI ACCIDENT	0	0	8	8	0%	0:07:19	0:08:33	0:11:03	3:35:25	0:26:56
	HARASSMENT - ALL TYPES	0	0	9	9	0%	0:14:47	0:04:56	0:28:53	6:52:34	0:45:50
	HAZMAT	0	0	1	1	0%	0:04:33	0:00:00	0:52:56	0:57:29	0:57:29
	JUVENILE PROBLEM	0	0	9	9	0%	0:06:35	0:11:06	0:16:25	5:01:11	0:33:28
	K-9 DEPLOYMENT/MISC	0	0	1	1	0%	0:00:42	0:00:00	0:00:00	0:03:04	0:03:04
	K-9 NARCOTICS SEARCH AOA	0	1	1	2	0%	0:01:32	0:11:02	0:23:50	0:40:24	0:20:12
	LITTERING AND ILLEGAL DUMPING	0	0	1	1	0%	0:06:29	0:09:19	0:02:24	0:18:12	0:18:12
	LOUD MUSIC OR NOISE	0	0	19	19	1%	0:12:41	0:07:09	0:08:39	8:54:09	0:28:07
	MENTAL HEALTH	0	0	17	17	1%	0:07:14	0:07:00	0:19:16	9:29:40	0:33:31
	MISCELLANEOUS	0	1	1	2	0%	0:03:21	0:11:11	0:15:04	0:44:40	0:22:20
	NARCOTICS CRIMES	2	0	10	12	1%	0:14:14	0:03:29	0:18:58	5:18:47	0:31:53
	OPEN DOOR	0	0	1	1	0%	0:00:03	0:06:14	0:38:01	0:44:18	0:44:18
	OVERDOSE	0	0	3	3	0%	0:00:41	0:04:08	0:46:43	2:34:39	0:51:33
	PERSON WITH WEAPON	0	0	1	1	0%	0:00:42	0:01:08	0:05:22	0:07:12	0:07:12
	PRISONER DETAIL	0	1	13	14	1%	0:11:42	0:02:59	0:23:19	8:14:21	0:35:19
	PRIVATE PROPERTY TOW	0	0	1	1	0%	0:01:16	0:07:18	0:11:30	0:20:04	0:20:04
	RECOVD CHILD/PERSON/RUNAWAY	0	0	2	2	0%	0:12:19	0:03:00	0:07:42	0:46:01	0:23:01
	RESIDENTIAL CHECK	0	138	4	142	8%	0:04:00	0:04:15	0:14:27	37:28:48	0:15:50
	RUNAWAY JUVENILE	0	0	4	4	0%	0:03:10	0:56:38	0:29:23	5:56:42	1:29:11
	SEX CRIME	0	0	7	7	0%	0:15:17	0:02:44	0:32:52	5:56:10	0:50:53
	SEX OFFENDER COMPLIANCE CHECK	0	0	1	1	0%	0:01:39	0:00:05	0:01:41	0:03:25	0:03:25
	SHOTS FIRED	0	0	11	11	1%	0:06:08	0:05:14	0:51:19	11:29:26	1:02:41
	STRANDED MOTORIST	0	4	3	7	0%	0:11:05	0:07:42	0:05:30	1:52:44	0:16:06
	SUICIDE ATTEMPTED OR COMPLETED	0	0	6	6	0%	0:04:08	0:05:21	0:25:45	3:31:24	0:35:14

Agency Code	Nature Code	Rpt Only	Self Init	CFS	Total	% Total	Avg Disp Time	Avg Resp Time	Avg Scene Time	Total Call Time	Avg Call Time
	SUPPLEMENTAL INFO TO PREV CASE	0	24	24	48	3%	0:09:31	0:04:15	0:15:51	19:20:42	0:24:11
	THEFT / LOST PROPERTY	0	0	49	49	3%	0:11:24	0:10:20	0:26:22	39:16:57	0:48:06
	THREATS ALL CATEGORIES	0	0	22	22	1%	0:04:05	0:08:02	0:25:24	13:37:27	0:37:09
	TRAFFIC COMPLAINT	0	2	31	33	2%	0:07:56	0:07:15	0:13:55	12:53:29	0:23:26
	TRAFFIC STOP	0	412	1	413	22%	0:00:02	0:00:04	0:11:44	80:54:18	0:11:45
	UNCONSCIOUS PERSON	0	0	2	2	0%	0:04:18	0:05:52	0:20:51	1:02:01	0:31:01
	UNDESIRABLE PERSON	0	0	29	29	2%	0:11:35	0:06:01	0:16:31	16:29:45	0:34:08
	VEHICLE FIRE	0	0	1	1	0%	0:02:53	0:00:16	0:52:37	0:55:46	0:55:46
	WARRANT ARREST ON VIEW	0	4	34	38	2%	0:05:44	0:08:18	0:23:31	22:35:05	0:35:40
	WELFARE CHECK	0	0	47	47	3%	0:09:42	0:06:43	0:14:39	24:20:41	0:31:05
	Subtotals for No Summary Code	2	909	781	1692	90%	0:06:09	0:06:45	0:25:15	646:01:06	0:35:29
	MISSING CHILD - NOT RUNAWAY	0	0	2	2	0%	0:02:51	0:07:59	0:03:23	0:28:24	0:14:12
	Subtotals for CAC	0	0	2	2	0%	0:02:51	0:07:59	0:03:23	0:28:24	0:14:12
	MAJOR ACCIDENT	0	0	11	11	1%	0:02:03	0:04:16	1:17:13	15:18:58	1:23:33
	MINOR ACCIDENT	0	1	30	31	2%	0:03:37	0:06:59	0:23:13	16:51:26	0:32:38
	Subtotals for MVA	0	1	41	42	2%	0:02:50	0:05:38	0:50:13	32:10:24	0:58:06
	CIVIL MATTER OR STANDBY	0	0	1	1	0%	0:11:14	0:00:00	0:13:46	0:25:00	0:25:00
	RECOVERED OR FOUND PROPERTY	0	1	4	5	0%	0:02:48	0:01:31	0:18:47	1:48:10	0:21:38
	TRESPASSING	0	1	2	3	0%	0:19:11	0:04:23	0:16:58	1:38:03	0:32:41
	UNAUTH USE OF MOTOR VEHICLE	0	0	7	7	0%	0:18:51	0:08:31	0:37:34	7:34:33	1:04:56
	Subtotals for PROP	0	2	14	16	1%	0:13:01	0:04:48	0:21:46	11:25:46	0:36:04
	MENTAL HEALTH	0	0	1	1	0%	0:01:04	0:00:16	0:08:33	0:09:53	0:09:53
	SUSPICIOUS CIRCUMSTANCES	0	7	17	24	1%	0:07:07	0:04:16	0:20:19	11:32:42	0:28:52
	SUSPICIOUS PERSON	0	15	16	31	2%	0:02:54	0:07:06	0:16:35	11:11:10	0:21:39
	SUSPICIOUS VEHICLE	0	21	16	37	2%	0:04:14	0:04:47	0:09:07	8:14:36	0:13:22

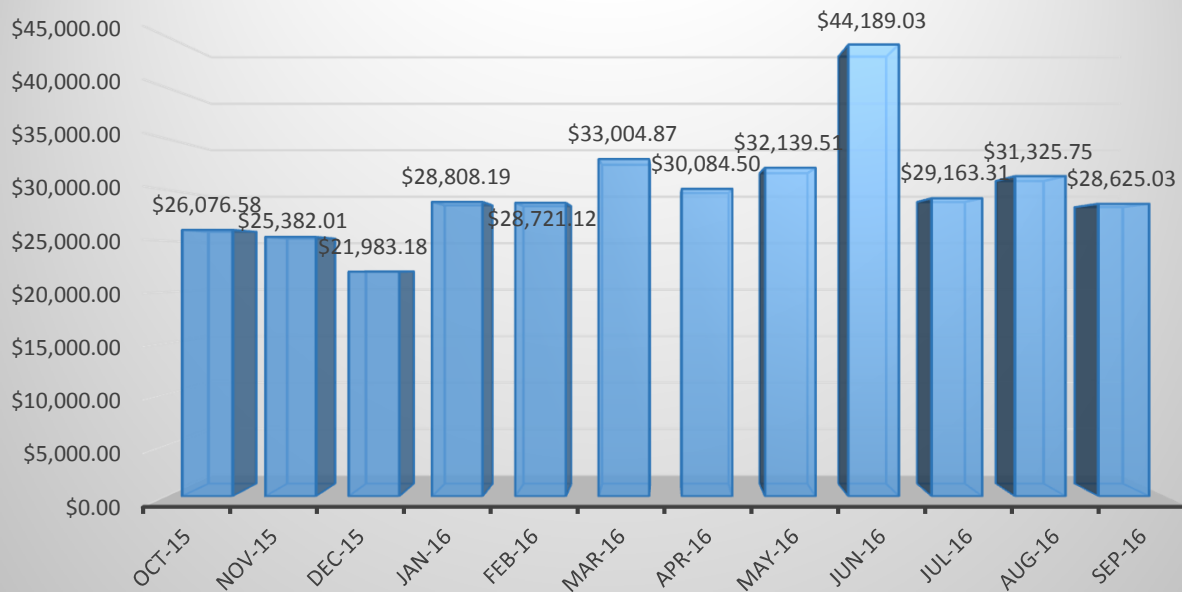
Agency Code	Nature Code	Rpt Only	Self Init	CFS	Total	% Total	Avg Disp Time	Avg Resp Time	Avg Scene Time	Total Call Time	Avg Call Time
	VIOLATION OF PROTECTIVE ORDER	0	0	1	1	0%	0:02:43	0:11:36	0:15:49	0:30:08	0:30:08
	Subtotals for SUSP	0	43	51	94	5%	0:03:36	0:05:36	0:14:05	31:38:29	0:20:47
	FAMILY DISTURBANCE	0	0	21	21	1%	0:02:28	0:03:26	0:23:16	10:12:42	0:29:11
	K-9 TRACK SUSPECT	0	0	1	1	0%	0:00:23	0:12:04	0:31:16	0:43:43	0:43:43
	ROBBERY	0	0	1	1	0%	0:02:14	0:00:56	0:21:38	0:24:48	0:24:48
	STABBING	0	0	1	1	0%	0:01:25	0:02:18	0:31:56	0:35:39	0:35:39
	Subtotals for VICR	0	0	24	24	1%	0:01:38	0:04:41	0:27:02	11:56:52	0:33:20
	Subtotals for LMPD	2	955	913	1870	100%	0:05:58	0:06:27	0:24:48	733:41:01	0:34:45

FIRE/EMS

NET COLLECTIONS



NET COLLECTIONS



MONTH	Oct-15	Nov-15	Dec-15	Jan-16	Feb-16	Mar-16
COLLECTIONS	\$26,076.58	\$25,382.01	\$21,983.18	\$28,808.19	\$28,721.12	\$33,004.87
Apr-16	May-16	Jun-16	Jul-16	Aug-16	Sep-16	YTD Total
\$30,084.50	\$32,139.51	\$44,189.03	\$29,163.31	\$31,325.75	\$28,625.03	\$359,503.08

