



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: **1.6.2017** TIME: **4:30 p.m.**

ORDINANCE NO. O-2017-004
RESOLUTION NO. R-2017-002

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, January 9, 2017, 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**
 - a. "Wreaths across America" Presentation and Awards
 - b. Report - Cemetery Board
- (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. Regular City Council meeting minutes of December 12, 2016

- b. Discussion/possible action regarding entering into a Contract with the Galveston County Clerk and Galveston County Election Officer for the General Election to be held on May 6, 2017, and possible Runoff Election on June 17, 2017 – City Clerk R. Eldridge
- c. Discussion/possible action regarding the award of Bid **LM# 09-17** to Siddons-Martin Emergency Group for Fire Apparatus Maintenance and Repair Services in the amount of \$35,000.00 for one (1) year from date of award with two (2) additional one (1) year automatic renewal periods if mutually agreed upon – Fire Chief G. Grimm

(7) PUBLIC HEARING

- a. Conduct Public Hearing to hear public input regarding Ordinance No. **O-2016-0020**, repealing Chapter 8, Animal Control, of the Code of Ordinances, City of La Marque, Texas, and in its place adopting a new Chapter 8 to regulate birds, livestock, animals, exotic animals, dogs, cats, kennels, public nuisances; providing ownership; and, providing enforcement – Public Services Director L. Rumburg

(8) OLD BUSINESS

- a. Presentation/Discussion/possible action regarding status report of Revitalization Program

(9) NEW BUSINESS

- a. Discussion/possible action regarding adoption of **Resolution No. R-2017-001**, calling for a General Election to elect one (1) Councilmember for District “B” and one (1) Councilmember for District “D” to be held on May 6, 2017.
- b. Discussion/possible action regarding adoption of **Ordinance No. O-2017-001**, approving new the La Marque Cemetery Rules and Regulations as recommended by the La Marque Cemetery Board **THIS IS THE FIRST READING**
- c. Discussion/possible action regarding adoption of **Ordinance No. O-2017-002**, amending Chapters 14 and 29 of the Code of Ordinances by adoption of the 2012 Editions of the International Fire Code, International Building Code, International Residential Code, International Property Maintenance Code, International Plumbing Code, International Mechanical Code, and International Fuel Gas Code; adding local amendments to the adopted codes; designating the Fire Chief as Fire Code Official; establishing the Building Standards Commission as the Board of Appeals for these Codes; providing a saving and severability clause; providing a penalty, and repealing all previous editions in conflict – Public Services Director L. Rumburg **THIS IS THE FIRST READING**
- d. Discussion/possible action regarding adoption of **Ordinance No. O-2017-003**, approving the request for rezoning from R-1, Single Family Residential, to C-2, Restricted Commercial, a tract of land containing 2.9457 acres being the north portion out of a 5.0140 acre tract conveyed to Sidney E. and Shirley A. West (now Vivian Ann West) in instrument dated June 29, 1970 recorded in volume 2133, page 749 of the deed records of Galveston County out of the Southwesterly portion of the original Wiedemann 300 acre parent tract in the West half of survey no. 4 of the S.F. Austin League, in the city of La Marque, commonly known as 5515 FM 2004, as recommended by the Planning and Zoning Commission – Public Services Director L. Rumburg **THIS IS THE FIRST READING**

- e. Discussion/possible action regarding adoption of **Ordinance No. O-2017-004**, approving the request for rezone from R-1 Single Family Residential, to C-2, Restricted Commercial of four lots facing the intersection of Magnolia Street and Bayou Road in the City of La Marque, described as: ABST 150 PAGE 4 PT OF BLK 11 (1100-4) DIV H COOK & STEWART SUB., commonly known as 1916 Magnolia; ABST 150 PAGE 4 LOT 5 BLK 1 A FORMANS SUB., commonly known as 1533 Bayou RD; ABST 150 PAGE 4 35 MAGNOLIA ADDN., commonly known as 1602 Bayou; ABST 150 PAGE 4 LOT 4 BLK 1 A FORMANS SUB., commonly known as 1531 Bayou RD, as recommended by the City of La Marque Planning and Zoning Commission – Public Services L. Rumburg **THIS IS THE FIRST READING**
- f. Discussion/possible action regarding appointments and/ or reappointments to various positions of the Boards and Commissions – Mayor Hocking
- g. Discussion/possible action regarding adoption of **Resolution No. R-2017-002**, requiring the preparation of a Parks Master Plan to seek all available grants for upgrades in all City parks, but specifically in Mahan and Highland Bayou “Mac McGaffey” Parks – City Manager C. Buttler