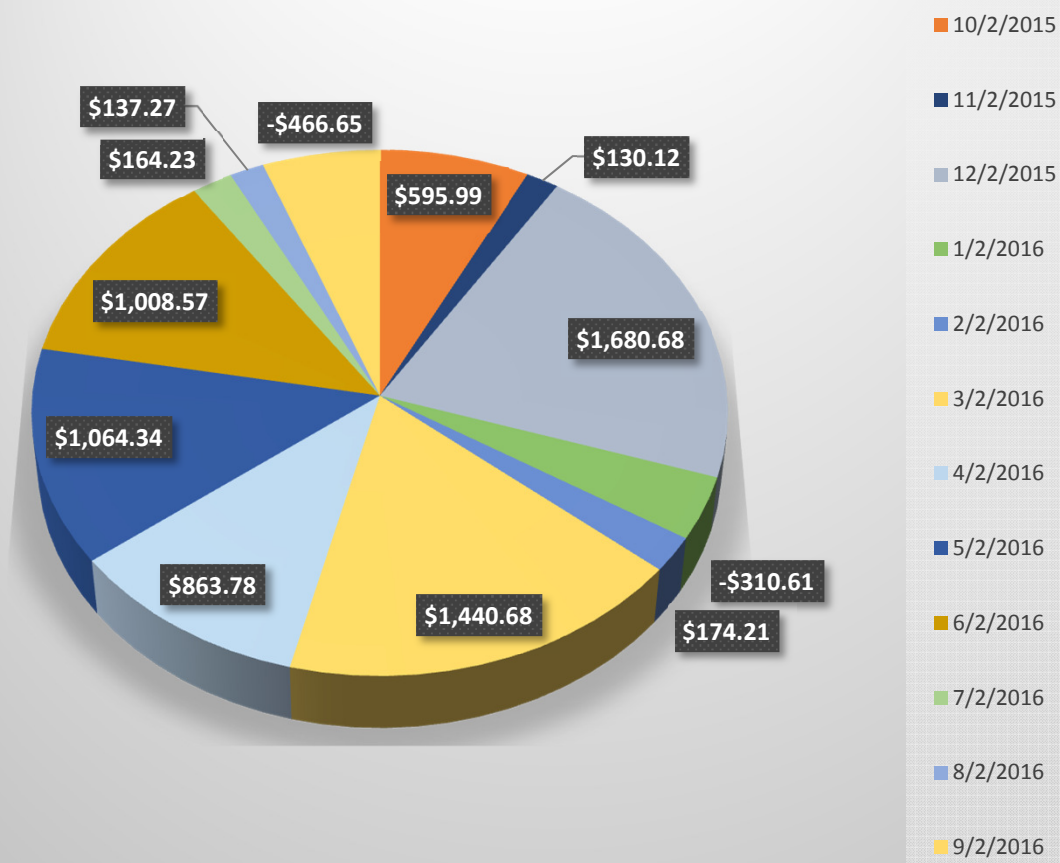
Collection Rate

19%

YTD FEES PAID TO INTERMEDIX

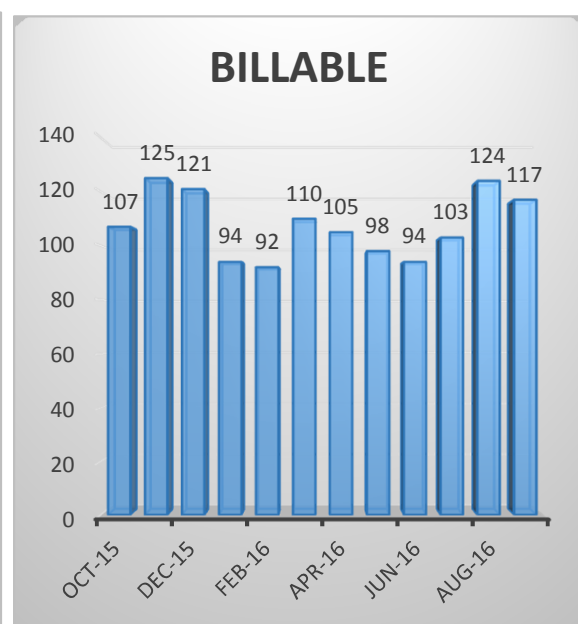
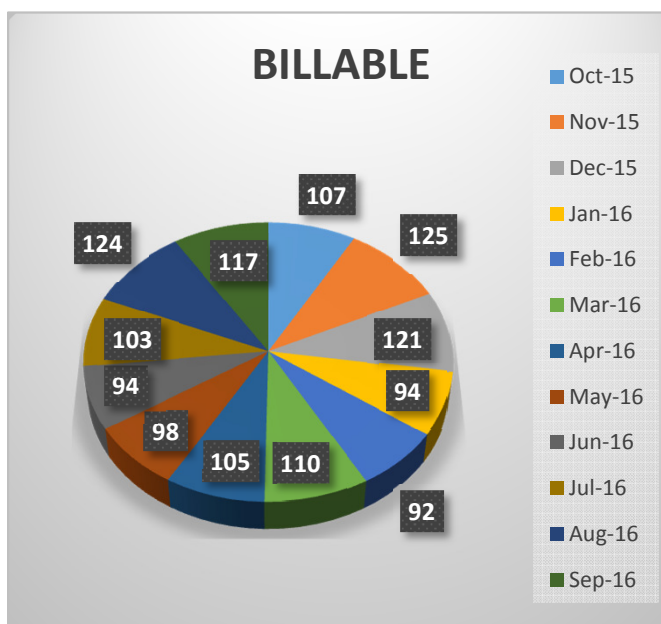
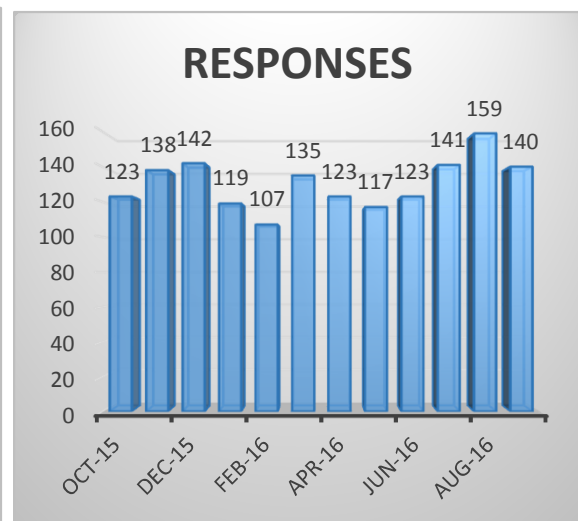
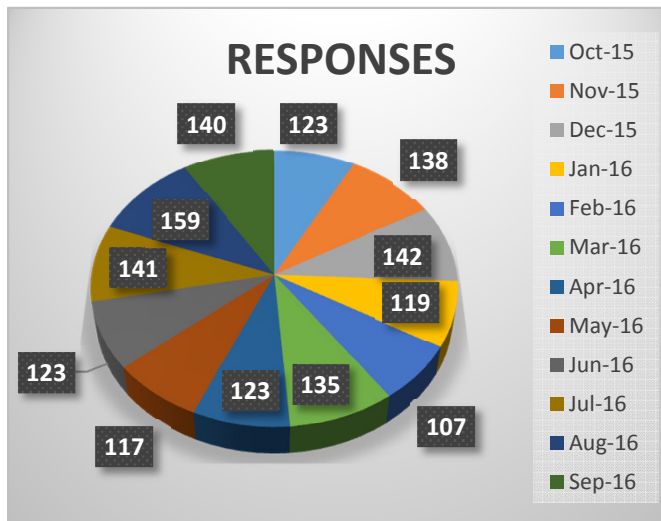
DATE	PAYMENT
10/2/2015	\$595.99
11/2/2015	\$130.12
12/2/2015	\$1,680.68
1/2/2016	-\$310.61
2/2/2016	\$174.21
3/2/2016	\$1,440.68
4/2/2016	\$863.78
5/2/2016	\$1,064.34
6/2/2016	\$1,008.57
7/2/2016	\$164.23
8/2/2016	\$137.27
9/2/2016	-\$466.65
YTD TOTAL	\$6,482.61
AVERAGE PAYMENT	\$540.22

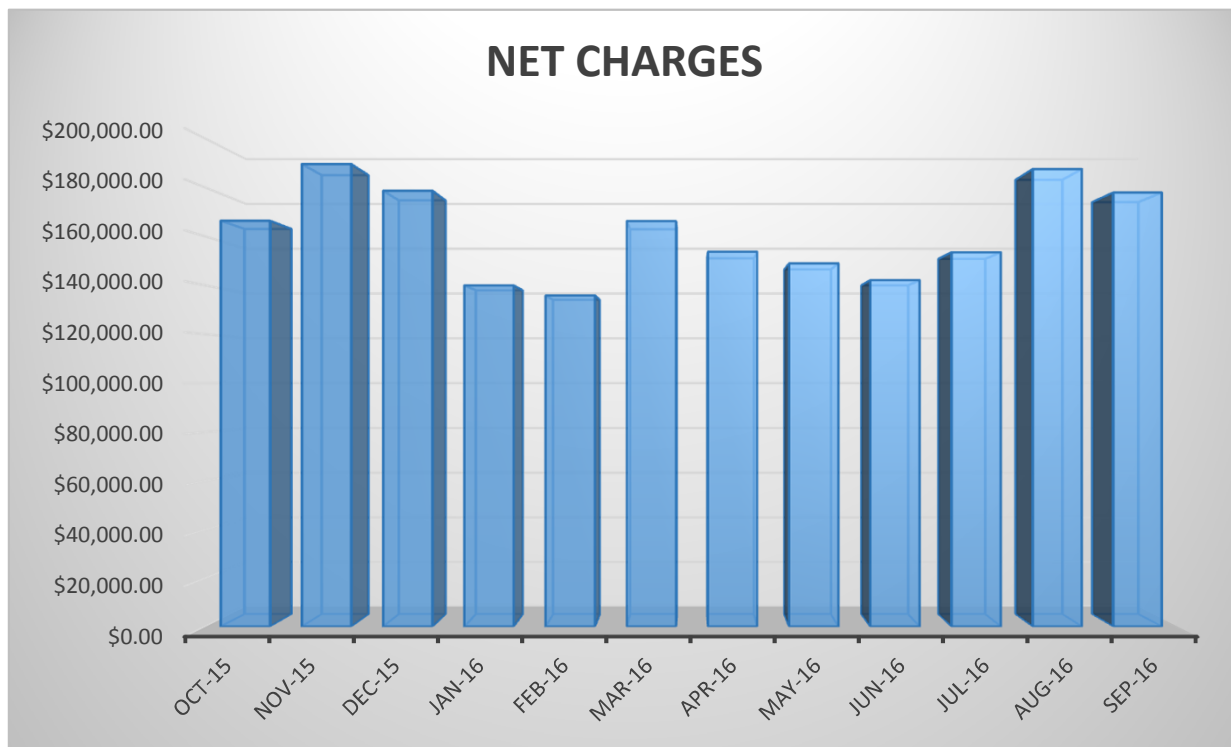
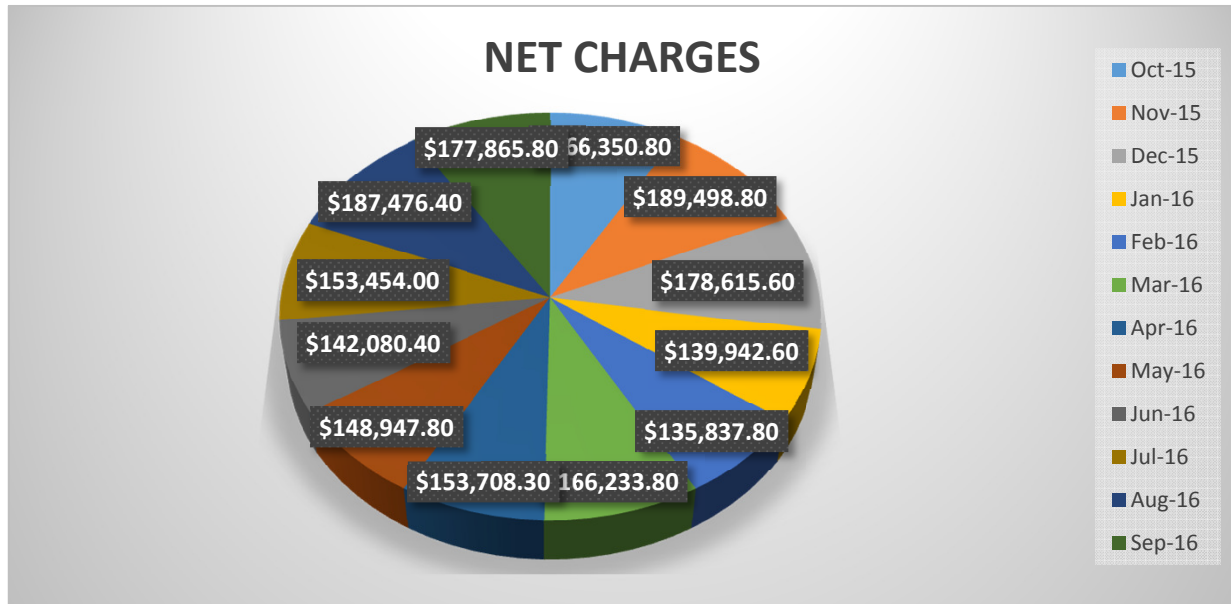
YTD FEES PAID TO INTERMEDIX



YTD RESPONSES - TOTAL CURRENT CHARGES - BILLAGE ACCOUNTS

MONTH	RESPONSES	NET CHARGES	BILLABLE
Oct-15	123	\$166,350.80	107
Nov-15	138	\$189,498.80	125
Dec-15	142	\$178,615.60	121
Jan-16	119	\$139,942.60	94
Feb-16	107	\$135,837.80	92
Mar-16	135	\$166,233.80	110
Apr-16	123	\$153,708.30	105
May-16	117	\$148,947.80	98
Jun-16	123	\$142,080.40	94
Jul-16	141	\$153,454.00	103
Aug-16	159	\$187,476.40	124
Sep-16	140	\$177,865.80	117
YTD TOTALS	1567	\$1,940,012.10	1290





City of La Marque

Fire Department

Month: Sep 1st to Sep 30th

Year: 2016

	<i>Current Month: 09/01/16 to 09/30/16</i>	<i>Current Month/ Previous Year: 09/01/15 to 09/30/15</i>	<i>Previous month: 8/01/16 to 8/31/16</i>	<i>Fiscal Year to Date: 2015-2016</i>	<i>Previous Year to Date: 2014-2015</i>
<i>Fires-</i>	6	6	3	66	53
<i>Overpressures/ Explosions-</i>	0	1	0	0	2
<i>Rescue and EMS-</i>	153	169	166	1923	1775
<i>Haz-Mat-</i>	9	12	8	70	91
<i>Good Intent-</i>	10	13	16	152	154
<i>False Alarm-</i>	16	5	16	123	217
<i>Mutual Aid Received from(FIRE)-Texas City-</i>	1				
<i>Mutual Aid Given to (FIRE)- Texas City-</i>	1				
<i>Mutual Aid Received from(EMS)- Texas City-</i>	13				
<i>Mutual Aid Given to(EMS)- Texas City-</i>	3				
<i>Mutual Aid Received from(FIRE)-Bayou Vista-</i>	0				
<i>Mutual Aid Given to(FIRE)- Bayou Vista-</i>	0				
<i>Mutual Aid Received from (EMS)-Bayou Vista-</i>	0				
<i>Mutual Aid Given to (EMS)-Bayou Vista-</i>	0				
<i>Mutual Aid Rec'd (FIRE)-Galv. Fire-</i>	0				
<i>Mutual Aid Given to (FIRE)- Galv. Fire-</i>	0				
<i>Mutual Aid Rec'd (EMS)-Galv. EMS</i>	2				
<i>Mutual Aid Given to (EMS)-Galv. EMS</i>	0				
<i>Mutual Aid Rec. from(FIRE)Hitchcock</i>	0				
<i>Mutual Aid Given to (FIRE) – Hitchcock</i>	0				
<i>Mutual Aid Rec. (EMS) – Hitchcock</i>	0				
<i>Mutual Aid Given (EMS)-Hitchcock</i>	2				
<i>Mutual Aid Given to (EMS) – All Others</i>	0				
<i>Mutual Aid Received to (EMS) – All Others</i>	1				
<i>Mutual Aid Received (FIRE)- All Others-</i>	0				
<i>Mutual Aid Received from(FIRE)- All Others-</i>	0				

All others= Dickinson, Life Flight, PHI, Tiki Island, San Leon, Santa Fe, etc...

EMS CALL STATISTICS FY 2015-2016

La Marque Fire/Rescue

PATIENT DISPOSITION BY MONTH

<i>Month</i>	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT
<i>Encounters</i>	123	138	138	119	107	133	123	117	122	141	159	140
<i>Transports</i>	112	121	117	95	89	120	99	103	97	106	119	115
<i>Aeromedical</i>	0	0	0	0	0	0	0	0	0	0	0	0
<i>Dead On Scene</i>	1	3	2	0	2	1	4	1	4	3	5	5
<i>Refusals</i>	10	14	20	24	16	12	20	13	21	32	35	20

RESPONSE TIMES PER MONTH (minutes)

<i>Unit Status</i>	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT
<i>Dispatch - Location</i>	5	6	5	5	5	6	5	5	5	5	5	5
<i>Location - To Hospital</i>	15	16	15	15	18	15	17	15	17	15	7	15
<i>To Hospital - At Hospital</i>	13	9	8	8	9	9	9	9	8	8	5	9
<i>At Hospital - In Service</i>	28	26	27	28	32	34	31	28	24	28	19	26
<i>Location - At Hospital</i>	28	25	23	21	26	24	24	24	22	23	12	23
<i>Dispatch - At Hospital</i>	34	32	28	27	31	30	30	29	28	29	17	28
<i>Dispatch - In Service</i>	59	53	51	51	58	61	55	54	50	50	36	50

PATIENT TRANSPORTS BY RECEIVING FACILITY													
Facility Code	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOT
CStJoseph	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%			0 0%
MD	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%			0 0%
WomenTx	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%			0 0%
MHSE	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%			0 0%
UTMBHosp	4 4%	9 10%	11 9%	6 6%	6 5%	3 3%	9 8%	10 8%	9 7%	0 0%			67 7%
HouMeStJon	0 0%	0 0%	2 1%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%			2 0%
MHPB	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%			0 0%
MHCH	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%			0 0%
CLRH	0 0%	0 0%	7 5%	2 2%	5 4%	4 4%	2 1%	4 3%	3 2%	0 0%			27 2%
St John	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%			0 0%
SanJac	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%			0 0%
MainInd	91 95%	80 89%	100 82%	91 91%	92 89%	90 92%	94 89%	103 88%	102 88%	7 100%			850 89%
Bellaire	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%			0 0%
Hermann	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%			0 0%
ShrinrBH	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%			0 0%
Methodist	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%			0 0%
St Luke	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%			0 0%
TXChld	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%			0 0%