(10) CITY MANAGER REPORT

- **Judicial**
- **Police**
- **Fire**
- **Library**
- **Public Services**
- **Animal 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 the Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.086 (Economic Development)

1. Section 551.071 (Consultation with Attorney) – Discuss status of case of Billy Bunch vs. City of La Marque et al
2. Section 551.071 (Consultation with Attorney) – Discuss status of case of James Neal vs. City of La Marque et al
3. Section 551.072 (Deliberations about Real Property) and Section 551.071 (Consultation with Attorney) – Discuss negotiations involving property proposed for development.

(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 salutary 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 salutary 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 January 6, 2016 before 5:30 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.
●



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**CITY OF LA MARQUE
CITY COUNCIL
REGULAR MEETING MINUTES
OF
DECEMBER 12, 2016**

Regular Meeting Minutes of the City of La Marque City Council held on Monday, November 14, 2016, beginning at 6:00 p.m. at 1109-B Bayou Road with the following members present:

(1) CALL TO ORDER

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

(2) ROLL CALL – MEMBERS OF COUNCIL

Bobby Hocking

Mayor

Keith Bell

Mayor Pro-Tem, Councilmember District A

Chris Lane

Councilmember, District B

Robert Michetich

Councilmember, District C

Clent Brown

Councilmember, District D

OTHER OFFICIALS PRESENT:

Carol Buttler

City Manager

Ellis Ortego

City Attorney

Robin Eldridge

City Clerk

(3) INVOCATION AND PLEDGE OF ALLEGIENCE

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

(4) PRESENTATIONS/PROCLAMATIONS

- a. Chief Jackson presented the first uniform Police Department patch that was worn from 1954 to 1966; 1966-1983; 1983-2016, then presented the new uniform Police Department patch, a fresh new look for 2016

(5) CITIZENS PARTICIPATION

1. David Pennington invited all to attend the “Wreaths across America” annual event that will be taking place at the La Marque Cemetery, the upcoming Saturday, December 17, 2016 beginning at 11:00 a.m. This year they will be placing 250 wreaths to honor the local veterans.
2. Margaret Little reported that her neighborhood had some serious sewer problems the previous week and she along with a few of her neighbors couldn’t get through to City Hall. “From what I understand, there is a new phone system, well it should be on the website or maybe the library sign. Today, I heard from someone on Evergreen, this is ridiculous, that we are having to go through this. I have lived here since 1970 and I have never had any problems. The reason for this, and I know this. They are not coming out and



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cleaning out these plugs. They make no effort to do this. I have a lot of raw sewage in my yard.” She said that if the City didn’t take care of it she didn’t know what else to do but report it to the Health Department and the State. The four streets that were having the sewer issues were Pecos, Colorado, Brazos and Goliad. “That is a two-man job, not a one-man job and they sent one man out to address the issue, and he was very frustrated. I would like to see a copy of that work-order to see what they put on there, because it wasn’t fixed.” She mentioned that according to the City Manager, the City is losing 56% of our water. “This another severe problem and nothing is being handled with the streets or the water lines. I hear there is another Fire Station coming up, that is ridiculous, we don’t have the money to maintain the infrastructure in this town, but we are going to build a brand new Fire Department across town. Another thing, people are upset about raises being given to administration, but the employees and the retirees aren’t. We never have enough money to get to that point. We are a little town, and if you are going to put up these things like these high salaries, maybe they should go somewhere else and get a job, because this has gotten out of hand too. Administration has been kicking this can down the road for a long time. It is like La Marque is in a sink-hole. You want to beautify everything around us, but La Marque is dying. We are not spending our money wisely.”

Mayor Hocking responded as a point of order, “The sewage matter, just for the record, during Hurricane Carla, there was 14 inches of rain, we had 12.7 inches in eleven hours, no City can handle that. However, Ms. Buttler, if you would please address the drainage situation.”

Ms. Little spoke from the audience, “The rain didn’t help, but the problem is that the City does not clean out the plugs, the lines, at least once a year. That is part of maintenance.”

Councilmember Bell clarified, and it was determined that the plugs are sewer lines, Ms. Little was speaking of.

Mayor Hocking continued, as appoint of order, “This Council gave the first across the board raise of 4% that the employees had been given in eleven years. This year, in this budget, we are looking again at giving, especially down the line employees, another across the board raise, so we appreciate those comments. This will be during the August budget hearings, and you are more than welcome to attend those to help us adjust those numbers. We have done a survey of the surrounding cities, and we want our people to be paid as well if not better, so we can attract great employees.”

3. Louis “Mac” McGaffey, “Well I am here tonight, for a different reason. I want to thank you Mayor for sending the volunteers that worked at the Bayou Fest and the Parks Board, a very nice Thank you note. The second thing, I want to thank the Mayor and the Council for sending all of the volunteers, a Christmas card. I felt it was a real card with feeling behind it and I just want to thank ya’ll.”
4. Richard Loftis, “I am here again about the drainage on Bellview and pretty much throughout this town.” He stated that he had met with the City Manager and



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Councilmember Bell a few weeks before and had shown them some of the problem areas and gave them solutions as to how to fix it, the way that they do it at the City of Kemah. But then said that nothing had been done about it. "It rained, I got calls from citizens on that street, I guess because I am more vocal about it and they asked me what was going to be done about it, and I have no answers for them. Every time you see me here, the last couple of times, it has been the exact same problem. It is frustrating that people are getting paid, out of my tax dollars, and the work ain't getting done." He said he is apprehensive about building a new house next to one he already owns, because of the services. "I am at the point where if I could pick up both of the houses that I own in the City of La Marque, and move them somewhere else, that is probably what I would be doing. I want to know when the drainage culverts on Bellview are going to get done."

It was said that the ditches were cleaned, but the mud that was left in the culverts was left and that this keeps them from draining. He was asked what they do in Kemah.

Mr. Loftis answered, "We take a cable and run it through the culverts, with tires tied to the end of it and push it through with a Gradall. This is only done when it is still wet, moist, and it comes right out. The only other solution, would be to dig up the driveways, which is more costly."

Mayor Pro-Tem Bell spoke to the City Manager and referred to the meeting that they had with Mr. Loftis, "I thought we let this resident know that there was going to be a time frame as to when we were going to clean those culverts, and I thought that the time frame was sooner rather than later."

City Manager Carol Buttler responded that she had received the message from Mr. Loftis and had answered him back, "As I responded to him earlier that day, was that water and sewer issues took priority over cleaning out the culvert. We did monitor Bellview during the high rains and we had some of the residents come to us and personally thank us for what we had done, so I know we made some progress. But, we are not finished. We did have some other things, especially with the rain, we had a lot of sewer issues and a lot of water issues."

Mayor Pro-Tem asked when the City was going to get the culverts cleaned, and whether the City would be trying the method that Ms. Loftis suggested.

Ms. Buttler said that it was a good suggestion and that she was going to ask when Mr. Rumburg would be scheduling that, they normally do ditches on Wednesdays.

(6) CONSENT AGENDA

- a. Workshop Minutes of City Council on November 14, 2016.
- b. Regular Minutes of City Council on November 14, 2016.

** Councilmember Lane made a motion to approve the consent agenda.

** Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY.**



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(7) CONTRACTS/AGREEMENTS

- a. Discussion/possible action regarding awarding Lansdowne Moody, a local Buyboard vendor for the purchase of a slope/boom mower, in the amount of \$88,088.00.

** Councilmember Bell made a motion to award Lansdowne Moody, a local Buyboard vendor for the purchase of a slope/boom mower, in the amount of \$88,088.00.

** Councilmember Lane seconded.

Councilmember Brown asked that the City start buying more American made equipment. Questioned the additional \$13,000 to be included in the price to get the ignition installed. A question arose of whether there were any slope-mowers made in America. The additional \$13,000 would only be included if the City had not ordered the equipment before the December 15th deadline.

Public Services Director addressed the issue on the price, and said that the item was on the BuyBoard list and it was less expensive than others.

Councilmember Michetich explained the Buyboard and why cities use it, "It has better prices, warranties and assures the entities that they will stand behind their products and that we are getting the best prices." Suggested that the City request American made, but with the understand that it may not always be available or with the better prices.