BayAreaMed	0 0%	0 0%	1 0%	0 0%	0 0%	0 0%	0 0%	0 0%	1 0%	0 0%			2 0%
Methodist	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%			0 0%
TOTAL	95 100%	89 100%	121 100%	99 100%	103 100%	97 100%	105 100%	117 100%	115 100%	7 100%			948 100%

PATIENT DISPOSITION BY MONTH													
Disposition	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOT
Encounters	119	107	135	123	117	123	141	159	140	8			1172
Transports	95 79%	89 83%	122 90%	99 80%	103 88%	98 79%	106 75%	119 74%	115 82%	7 87%			953 81%
Aeromedical	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%			0 0%
Dead On Scene	0 0%	2 1%	1 0%	4 3%	1 0%	4 3%	3 2%	5 3%	5 3%	1 12%			26 2%
Unfounded	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%			0 0%
Refusals	24 20%	16 14%	12 8%	20 16%	13 11%	21 17%	32 22%	35 22%	20 14%	0 0%			193 16%

CALLS BY TIME OF DAY													
Time	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOT
0600-1159	27 22%	35 32%	37 27%	36 29%	31 26%	35 28%	38 26%	41 25%	36 25%	2 25%			318 27%
1200-1759	43 36%	33 30%	47 34%	38 30%	40 34%	44 35%	44 31%	56 35%	50 35%	1 12%			396 33%
1800-2359	30 25%	24 22%	34 25%	32 26%	24 20%	31 25%	40 28%	44 27%	32 22%	5 62%			296 25%
0000-0559	19 15%	15 14%	17 12%	17 13%	22 18%	13 10%	19 13%	18 11%	22 15%	0 0%			162 13%

PATIENT AGE BY MONTH													
Years Old	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOT
<1	1 0%	0 0%	1 0%	1 0%	2 1%	1 0%	1 0%	0 0%	0 0%	0 0%			7 0%

1-8	1 0%	1 0%	5 3%	2 1%	4 3%	1 0%	2 1%	3 1%	0 0%	0 0%			19 1%
9-12	0 0%	0 0%	4 2%	0 0%	2 1%	0 0%	2 1%	3 1%	0 0%	0 0%			11 0%
13-17	4 3%	2 1%	1 0%	2 1%	1 0%	1 0%	3 2%	4 2%	3 2%	0 0%			21 1%
18-25	12 10%	2 1%	5 3%	8 6%	6 5%	11 9%	12 8%	10 6%	13 9%	1 12%			80 6%
26-50	37 31%	34 32%	33 24%	26 21%	35 29%	25 21%	36 26%	57 35%	40 28%	2 25%			325 28%
51-75	38 32%	43 40%	52 38%	59 48%	51 43%	61 51%	54 39%	63 39%	61 43%	3 37%			485 41%
76-100	23 19%	23 21%	34 25%	24 19%	16 13%	19 15%	27 19%	19 11%	23 16%	2 25%			210 18%
>100	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	1 0%	0 0%	0 0%	0 0%			1 0%

DISPATCHED CALL TYPES PER MONTH													
Call Type	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOT
	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	1 0%	0 0%	0 0%			1 0%
Abd Pain	8 6%	1 0%	1 0%	3 2%	4 3%	2 1%	4 2%	2 1%	1 0%	0 0%			26 2%
Allergic Rx	1 0%	0 0%	0 0%	1 0%	1 0%	2 1%	0 0%	0 0%	2 1%	0 0%			7 0%
Animal Bite	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	1 0%	0 0%			1 0%
Assault	3 2%	0 0%	1 0%	0 0%	2 1%	0 0%	4 2%	1 0%	4 2%	0 0%			15 1%
Auto Ped	0 0%	1 0%	2 1%	1 0%	1 0%	0 0%	0 0%	2 1%	2 1%	0 0%			9 0%
Back Pain	0 0%	0 0%	2 1%	1 0%	5 4%	2 1%	2 1%	0 0%	1 0%	0 0%			13 1%
Burns	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%			0 0%
CO Poison	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%			0 0%
CPR	0 0%	0 0%	2 1%	1 0%	0 0%	0 0%	0 0%	1 0%	1 0%	0 0%			5 0%

Cardiac	8 6%	10 9%	16 11%	16 13%	13 11%	16 13%	15 10%	15 9%	14 10%	2 25%			125 10%
Childbirth	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%			0 0%
Choking	0 0%	1 0%	2 1%	0 0%	1 0%	0 0%	0 0%	0 0%	1 0%	0 0%			5 0%
DOS	1 0%	3 2%	0 0%	2 1%	1 0%	2 1%	3 2%	4 2%	4 2%	0 0%			20 1%
Diabetic	3 2%	6 5%	4 2%	7 5%	6 5%	2 1%	3 2%	3 1%	3 2%	0 0%			37 3%
Drowning	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%			0 0%
Electrocution	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%			0 0%
Eye Injury	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%			0 0%
Falls	11 8%	10 9%	8 5%	8 6%	7 5%	10 8%	9 6%	7 4%	6 4%	1 12%			77 6%
Fire/Hazmat	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%			0 0%
GSW/Stab	0 0%	1 0%	4 2%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%			5 0%
Headache	0 0%	0 0%	0 0%	0 0%	0 0%	1 0%	1 0%	1 0%	2 1%	0 0%			5 0%
Heat/Cold	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	2 1%	1 0%	0 0%	0 0%			3 0%
Hemorrhage	1 0%	1 0%	0 0%	0 0%	1 0%	0 0%	1 0%	3 1%	0 0%	0 0%			7 0%
Ind Accident	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%			0 0%
MVA	11 8%	8 7%	8 5%	10 8%	13 11%	16 13%	18 12%	34 21%	15 10%	0 0%			133 11%
Medical	26 21%	30 28%	36 26%	21 17%	17 14%	38 30%	33 23%	32 20%	36 25%	3 37%			272 23%
Other	6 4%	4 3%	8 5%	3 2%	4 3%	2 1%	7 4%	4 2%	3 2%	0 0%			41 3%
Overdose	0 0%	1 0%	1 0%	2 1%	2 1%	2 1%	0 0%	3 1%	4 2%	0 0%			15 1%
Person Down	0 0%	0 0%	0 0%	2 1%	0 0%	0 0%	1 0%	0 0%	0 0%	0 0%			3 0%

Psych	1 0%	3 2%	1 0%	0 0%	0 0%	1 0%	3 2%	0 0%	0 0%	0 0%			9 0%
Respiratory	20 16%	10 9%	14 10%	16 13%	26 22%	10 8%	17 12%	15 9%	14 10%	0 0%			142 12%
Seizures	7 5%	6 5%	9 6%	9 7%	4 3%	3 2%	4 2%	7 4%	11 7%	1 12%			61 5%
Service Call	0 0%	0 0%	0 0%	1 0%	0 0%	0 0%	1 0%	0 0%	1 0%	0 0%			3 0%
Stroke	2 1%	1 0%	3 2%	5 4%	3 2%	3 2%	5 3%	4 2%	5 3%	0 0%			31 2%
Trauma	3 2%	3 2%	2 1%	5 4%	3 2%	5 4%	3 2%	8 5%	5 3%	0 0%			37 3%
Unconscious	3 2%	7 6%	10 7%	9 7%	3 2%	6 4%	5 3%	11 6%	3 2%	1 12%			58 4%
Unknown	0 0%	0 0%	1 0%	0 0%	0 0%	0 0%	0 0%	0 0%	1 0%	0 0%			2 0%

CALL LOCATIONS BY MONTH													
Map Page	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOT
38C													
563													
563A													
565A													
699G													
736A													
736V													
737J													
737K													
737L													
737N													
737P													
737T													
737U													
737Z													
738H													
999999999													
NONE													

PATIENT 1													
PATIENT 2													

RESPONSE TIMES PER MONTH (minutes)													
Unit Status	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVG
Dispatch - Location	5	5	6	5	5	6	5	5	5	3			5
Location - To Hospital	15	18	15	17	15	17	15	15	15	12			16
To Hospital - At Hospital	8	9	9	9	9	8	8	8	9	7			9
At Hospital - In Service	28	32	33	31	28	24	28	28	26	24			29
Location - At Hospital	21	26	24	24	24	22	23	22	23	20			23
Dispatch - At Hospital	27	31	30	30	29	28	29	27	28	23			29
Dispatch - In Service	51	58	60	55	54	50	50	48	50	44			53

LAMARQUE

Incident Type Report (Summary)

Alarm Date Between {09/01/2016} And {09/30/2016}

Incident Type	Count	Pct of Incidents	Total Est Loss	Pct of Losses
1 Fire				
113 Cooking fire, confined to container	1	0.46%	\$300	0.84%
130 Mobile property (vehicle) fire, Other	1	0.46%	\$0	0.00%
131 Passenger vehicle fire	1	0.46%	\$35,000	99.15%
143 Grass fire	1	0.46%	\$0	0.00%
151 Outside rubbish, trash or waste fire	2	0.93%	\$0	0.00%
	6	2.80%	\$35,300	100.00%
3 Rescue & Emergency Medical Service Incident				
320 Emergency medical service, other	21	9.81%	\$0	0.00%
321 EMS call, excluding vehicle accident with	120	56.07%	\$0	0.00%
322 Motor vehicle accident with injuries	8	3.73%	\$0	0.00%
323 Motor vehicle/pedestrian accident (MV Ped)	2	0.93%	\$0	0.00%
324 Motor Vehicle Accident with no injuries	2	0.93%	\$0	0.00%
	153	71.49%	\$0	0.00%
4 Hazardous Condition (No Fire)				
411 Gasoline or other flammable liquid spill	1	0.46%	\$0	0.00%
412 Gas leak (natural gas or LPG)	4	1.86%	\$0	0.00%
440 Electrical wiring/equipment problem, Other	1	0.46%	\$0	0.00%
444 Power line down	2	0.93%	\$0	0.00%
445 Arcing, shorted electrical equipment	1	0.46%	\$0	0.00%
	9	4.20%	\$0	0.00%
5 Service Call				
500 Service Call, other	3	1.40%	\$0	0.00%
510 Person in distress, Other	1	0.46%	\$0	0.00%
550 Public service assistance, Other	5	2.33%	\$0	0.00%
552 Police matter	2	0.93%	\$0	0.00%
553 Public service	2	0.93%	\$0	0.00%
554 Assist invalid	7	3.27%	\$0	0.00%
	20	9.34%	\$0	0.00%
6 Good Intent Call				
600 Good intent call, Other	2	0.93%	\$0	0.00%
611 Dispatched & cancelled en route	7	3.27%	\$0	0.00%
653 Smoke from barbecue, tar kettle	1	0.46%	\$0	0.00%

LAMARQUE

Incident Type Report (Summary)

Alarm Date Between {09/01/2016} And {09/30/2016}

Incident Type	Count	Pct of Incidents	Total Est Loss	Pct of Losses
6 Good Intent Call	10	4.67%	\$0	0.00%
7 False Alarm & False Call				
700 False alarm or false call, Other	6	2.80%	\$0	0.00%
710 Malicious, mischievous false call, Other	1	0.46%	\$0	0.00%
730 System malfunction, Other	1	0.46%	\$0	0.00%
733 Smoke detector activation due to	1	0.46%	\$0	0.00%
735 Alarm system sounded due to malfunction	1	0.46%	\$0	0.00%
736 CO detector activation due to malfunction	2	0.93%	\$0	0.00%
740 Unintentional transmission of alarm, Other	1	0.46%	\$0	0.00%
741 Sprinkler activation, no fire -	1	0.46%	\$0	0.00%
744 Detector activation, no fire -	1	0.46%	\$0	0.00%
745 Alarm system activation, no fire -	1	0.46%	\$0	0.00%
	16	7.47%	\$0	0.00%

Total Incident Count: 214

Total Est Loss:

\$35,300

LAMARQUE

Unit Response Time Analysis

Alarm Date Between {09/01/2016} And {09/30/2016}

Response		Count	Percentage
Hrs	Mins		
	< 01	21	7.4%
	01	13	4.6%
	02	25	8.8%
	03	39	13.8%
	04	41	14.5%
	05	40	14.1%
	06	24	8.5%
	07	29	10.2%
	08	13	4.6%
	09	10	3.5%
	10	6	2.1%
	11	10	3.5%
	13	2	0.7%
	14	1	0.3%
	15	4	1.4%
	16	1	0.3%
	18	1	0.3%
	33	2	0.7%

Overall Average Response Time: 00:05:19

LIBRARY DEPARTMENT

La Marque Public Library

Report for August 30 – September 29



Mission: La Marque Public Library provides materials and services to help community residents obtain information to meet their personal, educational and professional needs. Special emphasis is placed on supporting students at all academic levels and stimulating the minds of young children in reading and learning. "The Library serves as a learning and educational center for all residents of the community." (ALA Planning and Role Setting for Public Libraries, 43)

La Marque Public Library is open to the public 39 hours a week.

There were 3,172 visitors this month.

Our top 200 members checked out 2,210 items.

This month, customers saved \$49,634 by checking out items at La Marque Public Library.

Items

La Marque Public Library staff processed and added 53 new items to our collection.

Circulation Statistics

We circulated 3,097 items this month. Since the library is closed on Sundays and Mondays, Tuesdays are consistently our busiest day.

Customers borrowed 24 eBooks through our OverDrive database.

There are currently 815 items checked out that are not overdue.

There were 60 ILLs (Interlibrary Loans) shipped and received.

Report updated 09/30/2016 by Tom Hansen

Online Catalog Use

There were 996 external searches performed via our online library catalog (Biblionix).

Computer Use

La Marque Public Library customers are allotted one two-hour session per day. Library visitors who are not cardholders may use the computer as a guest for one 30-minute session per day.

Guest computer log-ins are issued to community members and visitors who do not have a library card. All library visitors wishing to use the computers are asked to show proof of ID to use computers. We encourage all library visitors residing in Galveston County to obtain a library card.

There were 906 log-in sessions during this reporting period. Total computer time used was 662 hours.

Customers used library computers for job searches, completing applications, writing resumes, checking email, doing homework, and for accessing various personal documents such as bank statements, tax forms, legal forms and proof of insurance.

Reference Assistance

La Marque Public Library staff provides reference assistance by answering a variety of questions. We answered a recorded 392 questions this month. Examples of the types of reference questions answered include "How do I get a library card?" and "Where can I locate divorce or tax forms?"

Volunteers

Library volunteers worked 34.5 hours this month. Volunteer duties included cleaning/repairing damaged dvds, re-shelving and straightening returned books and assistance with program preparation and clean up.

New Patrons Registered

The library issued 78 new cards this month.

Training/Professional Development

Report updated 09/30/2016 by Tom Hansen

- 8-31-2016—Tom Hansen, Terri Walker and Stacy Selby attended a continuing education class on customer service at Rosenberg Library in Galveston.
- 09-07-2016 – Stacy and Terri attended a Texas Library Association webinar titled *Groundwork for All Librarians, Library Types and Stakeholders*.
- 9-21-2016—Amy Miller participated in a Texas State Library webinar titled *Family Place Libraries*.
- 09-28-2016 - Terri and Tom attended a Texas State Library webinar titled *Texshare Update: Strategic Plans, Budgets and More*.