MOTION CARRIED UNANIMOUSLY.

- b. Discussion/possible action regarding awarding Texas Underground, a local BuyBoard vendor, for the purchase of a trailer jet machine, in the amount of \$49,975.15.

** Mayor Pro-Tem Bell made a motion to award Underground, a local BuyBoard vendor, for the purchase of a trailer jet machine, in the amount of \$49,975.15.

** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**

(8) OLD BUSINESS

Discussion/possible action regarding adopting Ordinance No. **O-2016-0020**, repealing Chapter 8, Animal Control, of the Code of Ordinances, City of La Marque, Texas, and in its place adopting a new Chapter 8 to regulate birds, livestock, animals, exotic animals, dogs, cats, kennels, public nuisances; providing ownership; and, providing enforcement. **THIS IS THE FIRST READING (Item tabled at City Council meeting of October 10, 2016)**

** Councilmember Lane made a motion to adopt Ordinance No. **O-2016-0020**, repealing Chapter 8, Animal Control, of the Code of Ordinances, City of La Marque, Texas, and in its place adopting a new Chapter 8 to regulate birds, livestock, animals, exotic animals, dogs, cats, kennels, public nuisances; providing ownership; and, providing enforcement.

** Councilmember Michetich seconded.



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Mayor Pro-Tem was concerned about the ordinance being complaint driven and suggested that it be more proactive than reactive. It was said that the reason being that there are so that have so many animals, and that staff has tried to reach out to those citizens to let them know of the upcoming ordinance to give them time to relocate some of their animals. AG exemptions were briefly discussed.

Mayor Hocking asked that the issues of the culverts on Bellview and the problems on Brazos be addressed within the next sixty days.

(9) NEW BUSINESS

- a. Discussion/possible action regarding adopting Resolution No. **R-2016-0018**, suspending the effective date of CenterPoint's proposed rate increase until the City has reviewed and evaluated the request.

** Councilmember Lane made a motion to adopt Resolution No. **R-2016-0018**, suspending the effective date of CenterPoint's proposed rate increase until the City has reviewed and evaluated the request.

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

- b. Discussion/possible action regarding adopting Resolution No. **R-2016-0019**, approving submittal of application for funding through the Community Development Block Grant (CDBG) program sponsored by the Texas Department of Agriculture, requesting grant funds totaling \$350,000 with a City match of approximately \$383,000 to provide enhancements to the City's water distribution system in select areas of the City.

** Councilmember Michetich made a motion to adopt Resolution No. **R-2016-0019**, submittal of application for funding through the Community Development Block Grant (CDBG) program sponsored by the Texas Department of Agriculture, requesting grant funds totaling \$350,000 with a City match of approximately \$383,000 to provide enhancements to the City's water distribution system in select areas of the City.

** Councilmember Bell seconded. **MOTION CARRIED UNANIMOUSLY.**
Public Services Les Rumburg explained what the grant monies would be used for: Wisteria, Honeysuckle, Bluebonnet from Cedar to Winding Way, based on the number of calls for service for water line breaks each week.

Mentioned was that select areas of town be selected until the whole city has been repaired

- c. Discussion/possible action regarding adopting Resolution No. **R-2016-0020**, approving procedures for cooperating with Boards and Commissions.

** Councilmember Michetich made a motion to adopt Resolution No. **R-2016-0020**, approving procedures for cooperating with Boards and Commissions.

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

Mayor Pro-Tem Bell made an amendment to the resolution to include what he offered at the



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previous meeting was that a member of Council become an ex-officio member on each of the Board and or Commissions. Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY.**

- d. Discussion/possible action regarding a recommendation from the City of La Marque Parks Board to approve a request to waive all fees for Highland Bayou “Mac McGaffey” Park on March 25, 2017, for a benefit function sponsored by the Friends of Sergeant Royce McQuaig and requiring a Special Event Permit.

** Councilmember Bell made a motion to waive all fees for Highland Bayou “Mac McGaffey” Park on March 25, 2017, for a benefit function sponsored by the Friends of Sergeant Royce McQuaig and requiring a Special Event Permit.

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

- e. Discussion/possible action regarding the recommendation of the Cemetery Board to Transfer Cemetery Plot 62, spaces 3-10 of the Southeast Quadrant from Edna Derrick to John W. and Stephanie A. Hamilton.