Programs/Outreach

Adult Programs – 8
Attendance – 5

Children’s Programs - 20
Attendance --247

Meetings Attended

- 9-9-2016—Amy Miller attended the monthly Leadership Mainland session.
- 9-13-2016—Amy Miller attended the monthly meeting of Galveston County Library Directors at Helen Hall Library in League City.

Library Happenings

- The Library celebrated *Talk Like a Pirate Day* with our second annual *Pirate Party*. Over 60 participants enjoyed pirate stories, crafts, games and a treasure hunt. We are grateful to our volunteers for helping to make this a fun and memorable community event.
- *The Jungle Book* was this month’s selection for family movie night.
- The new *Dance and Grow* program on Friday mornings has quickly become one of our most popular programs. Our youngest customers are given an opportunity to develop their motor skills while listening and dancing to popular children’s songs and classic nursery rhymes.
- Amy Miller and Terri Walker represented La Marque Public Library at the Gulf Coast Center’s Youth Prevention kickoff on September 21. They talked with area organizations about services available at the library and made contacts who could potentially become library partners for future programs and events.
- Texas Kincaid Primer is online resource discovered this month. This resource is directed at family members providing guardianship. The site includes forms and instructions to complete the guardianship process and promotes guardianship by family members.

Report updated 09/30/2016 by Tom Hansen

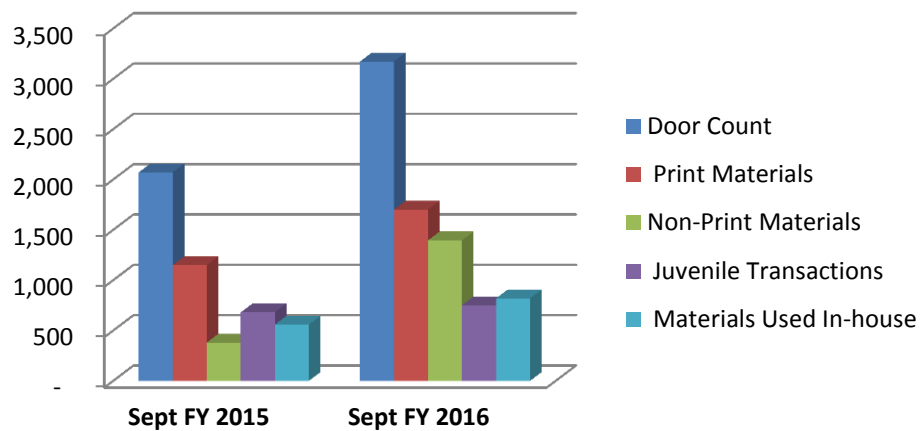
- Beginner level Spanish is an area of the collection where we discovered a need for additional resources. We will be making extra efforts to order some titles to fill this gap as our usual book suppliers are also lacking in this area.
- La Marque Lions Club made a donation to the Friends of La Marque Public Library on September 23. The library will use this gift for our annual Fall Festival scheduled for October.

MONTH-TO-YEAR
La Marque Public Library

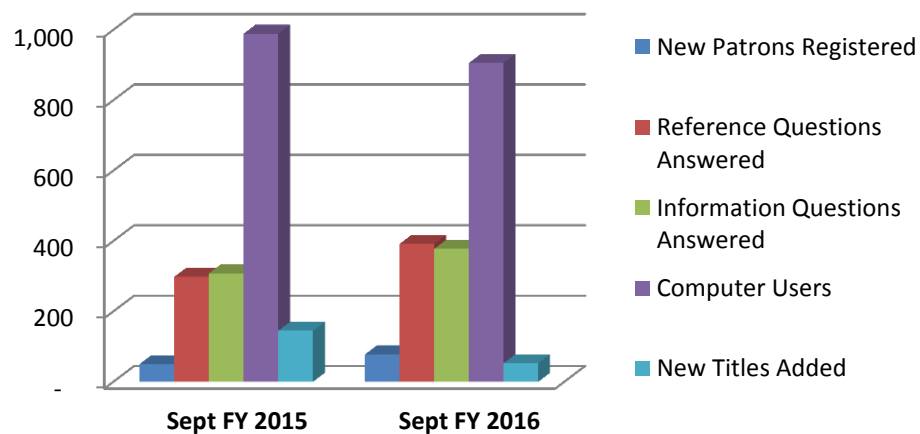
	MONTHLY TOTALS			YEAR TO DATE TOTALS		
Description	September FY 2015	September FY 2016	%Change 2015 vs 2016	September 2015 Previous Year	September 2016 This fiscal year	% Change 2015 vs 2016
DOOR COUNT	2,071	3,172	53%	31,690	39,846	26%
CIRCULATION						
Print Materials	1,150	1,701	48%	14,865	21,989	48%
Non-Print Materials	381	1,396	266%	5,775	15,803	174%
Juvenile Transactions	681	752	10%	8,374	13,157	57%
Materials Used In-house	559	820	47%	6,250	8,982	44%
PUBLIC SERVICES						
New Patrons Registered	50	78	56%	815	1,007	24%
Reference Questions Answered	298	392	32%	5,440	6,105	12%
Information Questions Answered	308	378	23%	5,004	4,172	-17%
Computer Users	989	906	-8%	14,524	11,483	-21%
New Titles Added	145	53	-63%	1,608	2,228	39%
PROGRAM ATTENDANCE						
Number of Adult Programs	10	8	-20%	111	104	-6%
Adults Attending	4	5	25%	141	93	-34%
Number of Teen Programs	0	-				
Teens Attending	0	-				
Number of Children Programs	20	20	0%	84	338	302%
Children Attending	447	247	-45%	1,551	5,832	276%
Volunteer Hours	3	35	1067%	166	291	75%
Inter-Library Loan Requests	11	22	100%	204	318	56%

**La Marque Public Library
September Statistics
2015/2016 Comparisons**

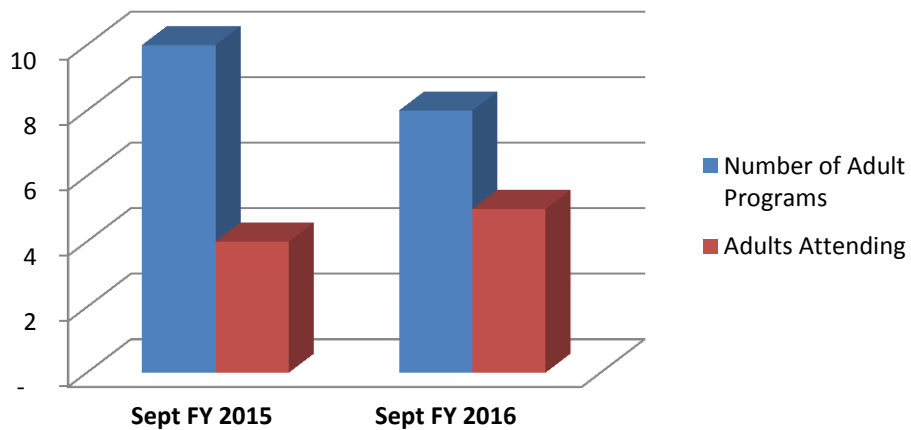
Circulation and Door Count



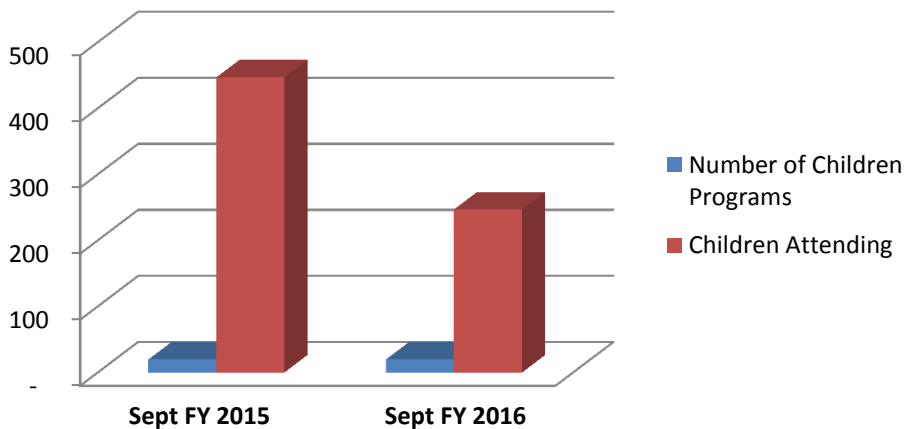
Public Services



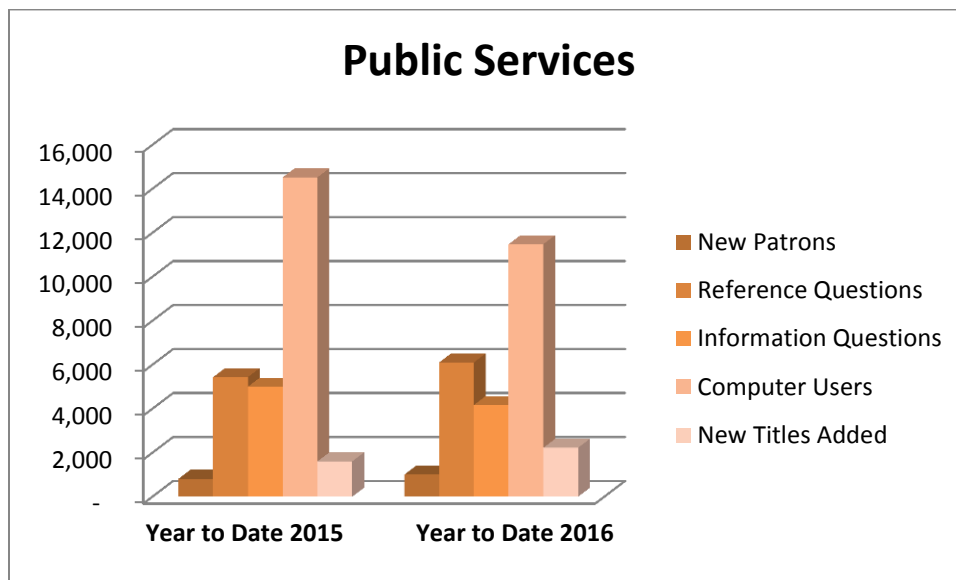
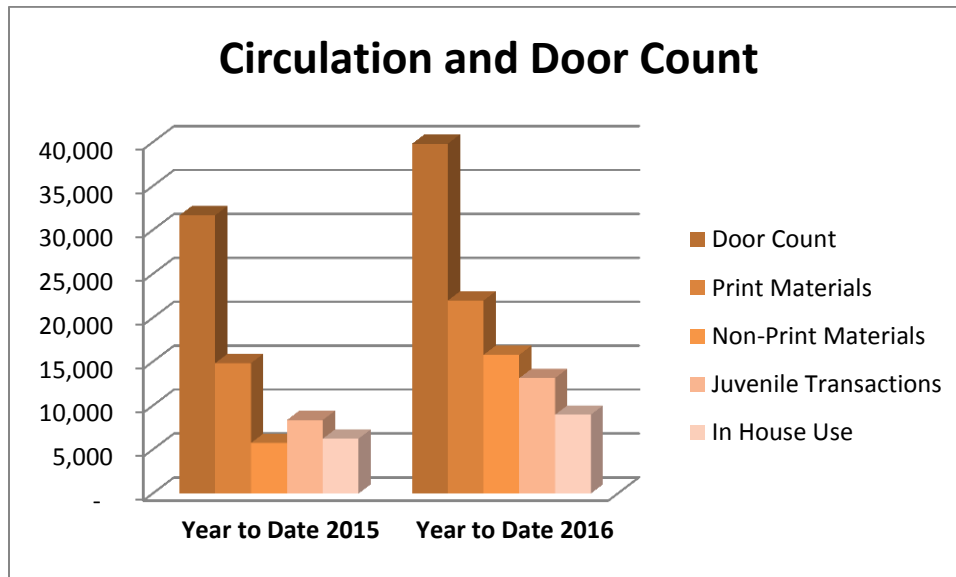
Adult Programming



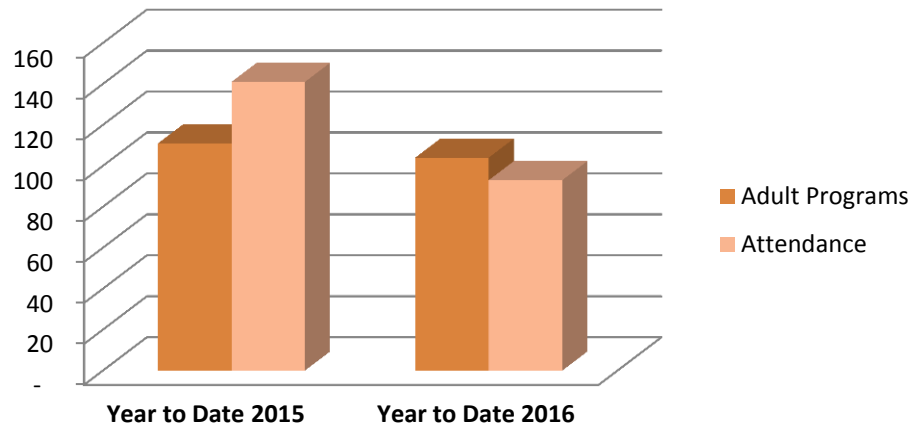
Children's Programming



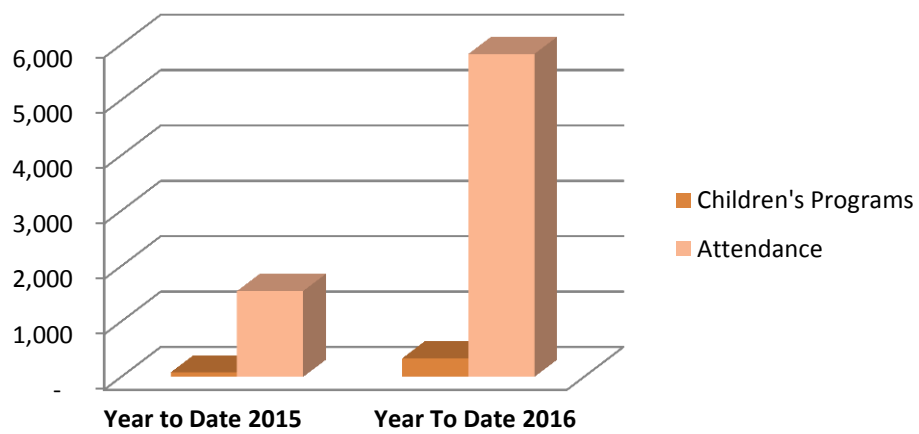
La Marque Public Library
September 2015/2016
Year to Date Comparisons



Adult Programming



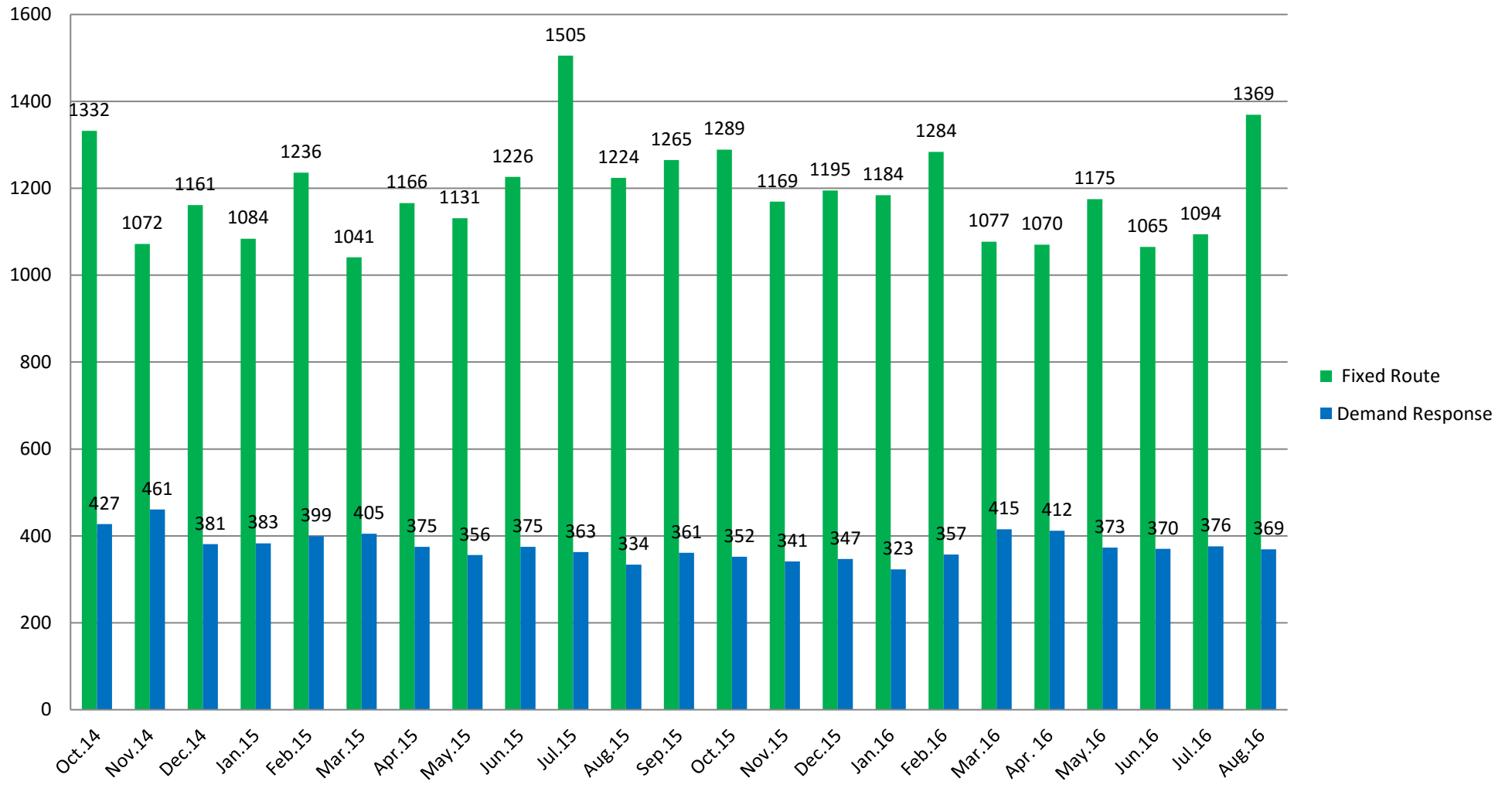
Children's Programming



HOTEL TRANSIT SERVICES

La Marque Transit Service Report		
Month	Fixed Route	Demand Response
Oct.14	1332	427
Nov.14	1072	461
Dec.14	1161	381
Jan.15	1084	383
Feb.15	1236	399
Mar.15	1041	405
Apr.15	1166	375
May.15	1131	356
Jun.15	1226	375
Jul.15	1505	363
Aug.15	1224	334
Sep.15	1265	361
Oct.15	1289	352
Nov.15	1169	341
Dec.15	1195	347
Jan.16	1184	323
Feb.16	1284	357
Mar.16	1077	415
Apr. 16	1070	412
May.16	1175	373
Jun.16	1065	370
Jul.16	1094	376
Aug.16	1369	369

La Marque Transit Service Report



PUBLIC SERVICES

RIGHY-OF-WAY & ROAD MAINTENANCE DIVISION

ACTIVITY REPORT

AMANDA HOBBY

2016/AUGUST

	AMANDA HOBBY					MAN HOURS	
	WEEK 1	WEEK 2	WEEK 3	WEEK 4	WEEK 5	MONTHLY	AUGUST
	8/1-8/5	8/8-8/12	8/15-8/19	8/22-8/26	8/29-8/31	TOTAL	2015
STREETS							
Utility Patch - Man Hours	0	0	0	0	0	0	0
Culverts-Linear Feet Set	0	0	0	0	0	0	42
Man Hours	0	0	0	0	0	0	32
Trimming Tree Limbs-Man Hours	0	1	31.5	0	0	32.5	24
Driveway Tie In-Man Hours	0	0	0	0	0	0	0
Traffic Sign Repair - Man Hours	0	0	0	0	0	0	80
Potholes Filled	42	72	0	0	224	338	0
Man Hours	22.5	14.5	0	0	14	51	0
Repaired Driveways	0	0	0	0	0	0	0
Man Hours	0	0	0	0	0	0	0
Grading Ditch - Linear Feet Cut	0	0	400	0	0	400	0
Man Hours	0	0	6.5	0	0	6.5	0
Sweeping - Man Hours	0	0	0	0	0	0	0
Grate Repair - Man Hours	0	0	0	0	0	0	0
Weed-eat/Mowing - Man Hours	21	70	43	35	12	181	216
Dress-up - Man Hours	0	0	0	0	0	0	0
Check Drains & Ditches	0	0	3	10.5	15.5	29	100
Safety Meetings	0	0	0	0	0	0	0
Brush/Debris Removal - Man Hours	0	1	1	0	0	2	0
Hauling Dirt/Concrete	0	0	0	0	0	0	0
Street Striping - # of Streets	0	0	0	0	0	0	0
					Total Hours	1040	494

**CITY OF LA MARQUE
PARKS DEPARTMENT MONTHLY REPORT
AMANDA HOBBY**

2016/August

SCHEDULED WORK						MAN HOURS	MAN HOURS
PARK MAINTENANCE	WK 1	WK 2	WK 3	WK 4	WK 5	MONTHLY	August
	1-Aug	8/2-8/8	8/9-8/15	8/16-8/22	8/23-8/31	TOTALS	2015
Bayou City Park	0	0	0	0	0	0	16
Bird Sanctuary	0	0	0	0	0	0	12
Highland Bayou Park	0	1	11.75	13.25	1	27	32
Jaycee Park	0	0	0	0	0	0	16
Lagana Park	0	0	0	0	0	0	31
Martin Luther King Jr. Park	0	0	0	0	0	0	17
Mahan Park	0	1	5.5	2.5	0	9	23
Westlawn Park	0	0	0	0	0	0	13
GENERAL MAINTENANCE							
City Hall	0	0	0	0	0	0	48
Library / Walter Feigle Park	0	0	0	0	0	0	14
Police Department	0	0	0	0	0	0	14
La Marque Cemetery	0	0	0	0	0	0	24
La Marque Sign @ Hwy 3	0	0	0	0	0	0	0
Kirsten esplanade	0	0	0	0	0	0	12
Lake Rd. / Grebb / Charity	0	0	0	0	0	0	0
LM property / Aid & Guidance	0	0	0	0	0	0	0
Bus Stops	0	0	0	0	0	0	12
WEEKLY TOTAL HOURS						36	284
COMMENTS							

**WATER & SEWER MAINTENANCE DIVISION
ACTIVITY REPORT
RODNEY GAMBLE**

**2016/AUGUST
Utility 22**

	WEEK 1	WEEK 2	WEEK 3	WEEK 4	WEEK 5	WEEK 6	MONTHLY	AUGUST
	8/1-8/5	8/6-8/10	8/11-8/15	8/16-8/20	8/21-8/25	8/26-8/31	TOTALS	2015
WATER								
Water leaks repaired	15	6	6	8	5	2	42	21
Residential Water Taps	0	0	0	0	0	0	0	1
Commercial Water Taps	0	0	0	0	0	0	0	1
Remote Read Meters Installed	0	0	0	0	0	0	0	0
Low Pressure City Side	2	0	0	0	0	0	2	4
Low Pressure Customer Side	1	0	0	0	0	0	1	0
Meter Boxes & Lids Replaced	0	0	0	0	0	0	0	1
Water Turned On/Off - Citizens	2	0	3	0	1	0	6	0
Rusty Water Inquires	0	0	0	0	0	0	0	0
Bad Taste/Smelly Water	0	0	0	0	0	0	0	0
TOTAL WORK							51	28
Fire Hydrants								
Fire Hydrants Installed	0	0	0	0	0	0	0	0
Fire Hydrants Repaired	0	0	0	0	0	0	0	0
Fire Hydrants Serviced	0	0	0	0	0	0	0	0
SPECIAL PROJECTS								

WATER & SEWER MAINTENANCE DIVISION
ACTIVITY REPORT
RODNEY GAMBLE

2016/AUGUST
Utility 22

	WEEK 1	WEEK 2	WEEK 3	WEEK 4	WEEK 5	WEEK 6	MONTHLY	AUGUST
	8/1-8/5	8/6-8/10	8/11-8/15	8/16-8/20	8/21-8/25	8/26-8/31	TOTALS	2015
SEWER								
Sewer Stoppages Resolved	9	15	10	15	11	3	63	81
Sewer Lines Repaired	0	0	0	0	3	0	3	0
Residential Sewer Taps	0	0	0	0	0	0	0	1
Commercial Sewer Taps	0	0	0	0	0	0	0	0
Clean-Out Tops Replaced	0	0	0	0	0	0	0	0
Clean-Outs Installed	1	0	0	0	0	0	1	0
Sewer Lines Installed	0	0	0	0	0	0	0	0
Manhole Repaired	0	0	0	0	0	0	0	0
Manhole Installed	0	0	0	0	0	0	0	0
Lines Locate, Water & Sewer	0	0	0	0	0	0	0	4
Miscellaneous								
Dress-Ups	2	0	0	3	0	0	5	1
Saw Cuts	0	0	0	0	0	0	0	0
Valves Replaced	0	0	0	0	1	0	1	0
Total Work Orders							73	87
Projects by LF								
Feet of Water Mains Installed (LF)	0	0	0	0	0	0	0	460
Sewer Lines Cleaned (LF)	0	0	0	0	0	0	0	0
Feet of Sewer Line T.V.'d (LF)	0	0	0	0	0	0	0	0
Feet of Sewer Main Replaced (LF)	0	0	0	0	0	0	0	0
Smoke Testing Done (LF)	0	0	0	0	0	0	0	0
Culverts Cleaned (LF)	0	0	0	0	0	0	0	0

MAINTENANCE DIVISION
ACTIVITY REPORT
JASON HUBBELL

2016 / August	WEEK 1	WEEK 2	WEEK 3	WEEK 4	WEEK 5	MONTHLY	August
Utility 24	08/01-08/06	08/07-08/13	08/14-08/20	08/21-08/27	08/28-08/31	TOTALS	2015
PREVENTATIVE MAINTENANCE							
Lift Pumps	1	0	0	0	1	2	7
Valves	0	0	0	0	0	0	0
Electric Motors	2	0	0	0	0	2	1
Electric Panels	3	1	0	2	0	6	2
Vent Fans	0	0	0	0	0	0	0
Blowers	0	2	0	0	0	2	0
Belts	2	3	0	1	0	6	3
Floats	6	3	1	3	0	13	11
Well Sites	2	0	1	0	0	3	2
Clean Up @ Well Sites	2	1	0	0	0	3	0
Troubleshoot Problems	3	2	1	0	0	6	8
TOTALS						43	34
CORRECTIVE MAINTENANCE							
Replaced Belts	0	3	0	0	0	3	0
Replaced Bearings	0	0	0	0	0	0	0
Replaced Motors	0	0	0	0	0	0	0
Replaced Seals	0	0	0	0	0	0	0
Replaced Pumps	0	0	0	0	0	0	0
Replace wear Parts	0	0	0	1	0	1	2
Replace Valves	0	0	0	0	0	0	0
Replace Floats	0	0	1	3	0	4	0
Replace Gauges	0	0	0	0	0	0	0
Replace Electrical Parts	0	1	2	2	0	5	8
Change Oil in Pumps	2	1	0	2	0	5	9
Clean Up Lift Stations	1	1	2	1	1	6	0
TOTALS						24	19

SPECIAL PROJECTS

WATER & WASTE WATER
ACTIVITY REPORT
Supervisor Jason Hubbell

2016 / August	WEEK 1	WEEK 2	WEEK 3	WEEK 4	WEEK 5	MONTHLY	Aug
Utility 24	08/01-08/06	08/07-08/13	08/14-08/20	08/21-08/27	08/28-08/31	TOTALS	2015
WWTP							
Rain Fall	0	0.5	5.2	2.4	2.4	10.5	14
Flow Total MG/D	8.735	12.398	34.216	23.003	21.016	99.368	68.381
Lb. of CL2 used	690	1155	2435	1990	1585	7,855	4,405
Lb. of SO2 used	414	618	1228	1029	861	4,150	2,166
Plant Man Hours	42	44	82	84	56	308	316
Bio Solids Removed/Tons						0	39.85
Raw TSS Avg. mg/1						119	107.5
Raw BOD tes/Avg.						1256	90.6
Raw Total Cu Avg.mg/l						0.0444	0.0493
Raw NH3-3 Avg. mg/l						21043	29.967
Effluent CBOD test/Avg.						2.3	2.3
Effluent TSS Avg. mg/1						2.3	2.8
Effluent NH-3N Avg.mg/L						0.696	0.8
Effluent Total CU mg/L						0.0024	0.0117
Entero. Avg. MPN/100 MI						89	12
Route Wells & Lift Stations							
Distribution System-Total Surface Water MG/D	17.529	19.978	18.405	18.405	10.542	84.859	100.521
Total Well Water MGD	0.001	0	0.001	0	0	0.002	0.003
Lb. of CL2 used	0	18	89	19	27	153	23
Lb. of Ammonia Used	0	4	22	4	6	36	4
Total # of CL2 Residual Samples	66	77	77	77	77	374	341
Number of Water Bacteriology Samples	0	0	15	0	0	15	15

WATER & WASTE WATER
ACTIVITY REPORT
Supervisor Jason Hubbell

2016 / August	WEEK 1	WEEK 2	WEEK 3	WEEK 4	WEEK 5	MONTHLY	Aug
Utility 24	08/01-08/06	08/07-08/13	08/14-08/20	08/21-08/27	08/28-08/31	TOTALS	2015
Collection System - Total							
Lift Station Pump Hours	457.1	639.2	1152.4	982.8	736	3967.5	2314.2
Man Hours Wells Station	31.5	31.5	31.5	31.5	18	144	139.5
Safety Meetings	0	1	0	0	0	1	1
Dead ends Flushed	0	5	2	22	5	34	114
Fire Hydrants Weed-eated	15	22	24	20	21	102	104