** Councilmember Bell made a motion to approve the recommendation of the Cemetery Board to Transfer Cemetery Plot 62, spaces 3-10 of the Southeast Quadrant from Edna Derrick to John W. and Stephanie A. Hamilton.

** Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY.**

- f. Discussion/possible action regarding appointments and/ or reappointments to various positions of the Boards and Commissions.

Mayor Hocking reappointed Harold Augustus to the Board of Adjustments; reappointed Trina Phillips to the Building Standards Commission; reappointed Deanie Barrett to the Economic Development Corporation, (which was actually an appointment of Council “A” District, originally); thanked Mr. Dickey Stanley as a faithful member for his dedicated volunteer services, and that he has chosen to pursue other things; appointed Hugh Cash to the Planning and Zoning Commission; David Holmen to the Clean City Commission; Deanie Barrett to the Clean City Commission;

Mayor Pro-Tem Bell; reappointed Deanie Barrett to the Economic Development Services; reappointed Billy Jefferson to the Building Standards Commission; reappointed Bo Hunter to the Parks Board; reappointed Russell Washington Sr., to the Planning & Zoning Commission

Councilmember Lane reappointed Kurt Koopman to the Cemetery Board; Kathy Goodwin to the Clean City Commission

Councilmember Michetich will wait on his appointment to the Cemetery Board

Councilmember Brown appointed John Berlitz to the Building Standards Commission; With the passing of Willie Alexander, Mr. Brown said he would wait to



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appoint someone at a later date to the Board of Adjustments.

- ** Councilmember Michetich made a motion to accept all of the appointments and reappointments
- ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**

(10) CITY MANAGER REPORT

- **Judicial**
- **Police**
- **Fire**
- **Library**
- **Financials**

(11) EXECUTIVE SESSION

There was no Executive Session

(12) REQUESTS AND ANNOUNCEMENTS

Councilmember Brown thanked all for showing up to for the Christmas parade. Wished all a Merry Christmas and a Happy New Year he is looking forward to his continued service to the City of La Marque.

Councilmember Michetich thanked all for attending the Christmas Parade as well. Also thanked Public Works for their work from this past rain, and has some pictures to share. The winds raised the water levels at least two feet higher than normal and said the water had no where else to go. Public Works did a great job unplugging those things, we still have a lot of work to do. Wished all a Merry Christmas and reminded all not to forget what this season is really all about.

Councilmember Lane echoed on what Brown and Michetich said. "I'd like to wish everyone a very Merry Christmas and happy holidays. This has been a very successful and productive year for the City, and 2017 promises to be a lot better. Thank you for coming out."

Mayor Pro-Tem Bell sent condolences out to the family of Brajean Powell , who was recently killed in a car accident. "This hits home for a lot of us. That young man worked at our day care, and that family is in our prayers." Then asked for the first meeting in January to include a workshop on the Public Services Department. "We need to look very closely at our operations. We need to see what is working, what is not working. Council needs the opportunity to speak to our constituents and bring change to that department if it is necessary. He invited Mr. Loftus specifically to come and give his expertise from the Kemah standpoint, and any other citizens that is frustrated with the water and sewer problems within the City. "I would like to wish all a Merry Christmas and Happy Holidays, Happy Hanukkah and Happy Kwanza to those who s celebrate and God Bless you."

Mayor Hocking concurred with the Public Works workshop. "We know that we need to revamp. We have allocated a million dollars to finding water leaks and our reports showed a number of leaks, and all but three of those leaks have been repaired. Some of those very



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substantial leaks. We approved the purchase of a new pump truck tonight, and that was the reason. We have a lot of work to do and we intend to do it, and we appreciate comments, and you all letting us know of specific concerns. "I want to thank the Emergency Management team, we spent all day Saturday into the night Saturday and I want to compliment the Fire Department, the Police Department, Charlene Warren, EMT's, and especially Public Works who as we were driving around in the rain, saw them waist deep in water, unplugging drains." Reported that he had received several emails also complementing them on their hard work. Wished all a Merry Christmas and a Happy New Year. Then wished Councilmember Brown a belated Happy 86th Birthday, who celebrated the day before. "I love this time of the year. I would encourage every family to find another family who may not be as merry as you, this year and reach out to them and provide what they need. Any day care can tell you who the single working mothers and dads are who may be struggling this Christmas. We have done this in our family. And it's not all about jumping up in the morning and opening gifts, it's about Jesus, his birth and the giving spirit."

(13) ADJOURNMENT

- ** Councilmember Bell made a motion to adjourn the Regular Meeting at 6:53 p.m.
- ** Councilmember Lane seconded the motion. **MEETING ADJOURNED.**

Bobby Hocking, Mayor

ATTEST:

Robin Eldridge, TRMC
City Clerk



CITY COUNCIL AGENDA FORM

Meeting Date: January 9, 2017
 Prepared by: Robin Eldridge
 Department: City Clerk

Agenda item: 6b
 Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding entering into a Contract with the Galveston County Clerk and Galveston County Election Officer for the General Election to be held on May 6, 2017, and possible Runoff Election on June 17, 2017.

- ☒ Attachments for reference
 1. Contract

STAFF BRIEFING:

- In order to ensure that this contract is presented to Galveston County Commissioners for approval in a timely manner, the City Council first has to approve before the January 27, 2017 deadline.

HISTORY:

- The City of La Marque has contracted with Galveston County for Election Services for the past several years.
- Most cities contract with the County that they are geographically located in to avoid high costs of purchasing and programming their own equipment for their elections.

TARGET IMPLEMENTATION: January 9, 2017

SIGNIFICANT ACTION DATES:

January 27, 2017 – Due date for entities that want to contract with the County to conduct their elections

May 6, 2017 – City of La Marque's General Election

June 17, 2017 – Runoff date (if needed)

ACTION:

- ☐ Ordinance ☐ Resolution
☐ Proclamation ☐ Special
 Presentation
☐ Finance Report ☐ Public Hearing
☒ Contract (Election)
☒ Check box if there is no conflict with City Charter, ordinances, resolutions, or policies.

Cost Details:	
Budgeted	\$36,000.00
Actual Bid	
Estimated Expenditure	\$
Acct. Name	Election costs
Line Items #	01-4021-07-00
Other Funding	NA



CITY COUNCIL AGENDA FORM

STAFF'S RECOMMENDATION: Motion to approve entering into a contract with the Galveston County Clerk and Galveston County Election Officer for the General Election to be held on May 6, 2017 and possible Runoff Election on June 17, 2017.

FISCAL IMPACT: This amount will depend on how many entities will be having an election, after the filing period ends.

Some may be able to cancel their elections.

The cost is split between the County and the entities that will be holding their elections.

Contract for Election Services
Local Entity Countywide Vote Center Elections

This Contract is made and entered into this 9th day of JAN, 2017 by and between Hon. Dwight D. Sullivan, County Clerk and County Election Officer for Galveston County("Contracting Officer") and Mayor Hocking on behalf of City of LA Marque ("Contracting Authority").

This Contract is being entered into pursuant to Texas Election Code, Chapter 31, Subchapter D for the purpose of ensuring that the Contracting Officer and the Contracting Authority understand the tasks each is to perform in connection with the following election and any subsequent runoff election, to-wit:

Purpose of Election: May General Election; possible Run-off

May 6, 2017
Election Date

June 17, 2017
Runoff Election Date

Early Voting will be held from April 24-28, 2017 from 8 a.m. to 5 p.m. and from May 1-2, 2017 from 7 a.m.-7 p.m. with the polls being open on Election Day, May 6th from 7 a.m. to 7 p.m.

1. Duties and Services of the Contracting Officer.

The Contracting Officer shall be responsible for performing the following duties and furnishing the following services and equipment in connection with the election and any subsequent runoff election.

1.1 Program, or arrange to have programmed, the ballot.

[Cost: Based upon the number of contests on the ballot. See the Fee Schedule]

1.2 Arrange to have published the legal notices of the first test of the electronic tabulating equipment as provided in Texas Election Code §127.096 and conduct all required tests of the electronic tabulating equipment under Texas Election Code §§127.096-127.098 and §§129.021-129.023. The first test shall be conducted at least five days prior to the election. In addition, it will be performed during normal business hours and be open to the public.