CL2 = CHLORINE

MGD = MILLION GALLON DAY

SO2 = HYDROGEN SULFIDE

BOD = BIOCHEMICAL OXYGEN DEMAND

CU = COPPER

NH-3N = AMMONIA

FINANCE DEPARTMENT



City of La Marque
Budget vs Actual
August 2016

General Fund		August	August	Year To Date	Benchmark	Year To Date	Change
Revenues:	Budget	FY 2016	FY 2015	FY 2016	92%	FY 2015	%
Property Taxes	2,965,579	19,326.62	17,846.87	2,953,722.36	100%	3,048,879.02	-3%
Sales Tax	3,317,000	348,681.44	317,670.20	2,880,375.38	87%	2,559,145.55	13%
Franchise Fees	861,000	70,355.78	70,963.53	607,625.77	71%	619,637.87	-2%
Other Taxes	98,000	13,943.12	27,756.54	76,518.35	78%	80,621.26	-5%
Licenses and Permits	617,700	19,903.80	318,323.66	625,441.90	101%	924,658.71	-32%
Fines and Forfeits	809,830	59,105.57	48,590.30	727,723.29	90%	702,846.45	4%
Charges for Services	109,790	7,205.77	5,230.15	119,574.92	109%	120,930.15	-1%
Fire and Ambulance Services	464,500	30,557.60	41,471.48	357,486.86	77%	436,166.44	-18%
Investment Earnings	3,000	2,223.90	559.44	16,860.99	562%	4,170.43	304%
Miscellaneous Revenues	6,412	497.32	54.48	4,784.85	75%	21,190.42	-77%
Reimbursements	35,000	3,083.33	4,250.03	33,916.63	97%	33,416.73	1%
Intergovernmental	499,993	15,056.14	-	48,062.37	10%	45,185.76	6%
General Fund - Total Revenues	9,787,804	\$ 589,940.39	\$ 852,716.68	\$ 8,452,093.67	86%	\$ 8,596,848.79	-2%
Expenditures:	Budget	August	August	Year To Date	Benchmark	Year To Date	Change
General Government Division		FY 2016	FY 2015	FY 2016	92%	FY 2015	%
Administration	378,445	28,591.70	17,728.60	310,822.32	82%	214,161.92	45%
Finance	451,770	28,653.00	30,439.00	391,976.75	87%	362,357.79	8%
Inspection	492,663	94,738.67	93,506.40	460,516.89	93%	456,900.10	1%
Judicial	425,733	35,265.20	27,020.20	250,717.38	59%	289,679.28	-13%
City Clerk	100,577	7,037.43	6,366.83	88,829.23	88%	116,484.04	-24%
Library	244,649	18,619.13	17,389.92	212,094.41	87%	176,046.59	20%
Information Technology	211,929	12,247.11	12,966.38	112,078.89	53%	116,561.16	-4%
Fund Expenditures	1,131,872	83,530.12	72,716.72	824,186.64	73%	740,791.49	11%
	3,437,639	\$ 308,682.36	\$ 278,134.05	\$ 2,651,222.51	77%	\$ 2,472,982.37	7%
Public Safety Division	Budget	August	August	Year To Date	Benchmark	Year To Date	Change
		FY 2016	FY 2015	FY 2016	92%	FY 2015	%
Police	3,474,640	404,679.34	218,711.36	2,906,940.74	84%	2,688,018.12	8%
Animal Control	91,907	-	23,441.25	70,323.75	77%	70,323.75	0%
Emergency Management	33,547	772.44	74.64	11,695.01	35%	4,114.07	184%
Fire/EMS	2,315,635	149,460.07	159,157.17	1,869,009.42	81%	1,669,356.36	12%
Fire Marshal	0	-	446.51	353.61	#DIV/0!	446.51	
Subtotal of PSD Expenditures	5,915,729	\$ 554,911.85	\$ 401,830.93	\$ 4,858,322.53	82%	4,432,258.81	9%
Public Works Division	Budget	August	August	Year To Date	Benchmark	Year To Date	Change
		FY 2016	FY 2015	FY 2016	92%	FY 2015	%
Parks	0	-	748.43	-	#DIV/0!	(1,115.76)	-100%
Shop/Service	0	-	1,061.28	-	#DIV/0!	(431.70)	-100%



City of La Marque
Budget vs Actual
August 2016

PW Admin	0	-	-	-	#DIV/0!	(1,334.73)	-100%
Street	930,461	69,571.38	60,442.07	673,012.89	72%	705,402.57	-5%
Subtotal of PWD Expenditures	930,461	\$ 69,571.38	\$ 62,251.78	\$ 673,012.89	72%	\$ 702,520.38	-4%
General Fund - Total Expenditures	10,283,829	\$ 933,165.59	\$ 742,216.76	\$ 8,182,557.93	80%	\$ 7,607,761.56	7%
Revenues over Expenditures	(496,025)	\$ (343,225.20)	\$ 110,499.92	\$ 269,535.74		\$ 989,087.23	
Beginning Unassigned Fund Balance:						3,954,714.00	
Ending Fund Balance:						4,224,249.74	

*Note: Financials are based on latest data in the system and best year end estimates under normal condition.

*Financials are reflective of most journal entries posted pending completion of monthly reconciliations.



City of La Marque
Budget vs. Actual
August 2016

Utility Fund		August	August	Year To Date	Benchmark	Year To Date	Change
Revenues:		FY 2016	FY 2015	FY 2016	92%	FY 2015	%
Budget							
Operating Revenue	3,849,000	372,883.08	349,408.64	3,475,524.41	90%	3,161,132.45	10%
Other Revenue	339,000	17,462.51	24,899.35	393,498.27	116%	505,967.65	-22%
Utility Fund - Total Revenues	4,188,000	\$ 390,345.59	\$ 374,307.99	\$ 3,869,022.68	92%	\$ 3,667,100.10	5%
Expenditures:		August	August	Year To Date	Benchmark	Year To Date	Change
Budget		FY 2016	FY 2015	FY 2016	92%	FY 2015	%
UB/Accounting	247,059	20,238.67	17,981.93	184,787.80	75%	231,232.29	-20%
Utility Line Maint	793,098	65,880.30	52,872.03	586,050.58	74%	511,283.32	15%
Water & Sewer Operations	2,387,896	154,982.22	180,191.86	1,709,868.02	72%	1,658,646.10	3%
Debt Service	483,522	-	-	30,438.94	6%	45,221.68	-33%
Storm Water	27,825	-	-	76.94	0%	515.24	-85%
Fund Expenditures	6,078,926	9,638.16	3,418.84	206,030.32	3%	180,885.33	14%
Utility Fund - Total Expenditures	10,018,326	\$ 250,739.35	\$ 254,861.76	\$ 2,717,252.60	27%	\$ 2,635,768.36	3%
Capital Project-Hwy 3 @ Cedar						133,964.24	
Revenues over Expenses	(5,830,326)	139,606.24	119,446.23	1,151,770.08		897,367.50	
Cash and Cash Equivalent Balance as of 8/31/16:				5,414,151.04			

*Note: Financials are based on latest data in the system and best year end estimates under normal condition.

*Financials are reflective of most journal entries posted pending completion of monthly reconciliations.



CITY OF LA MARQUE
Budget vs. Actual
August 2016

Debt Service		August	August	Year To Date	Benchmark	Year To Date	Change
Revenues:	Budget	FY 2016	FY 2015	FY 2016	92%	FY 2015	%
Property Taxes	479,000	3,449.78	1,919.39	532,572.51	111%	292,257.17	82%
Other Revenue	4,800,318	530.85	74.34	3,656.60	0%	538.19	579%
Debt Service Fund - Total Revenues	5,279,318	\$ 3,980.63	\$ 1,993.73	\$ 536,229.11	10%	\$ 292,795.36	45%
Expenditures:	Budget	August	August	Year To Date	Benchmark	Year To Date	Change
Debts	475,789	377,594.37	204,781.87	475,688.75	100%	517,594.24	-8%
Debt Service Fund - Total Expenditures	5,297,029	\$ 377,594.37	\$ 204,781.87	\$ 475,688.75	9%	\$ 517,594.24	-9%
Revenues over Expenditures	(17,711)	(373,613.74)	(202,788.14)	60,540.36		(224,798.88)	
Beginning Balance:				639,922.25			
Ending Balance:				700,462.61			

*Note: Financials are based on latest data in the system and best year end estimates under normal condition.

*Financials are reflective of most journal entries posted pending completion of monthly reconciliations.



CITY OF LA MARQUE
Budget vs. Actual
August 2016

HOT Fund		August	August	Year To Date	Benchmark	Year To Date	Change
Revenues:		FY 2016	FY 2015	FY 2016	92%	FY 2015	%
	Budget						
Occupancy Tax Collected	100,000	19,308.66	338.80	80,624.53	81%	73,695.97	9%
Other Revenue	1,000	329.51	65.02	2,377.09	238%	471.12	405%
HOT Fund - Total Revenues	101,000	19,638.17	403.82	83,001.62	82%	74,167.09	11%
Expenditures:		FY 2016	FY 2015	FY 2016	92%	FY 2015	%
	Budget						
Interconnect Transit System	40,000	3,333.33	3,333.33	33,333.30	83.33%	33,333.30	0%
PROFESSIONAL FEES	56,575	-	-	-	0.00%	-	#DIV/0!
Promotional within CLM	2,825	2,825.00	-	2,825.00	100.00%	-	#DIV/0!
BAYOU FEST	75,627	-	-	26,548.05	35.10%	41,897.74	-37%
CHRISTMAS EVENT	55,070	-	-	5,767.61	10.47%	2,777.46	108%
CITY PROMOTION - TC-LM C OF C	25,000	-	-	25,000.00	100.00%	25,000.00	0%
Transfer Out - General Fund	0	-	-	-	#DIV/0!	-	#DIV/0!
	270,097	\$ 6,158.33	\$ 3,333.33	\$ 93,473.96	34.61%	\$ 103,008.50	-10%
	(169,097)	13,479.84	(2,929.51)	(10,472.34)		(28,841.41)	
Beginning Fund Balance:				688,523.00			
Ending Fund Balance:				678,050.66			

*Note: Financials are based on latest data in the system and best year end estimates under normal condition.

*Financials are reflective of most journal entries posted pending completion of monthly reconciliations.



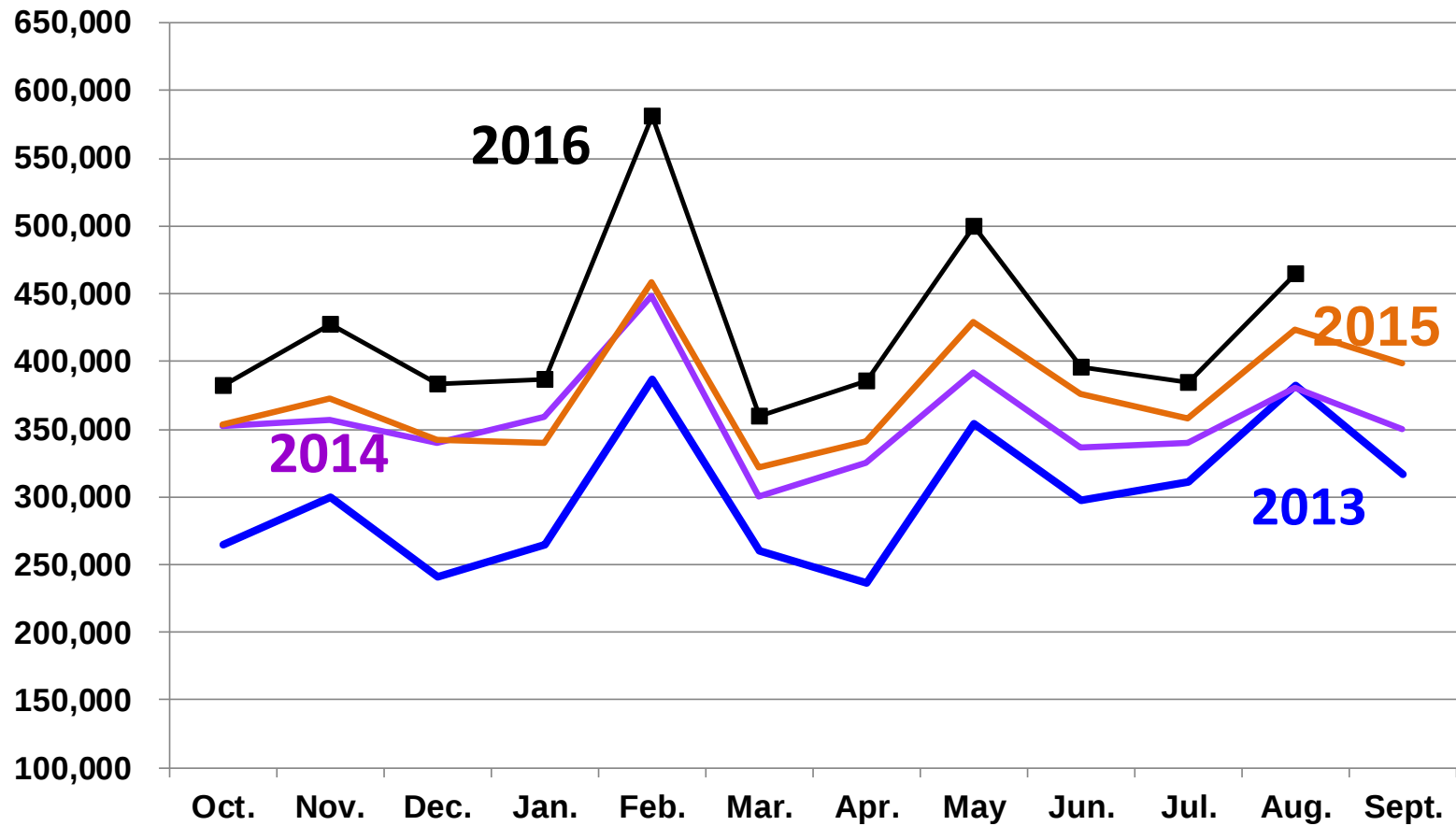
CITY OF LA MARQUE
Cash and Investments
As of 8/31/16

Funds	Amounts
General Fund	4,802,471.26
Utility Fund	5,414,151.04
Utility Restricted Investment	185,858.48
Westside Construction Fund	28,088.75
Equipment Replacement Fund	45,044.55
Library Fund	3,678.99
PD Child Outreach Program	6,228.39
Hotel Motel Fund	652,874.31
Drug Seizure Fund	6,916.84
Home Program Grant	38,552.46
Debt Service Fund	700,521.27
Utility Debt Service Fund	0.00
PID Funds	12,818.72
EDC	4,600,358.74
Equipment Maintenance Fund	33,374.26
CDBG Grant	0.00
CDBG Disaster	0.00
2005 CO Capital Projects	497,349.11
2007 CO Capital Projects	687,147.37
2016 CO Capital Projects	9,372,891.62
Section 8 Housing Grant	136,044.45
Sanitation	563,531.52
Disasters Fund	300.00
Parks Fund	49,993.06
Court Technology	35,690.05
Court Security	73,476.76
Child Safety	42,505.78
LEOSE Training Fund	19,203.19
Health Reimbursement Account	(1,294.00)
Clean City Fund	52,379.81
PEG	83,525.85
Donations Fund	83,004.46
Cemetery Fund	3,934.78
Fire Reserve	59,153.37
Library Grants Fund	426.27
Capital Improvements	102,780.00
Risk Management Fund	18,907.74
	28,411,889.25

*Note-Cash and investments excluded amounts held in GCWA



SALES TAX REVENUES





SALES TAX COLLECTIONS

	2012-13	2013-14	2014-15	2015-16	Variance	% Change
Oct	264,325	352,526	353,446	382,100	28,654	8
Nov	299,200	357,165	372,772	427,185	54,413	15
Dec	241,257	339,503	341,659	383,466	41,807	12
Jan	264,532	359,397	339,457	386,841	47,345	14
Feb	386,596	448,418	458,158	581,276	123,118	27
Mar	260,134	299,908	321,205	359,310	38,105	12
Apr	236,103	325,346	340,790	385,191	44,400	13
May	353,815	392,219	429,148	499,495	70,347	16
Jun	297,696	336,816	376,517	395,553	19,036	5
Jul	311,276	340,341	357,680	384,375	26,695	7
Aug	382,332	380,637	423,549	464,888	41,339	10
Sept	<u>316,585</u>	<u>349,540</u>	<u>398,631</u>			
Total	<u>\$ 3,613,851</u>	<u>\$4,281,816</u>	<u>\$4,513,052</u>	<u>\$4,649,680</u>	<u>\$535,260</u>	<u>13</u>



FINANCIAL HIGHLIGHTS

August 31, 2016

GENERAL FUND

REVENUES (Overall decreased by 2%)

- Property taxes decreased by 3%.
- Sales tax collections increased 13% from last year.
- Franchises decreased by 2% mainly due to CenterPoint.
- Gulf Greyhound Parks admission fees decreased from \$12,498 to \$4,207 in comparison to last year.
- Licenses and permits revenues decreased 32%.
 - o Building permits continued to increase from \$238,130 to \$323,311.
 - o Plumbing permits declined from \$28,626 to \$14,290.
 - o Coin operated machines decreased from \$294,760 to \$255,665.
 - o Plan review fees decreased from \$56,906 to \$25,596.
 - o Electrical permits decreased from \$36,275 to \$13,964.
 - o Mechanical permits decreased from \$11,834 to \$7,546.
 - o Abandonments decreased from \$6,126 to \$500.
 - o Demolition revenue decreased from \$4,900 to \$2,093.
 - o Pipeline permits decreased from \$301,214 to \$1,030. August 10, 2015 we received \$300,384 from Praxair.
- Fines and forfeitures increased by 4%.
- Fire and ambulance service revenues decreased by 18%.
 - o Ambulance services decreased from \$412,079 to \$338,516.
 - o Fire code plan review decreased from \$7,140 to \$4,905.
 - o Fire code inspection decreased from \$7,595 to \$5,265.
- Interest revenue increased from \$4,170 to \$16,861.

EXPENDITURES (Overall increased by 7%)

Highlights contributing increase include the following:



FINANCIAL HIGHLIGHTS

August 31, 2016

- Administration increased by 45%- mainly due to personnel of new HR position and Emergency Management transferred to Administration from Police.
- Library increased by 20% mainly due to personnel.
- Finance increased by 8% mainly due to professional services including the sales tax audit fees.
- Police increased by 8% mainly due to:
 - o Capital outlay- vehicles lease purchase and police equipment.
 - o Repairs and maintenance-building, furniture, and fixture increased from \$6,769 to \$25,186 for AC and flooring at Police station.
 - o Personnel related
- Fire/EMS increased 12%- Mainly due to:
 - o Personnel related.
 - o Capital outlay- Purchase of new Frazer medic unit of \$145,825 and a new 2016 Ford Expedition of \$34,440 this year.
- Public Services decreased by 4% mainly due to personnel, fuel, and stolen copper of \$39,000 incurred last fiscal year and personnel. Street repairs and maintenance increased from \$9,011 to \$29,216. Professional fees increased from \$2,880 to \$10,615.
- Fund expenditure increased by 11% - Mainly due to the fire truck lease purchase pay off this year, legal fees, and transfer to capital projects fund for demolition.

UTILITY FUND

Revenues overall increased by 5%.

- Discharge agreements decreased from \$347,289 to \$248,142.
- Investment interest increased from \$2,433 to \$20,032.

Expenses overall increased by 3%:

- Utility Billing decreased by 20% mainly due to personnel with two meter readers transferred to Utility 22.
- Utility 22 Lines and Maintenance increased by 15% mainly due to additional personnel from Utility Billing and other associated costs.

**CITY OF LA MARQUE
ECONOMIC DEVELOPMENT CORPORATION
FINANCIAL STATEMENTS
FOR THE PERIOD ENDING
August 31, 2016**

City of LaMarque
Economic Development Corporation
Investment Schedule
as of August 31, 2016

	Beginning Balance	Deposits	Withdrawals	Monthly Interest Earnings	Accumulated Fiscal Year Interest	Ending Balance
TEXPOOL 449/848300001	1,423,772.65	0.00	0.00	451.92	3,656.71	1,424,224.57
LOGIC 6012995002	2,424,432.92	0.00	0.00	1,280.42	9,453.82	2,425,713.34
LOGIC - Revitalization 6012995003	401,552.47	3,000.00	0.00	212.42	1,568.41	404,764.89
Texas First Bank Money Market 11036103 **	35,806.24	0.00	0.00	4.56	49.41	35,810.80
DWS 6540001279	568.22	0.00	0.00	40.08	288.33	608.30
MNB - Moody Nat'l. Bank 600004478	100,000.00	0.00	100,000.00	45.20	419.18	0.00
MNB - Moody Nat'l. Bank 1011835	100,000.00	0.00	100,000.00	49.31	423.28	0.00
Texas First Bank 10141331	200,801.22					200,801.22
ACU - Certificate of Deposit X722	0.00	100,000.00	0.00	0.00	0.00	100,000.00
Amoco - Certificate of Deposit 6670	0.00	100,000.00	0.00	5.75	5.75	100,005.75
Investment Totals	4,686,933.72	203,000.00	200,000.00	2,089.66	15,864.89	4,691,928.87

** - Statement Not Available at Time of Report - Verbal Confirmation 09/07/16

APPROVED SEP 08 2016

LA MARQUE ECONOMIC DEVELOPMENT CORPORATION
COMBINED BALANCE SHEET
FISCAL YEAR 2015-16
Month Ending August 31, 2016

	<u>EDC</u>
<u>ASSETS:</u>	
Cash	108,436
Sub-Total	<u>108,436</u>
Investments:	
Investments - General	3,850,546
Investments - Restricted/Revitalization	404,765
Certificate of Deposit - ACU	100,000
Certificate of Deposit - Amoco	100,006
Certificate of Deposit - Texas First	200,801
Money Market - Texas First	35,811
Sub-Total	<u>4,691,929</u>
Receivables	258
Land & Improvements	4,193,656
Accumulated Amortized-Depreciation	
Capitalized Interest & Cost	
Total Assets	<u>8,994,278</u>
<u>LIABILITIES / EQUITY:</u>	
Liabilities:	
Accrued T.M.R.S.	1,576
Fort Dearborn Life	6
Health Insurance	457
Dental Insurance	20
Worker's Comp. Payable	-11
Def. Outflows-Subsequent Contributions	-5,336
Def. Outflows-Difference in Earnings	-3,051
Current Earned Sick & Vacation	23,975
Def. Inflows-Difference in Experience	1,198
Net Pension Liability	28,847
Accounts Payable	20,143
Total Liabilities	<u>67,825</u>
Equity:	
Reserved for Capital Assets	933,904
Reserved for Revitalization	93,980
Unreserved:	7,898,570
Total Equity	<u>8,926,454</u>
Total Liabilities / Equity	<u>8,994,278</u>

LA MARQUE ECONOMIC DEVELOPMENT CORPORATION
COMBINED INCOME STATEMENT
FISCAL YEAR 2015-16
FOR THE PERIOD ENDED August 31, 2016

	BUDGET	YEAR TO DATE	%
REVENUES:			
1/2 Cent Sales Tax	\$ 1,000,000	960,141	96
Insurance Proceeds	-	-	-
Interest / Investments	2,500	15,950	638
Sale of Assets	-	241,024	-
Miscellaneous Income	-	-	-
Revitalization - Assets Exchange	-	-	-
Revitalization - Rental	18,000	33,000	183
Revitalization - ROW Permits	-	-	-
Miscellaneous Donations	-	-	-
Reserve for Sams	-	-	-
TOTAL REVENUES:	1,020,500	1,250,114	\$ 123

OPERATING EXPENSES:

City Supported:

Operating Supplies	4,000	2,012	50
Postage	-	6	-
Janitorial Supplies	300	-	-
General Insurance	5,000	2,174	43
Communications	4,500	197	4
Utilities	2,750	1,276	46
Accounting Services	35,000	32,083	92
Clerical Services	2,000	1,833	92
Total City Supported	53,550	39,582	74

General Operating:

Uniforms, Maint & Safety Gear	-	-	-
R & M - Facilities	10,000	-	-
R & M - Equipment	1,000	-	-
Professional Fees	35,000	50,070	143
Executive Director	113,386	102,389	90
Advertising & Promotion	25,000	21,543	86
Travel - Education & Training	7,500	6,787	90
Dues, Memberships, & Subscriptions	16,500	2,253	14
Grants	375,000	145,000	39
Public Improvements	10,000	-	-
Revitalization Projects	-	132,227	-
Blight Reduction Pilot Program	25,000	-	-
Mowing - Landscaping / Maintenance	5,000	7,112	142
Total General Operating	623,386	467,381	75

LA MARQUE ECONOMIC DEVELOPMENT CORPORATION
COMBINED INCOME STATEMENT
FISCAL YEAR 2015-16
FOR THE PERIOD ENDED August 31, 2016

Capital Expenditures:

Buildings, Furniture & Fixtures, Land	-	302,937	-
Land	323,325	33,683	10
Total Capital Expenditures	323,325	336,621	104

TOTAL EXPENSES:	1,000,261	843,584	84
-----------------	-----------	---------	----

REVENUES OVER(UNDER) EXPENSES:

\$	20,239	\$	406,530
----	--------	----	---------

LA MARQUE ECONOMIC DEVELOPMENT CORPORATION
CURRENT PERIOD EXPENDITURE DETAIL
August 31, 2016

<u>Account</u>	<u>Description</u>	<u>Amount</u>	<u>Account Total</u>
19-2010-00-00	Operating Supplies	<u>111.98</u>	111.98
19-2040-00-00	Uniforms, Maint & Safety Gear	<u>0.00</u>	0.00
19-3020-00-00	Mowing/Landscaping/Maintenance	<u>1,600.00</u>	1,600.00
19-4030-00-00	General Insurance	<u>0.00</u>	0.00
19-4040-00-00	Professional Fees	<u>864.58</u>	864.58
19-1010-01-00	Executive Director Salary	6,770.22	
19-1020-01-00	Longevity		
19-1060-01-00	Payroll Taxes	556.77	
19-1065-01-00	Retirement (TMRS)	1,067.27	
19-1070-01-00	Group Health Ins.	484.13	
19-1075-01-00	Worker's Compensation	20.98	
19-2031-01-00	Car Allowance	<u>500.00</u>	9,399.37
19-4050-00-00	Advertising & Promotional	<u>4,950.00</u>	4,950.00
19-4051-00-00	Accounting Services	<u>2,916.67</u>	2,916.67
19-4052-00-00	Clerical Services	<u>166.66</u>	166.66
19-4060-00-00	Travel - Education & Training	<u>72.46</u>	72.46
19-4071-00-00	Dues, Memberships, & Subscriptions	<u>97.50</u>	97.50
19-5010-00-00	Communications	<u>29.54</u>	29.54
19-5020-00-00	Utilities	<u>154.99</u>	154.99
19-6000-00-00	Grants	<u>12,500.00</u>	12,500.00
19-6001-00-00	Public Improvements	<u>0.00</u>	0.00
19-7020-00-00	Buildings, Furniture & Fixtures	<u>0.00</u>	0.00
19-7070-00-00	Land	<u>35.25</u>	35.25
TOTAL EXPENDITURES FOR THE CURRENT PERIOD			<u>32,899.00</u>



**CITY OF LA MARQUE
PARKS FUND
August 2016**

DONATIONS

	Total Donations Received	Parks			Clean City		
		Correct Allocation	Actual Payment	Over / (Under) Payment	Correct Allocation	Actual Payments	Over / (Under) Payment
October 2015	2,668.00	1,334.00	1,334.00	0.00	1,334.00	1,334.00	0.00
November 2015	2,010.00	1,005.00	1,005.00	0.00	1,005.00	1,005.00	0.00
December 2015	2,946.00	1,473.00	1,473.00	0.00	1,473.00	1,473.00	0.00
January 2016	2,746.00	1,373.00	1,373.00	0.00	1,373.00	1,373.00	0.00
February 2016	2,542.00	1,271.00	1,271.00	0.00	1,271.00	1,271.00	0.00
March 2016	2,696.00	1,348.00	1,348.00	0.00	1,348.00	1,348.00	0.00
April 2016	414.00	207.00	207.00	0.00	207.00	207.00	0.00
May 2016	1,184.00	592.00	592.00	0.00	592.00	592.00	0.00
June 2016	828.00	414.00	414.00	0.00	414.00	414.00	0.00
July 2016	800.00	400.00	400.00	0.00	400.00	400.00	0.00
August 2016	806.00	403.00	403.00	0.00	403.00	403.00	0.00
September 2016							
	\$ 19,640.00	\$ 9,820.00	\$ 9,820.00	0.00	\$ 9,820.00	\$ 9,820.00	0.00

BEGINNING CASH & INVESTMENT BALANCE 08/01/2016

\$52,825.15

REVENUES

Donations	403.00
Interest on Investments	24.25
Total Revenues	\$427.25

EXPENSES

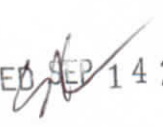
<u>Date/ Vendor</u>	<u>Description</u>	
08/04/16 - Crescent Electric	Remove & Install New Panel @ Highland Bayou Park	2,259.34
	Total Expenses	\$2,259.34

ENDING CASH & INVESTMENT BALANCE 08/31/2016

\$50,993.06

Financial Report prepared prior to Sept. closeout-Possible carryover in donations from prior periods

*** Beginning & Ending Cash & Investment Balances includes \$1,000.00 Donation from Crayfish Bash Foundation*

APPROVED  SEP 14 2016



**CITY OF LA MARQUE
CLEAN CITY FUND
AUGUST 2016**

DONATIONS

	Total Donations Received	Parks			Clean City		
		Correct Allocation	Actual Payment	Over / (Under) Payment	Correct Allocation	Actual Payments	Over / (Under) Payment
October 2015	2,668.00	1,334.00	1,334.00	0.00	1,334.00	1,334.00	0.00
November 2015	2,010.00	1,005.00	1,005.00	0.00	1,005.00	1,005.00	0.00
December 2015	2,946.00	1,473.00	1,473.00	0.00	1,473.00	1,473.00	0.00
January 2016	2,746.00	1,373.00	1,373.00	0.00	1,373.00	1,373.00	0.00
February 2016	2,542.00	1,271.00	1,271.00	0.00	1,271.00	1,271.00	0.00
March 2016	2,696.00	1,348.00	1,348.00	0.00	1,348.00	1,348.00	0.00
April 2016	414.00	207.00	207.00	0.00	207.00	207.00	0.00
May 2016	1,184.00	592.00	592.00	0.00	592.00	592.00	0.00
June 2016	828.00	414.00	414.00	0.00	414.00	414.00	0.00
July 2016	800.00	400.00	400.00	0.00	400.00	400.00	0.00
August 2016	806.00	403.00	403.00	0.00	403.00	403.00	0.00
September 2016				0.00			0.00
	\$ 19,640.00	\$ 9,820.00	\$ 9,820.00	0.00	\$ 9,820.00	\$ 9,820.00	0.00

BEGINNING CASH & INVESTMENT BALANCE 08/01/2016

\$53,120.13

REVENUES

Donations	403.00
Interest on Investments	18.43
Total Revenues	\$421.43

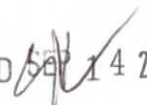
EXPENSES

<u>Date/ Vendor</u>	<u>Description</u>	
08/02/16 - Clean City Mailout Allocation	Maintaining Livable Neighborhoods Mailout	581.75
08/04/16 - Roy Robison	Driver for Litter Pick-up for Clean City	40.00
08/25/16 - Galveston Daily News	Publishment of Ad 3 times for Spring Clean-Up	450.00
08/25/16 - Roy Robison	Driver for Litter Pick-up for Clean City	90.00
Total Expenses		\$1,161.75

ENDING CASH & INVESTMENT BALANCE 08/31/2016

\$52,379.81

Financial Report prepared prior to Sept. closeout-Possible carryover in donations from prior periods

APPROVED  14 2016



City of La Marque

CEMETERY FUND

Balance Sheet

August 31, 2016

Assets

Current assets:	Fiscal Year 2015	Fiscal Year 2016
Cash	514.10	906.33
Investments	24,010.35	3,028.45
Inventories	-	-
Accounts receivable	-	-
Pre-paid expenses	-	-
Other	-	-
Total current assets	24,524.45	3,934.78

Total assets

24,524.45

3,934.78

Liabilities and Fund Balance

Current liabilities:	2015	2016
Accounts payable	-	-
Other	-	-
Total current liabilities	-	-

Fund Balance:	2015	2016
Available Fund Balance	32,900.00	2,054.48
Current Year Revenue/Expenses	(8,375.55)	1,880.30
Total Fund Balance	24,524.45	3,934.78

Total liabilities and Fund Balance

24,524.45

3,934.78

APPROVED SEP 14 2016



CITY OF LA MARQUE

Fiscal Year 2015-16

CEMETERY FUND

Budget vs Actual
Revenues and Expenditures
August 2016

Accounts	Descriptions	Budget 2015-16	Current Month	Current Year to Date Actuals	Budget Balance
Revenues					
89-3605-00-00	Interest on Investments	0.00	1.46	16.29	(16.29)
89-9001-00-00	General Fund	1,900.00	0.00	1,900.00	0.00
	Total Revenues	1,900.00	1.46	1,916.29	(16.29)
Expenditures					
89-4048-00-00	Wreath Across America	400.00	0.00	0.00	400.00
89-4049-00-00	Cemetery Board Expenditure	1,500.00	0.00	35.99	1,464.01
	Total Expenditures	1,900.00	0.00	35.99	1,864.01
Revenues over (under) Expenditures		0.00	1.46	1,880.30	(1,880.30)

August Expenditures

Description

Amount

\$0.00

praptrp2 City of La Marque
Pay Type - O Overtime
Fund Number - 1 GENERAL FUND

skou
Pay Type History Report

09/01/16 16:41

Page 1

Department Number - 4 JUDICIAL Program Number - JUDICIAL

Employee Number	Employee Name	Check Date	Check Number	Units	Pay Rate 1	Ovr Amt	Amount	Account Compressed
50201	NAYELLY LONGORIA	08/19/16	69027	2.00		N	34.50	
Total for Employee				2.00			34.50	
40128	SHEILA MAYA	08/05/16	68916	4.75		N	81.94	
40128	SHEILA MAYA	08/19/16	69026	5.25		N	90.56	
Total for Employee				10.00			172.50	
Total for Program - JUDICIAL				12.00			207.00	
Total for Department - 4 JUDICIAL				12.00			207.00	
50193	TROY ANDERS	08/19/16	69053	6.00		N	210.95	
Total for Employee				6.00			210.95	
50191	DASHIELL CANTU	08/19/16	69051	10.00		N	351.11	
Total for Employee				10.00			351.11	
50148	TINA CRAWFORD	08/05/16	68926	25.00		N	793.09	
50148	TINA CRAWFORD	08/19/16	69036	6.00		N	188.20	
Total for Employee				31.00			981.29	
50202	MATTHEW CYPERT	08/05/16	68947	2.25		N	76.96	
Total for Employee				2.25			76.96	
50176	JESSE GUZMAN	08/05/16	68936	1.25		N	46.43	
50176	JESSE GUZMAN	08/05/16	68936			Y	10.95-	
50176	JESSE GUZMAN	08/19/16	69046	3.75		N	138.57	
Total for Employee				5.00			174.05	
50187	JOSHUA HUMAN	08/05/16	68938	8.50		N	393.72	
50187	JOSHUA HUMAN	08/19/16	69048	13.50		N	625.32	
Total for Employee				22.00			1,019.04	
50205	KELLIE LADD	08/05/16	68950	35.00		N	897.86	
50205	KELLIE LADD	08/19/16	69060	1.00		N	26.28	
Total for Employee				36.00			924.14	
50188	DANIEL O'CONNOR	08/19/16	69049	20.00		N	698.13	
Total for Employee				20.00			698.13	
50154	TIWANNA PORTER	08/05/16	68929	7.00		N	178.57	
50154	TIWANNA PORTER	08/19/16	69039	18.00		N	459.19	
Total for Employee				25.00			637.76	
50134	GEOFFREY PRICE	08/19/16	69032	8.00		N	391.87	

praptrp2 City of La Marque
Pay Type - 0 Overtime
Fund Number - 1 GENERAL FUND

skou
Pay Type History Report

09/01/16 16:41

Page 2

Department Number - 5 POLICE Program Number - POLICE

Employee Number	Employee Name	Check Date	Check Number	Units	Pay Rate 1	Ovr Amt	Amount	Account Compressed
Total for Employee				8.00			391.87	
50165	SHELBY SAMUELSON	08/05/16	68934	1.25		N	61.05	
50165	SHELBY SAMUELSON	08/19/16	69044	3.25		N	158.72	
Total for Employee				4.50			219.77	
50196	JOSE SANTOS	08/05/16	68944	22.00		N	802.56	
50196	JOSE SANTOS	08/05/16	68944	4.00		N	145.92	
50196	JOSE SANTOS	08/19/16	69054	19.50		N	708.58	
Total for Employee				45.50			1,657.06	
50153	TERESA SCOTT	08/19/16	69038	13.00		N	321.03	
Total for Employee				13.00			321.03	
50197	BRITTANY SMITH	08/19/16	69055	12.00		N	415.42	
Total for Employee				12.00			415.42	
50038	CHAD WAGGONER	08/19/16	69028	5.00		N	298.77	
Total for Employee				5.00			298.77	
Total for Program - POLICE				245.25			8,377.35	
Total for Department - 5 POLICE				245.25			8,377.35	
60075	CURTIS BARBER	08/05/16	68953	6.00		N	209.84	
Total for Employee				6.00			209.84	
60092	MICHAEL BILLIOTT	08/05/16	68956	48.00		N	1,490.40	
60092	MICHAEL BILLIOTT	08/19/16	69067	36.00		N	1,130.00	
Total for Employee				84.00			2,620.40	
60113	AMANDA BLACK	08/05/16	68959	18.00		N	596.86	
Total for Employee				18.00			596.86	
60124	JASON CROCKOM	08/05/16	68964	48.00		N	1,128.60	
60124	JASON CROCKOM	08/19/16	69075	48.00		N	1,128.60	
Total for Employee				96.00			2,257.20	
60077	JOSE GONZALEZ	08/05/16	68954	92.00		N	3,600.14	
Total for Employee				92.00			3,600.14	
60125	RICHARD LAFOUR	08/05/16	68965	24.00		N	548.64	
60125	RICHARD LAFOUR	08/19/16	69076	24.00		N	548.64	
Total for Employee				48.00			1,097.28	
60097	WILLIAM REED	08/05/16	68957	2.00		N	85.32	

praptrp2 City of La Marque
Pay Type - 0 Overtime
Fund Number - 1 GENERAL FUND

skou
Pay Type History Report

09/01/16 16:41

Page 3

Department Number - 6 FIRE Program Number - FIRE

Employee Number	Employee Name	Check Date	Check Number	Units	Pay Rate 1	Ovr Amt	Amount	Account Compressed
60097	WILLIAM REED	08/19/16	69068	3.00		N	127.98	
Total for Employee				5.00			213.30	
60119	TONY WRIGHT	08/05/16	68962	24.00		N	865.55	
Total for Employee				24.00			865.55	
Total for Program - FIRE				373.00			11,460.57	
Total for Department - 6 FIRE				373.00			11,460.57	
120155	CHRISTOPHER BIVENS	08/19/16	69093	4.50		N	74.18	
Total for Employee				4.50			74.18	
240122	EUSTACIO GONZALES	08/05/16	68986	11.00		N	275.24	
240122	EUSTACIO GONZALES	08/19/16	69097	2.00		N	50.04	
Total for Employee				13.00			325.28	
120134	DENNIS HENDERSON	08/05/16	68979	2.00		N	42.75	
Total for Employee				2.00			42.75	
120089	CLAUDE LACY	08/05/16	68977	4.00		N	86.78	
120089	CLAUDE LACY	08/19/16	69088	4.00		N	86.78	
Total for Employee				8.00			173.56	
120120	JOSEPH MOSE	08/19/16	69089	4.00		N	94.97	
Total for Employee				4.00			94.97	
120154	ROY ROBINSON	08/19/16	69092	1.00		N	16.49	
Total for Employee				1.00			16.49	
Total for Program - PUBLIC SERVICES				32.50			727.23	
Total for Department - 12 PUBLIC SERVICES				32.50			727.23	
Total for Fund - 1 GENERAL FUND				662.75			20,772.15	
220135	ERNEST DICKEY	08/05/16	68994	1.00		N	16.49	
220135	ERNEST DICKEY	08/19/16	69105	11.50		N	189.58	
Total for Employee				12.50			206.07	
220140	LEONARD FAULK	08/19/16	69109	3.00		N	49.46	
Total for Employee				3.00			49.46	

praptrp2 City of La Marque
 Pay Type - 0 Overtime
 Fund Number - 2 UTILITY FUND

skou
 Pay Type History Report

09/01/16 16:41

Page 4

Department Number - 22 UTILITY LINE MAINTENANCE Program Number - UTILITY LINE MAINTENANCE

Employee Number	Employee Name	Check Date	Check Number	Units	Pay Rate 1	Ovr Amt	Amount	Account Compressed
220138	BRODERICK FRANK	08/05/16	68996	2.50		N	41.21	
220138	BRODERICK FRANK	08/19/16	69107	2.25		N	37.09	
Total for Employee				4.75			78.30	
220102	RODNEY GAMBLE	08/05/16	68991	7.50		N	186.75	
220102	RODNEY GAMBLE	08/19/16	69102	6.00		N	149.40	
Total for Employee				13.50			336.15	
220141	JASON MOSES	08/05/16	68999	3.00		N	49.46	
Total for Employee				3.00			49.46	
220142	APOLINAR RESENDEZ	08/19/16	69111	10.50		N	173.09	
Total for Employee				10.50			173.09	
220139	PAUL WILLIAMS	08/19/16	69108	3.50		N	57.70	
Total for Employee				3.50			57.70	
Total for Program - UTILITY LINE MAINTENANCE				50.75			950.23	
Total for Department - 22 UTILITY LINE MAINTENANCE				50.75			950.23	
240131	PAUL BERNARD	08/05/16	69008	12.75		N	267.75	
240131	PAUL BERNARD	08/19/16	69119	1.00		N	21.00	
Total for Employee				13.75			288.75	
220134	RONDALL COLEMON	08/19/16	69114	12.00		N	197.82	
Total for Employee				12.00			197.82	
240123	VALENTIN GARCIA	08/05/16	69006	12.50		N	250.44	
Total for Employee				12.50			250.44	
120152	SHANE IRISH	08/05/16	69002	2.00		N	34.49	
120152	SHANE IRISH	08/19/16	69113	6.50		N	112.09	
Total for Employee				8.50			146.58	
240101	RONALD REED	08/05/16	69004	25.50		N	639.00	
Total for Employee				25.50			639.00	
240132	MARTIN SAUCEDO	08/19/16	69120	1.00		N	16.65	
Total for Employee				1.00			16.65	
Total for Program - WATER AND WASTEWATER OPER				73.25			1,539.24	
Total for Department - 24 WATER AND WASTEWATER OPER				73.25			1,539.24	

Employee Number	Employee Name	Check Date	Check Number	Units	Pay Rate 1	Ovr Amt	Amount	Account Compressed
Total for Fund - 2 UTILITY FUND				124.00			2,489.47	
Total for Pay Type - 0 Overtime				786.75			23,261.62	
Grand Totals -				786.75			23,261.62	

praptrp2 City of La Marque
Pay Type - MO Mid Overtime
Fund Number - 1 GENERAL FUND

skou
Pay Type History Report

09/01/16 16:41

Page 1

Department Number - 5 POLICE Program Number - POLICE

Employee Number	Employee Name	Check Date	Check Number	Units	Pay Rate 1	Ovr Amt	Amount	Account Compressed
50191	DASHIELL CANTU	08/05/16	68941	7.00		N	246.79	
Total for Employee				7.00			246.79	
50148	TINA CRAWFORD	08/19/16	69036	4.00		N	125.47	
Total for Employee				4.00			125.47	
50205	KELLIE LADD	08/05/16	68950	4.00		N	102.61	
Total for Employee				4.00			102.61	
50154	TIWANNA PORTER	08/05/16	68929	4.00		N	102.04	
50154	TIWANNA PORTER	08/19/16	69039	12.00		N	306.13	
Total for Employee				16.00			408.17	
Total for Program - POLICE				31.00			883.04	
Total for Department - 5 POLICE				31.00			883.04	
Total for Fund - 1 GENERAL FUND				31.00			883.04	
Total for Pay Type - MO Mid Overtime				31.00			883.04	
Grand Totals -				31.00			883.04	