[Cost: The cost for publishing the notice will be split equally between Galveston County Elections and all the entities contracting with the County for Election Services. See the Fee Schedule]

1.3 Provide technical and equipment support for the electronic poll books, voting machines and equipment being provided to the Contracting Authority. In the event there is an equipment failure the Contracting Officer shall try to remedy the problem over the phone. If he is unable so to do he will dispatch to locations within Galveston County the appropriate technical support personnel and equipment to correct the failure. *[Cost: Included in the 10% election fee]*

1.4 On behalf of the Contracting Authority, obtain voter registration lists/polling books from the Voter Registrar to be used during Early Voting and on Election Day. *[See Section 2.3 below]*

1.5 Provide Ballot by Mail services for the Contracting Authority *[See the Fee Schedule]*

1.6 At the option of the Contracting Authority, hire Judges, Alternate Judges, and clerks to serve as election workers at the various polling locations. Workers will be paid in accordance with Section 3 of this contract and will be required to complete election training as a prerequisite for serving if they have not attended said training within 120 days of election day for this election. Workers will be paid \$10 per hour for attending said training.

1.7 Select the countywide vote center polling locations in coordination with the Contracting Authority.

1.8 Provide the Contracting Authority [and where possible the candidates running for office*] a sample ballot for them to proof and approve or provide corrections.

[See sections 2.6 and 2.7 for related information]

**The Contracting Authority will be responsible for providing the Contracting Officer with the email and contact information for each candidate who will be on the ballot.*

For additional Duties of the Contracting Officer see the table in subsequent pages.

2. Duties and Services of the Contracting Authority.

The Contracting Authority will be responsible for performing the duties and services set forth in this section and will consummate this contract **on or before January 27, 2017.** Contracts submitted after this day will require a \$500 fee which will be non-refundable regardless of whether the Contracting Authority cancels its election.

2.1 Prepare and submit any required submissions to the U.S. Department of Justice under the Federal Voting Rights Act of 1965 for its election and runoff election.

2.2 Publish notices of the election in accordance with Section 4.003(a) of the Texas Election Code.

2.3 Provide the Contracting Officer with the Contracting Authority's requirements for voter registration lists and poll books for Early Voting and Election Day.

2.4 In accordance with Texas Election Code §4.008 as amended, deliver written notice of the election to the Contracting Officer.

2.5 It is understood that the Contracting Authority may need to modify its election order after **February 28, 2017**, to reflect the actual Early Voting and Election Day polling locations once the final determination has been made as to which entities will actually be holding an election.

If the Contracting Authority wishes to select additional polling locations within its footprint, it will submit a list of same and the contact information for each facility to the Contracting Officer by **February 3, 2017**. Regardless of who selects the polling locations the Contracting Authority shall comply with Texas Election Code §43.062, and shall notify prospective voters of the new location by placing a notice at the old polling location and a notice at the new polling location. *[See Section 1.7 for additional information on the selection of countywide polling places]*

2.6 Provide to the Contracting Officer the language for any ballot propositions, the names of election contests, the names of candidates as they are to appear on the ballot, a copy of a sample ballot, ballot draw information and a completed

"Requirements to Program the Ballot" form. These materials will be provided in an electronic form to the Contracting Officer by **no later than February 28, 2017.** All language on the ballot must be provided in both English and Spanish.

In addition, the Contracting Authority will collect and provide to the Contracting Officer the names, addresses, phone numbers and email addresses of all the candidates who are to appear on its ballot. This information will be used to send candidates copies of the ballot proofs for their review. *[See Section 1.8]*

2.7 Return to the Contracting Officer, by **noon on March 17, 2017,** confirmation that the sample ballots the Contracting Officer has prepared and provided to the Contracting Authority are satisfactory or provide changes that need to be made. The Contracting Officer intends to conduct the L&A test on the Contracting Authority's ballot no later than **March 21, 2017.**

The Contracting Authority shall have a representative present during the testing who will sign an affidavit signifying the ballot proofs are accurate and acceptable to the Contracting Authority. *[See Section 1.8 for related information on ballot proofing]*

2.8 The Contracting Officer will be conducting elections for numerous Contracting Authorities on the same day. The parties understand that each election has its own challenges and requirements and that failure to provide the information outlined in Section 2 of this contract by the dates specified will place an undue burden on the Contracting Officer that may prevent him from being able to provide his services to the Contracting Authority in a timely and accurate manner. **Should the Contracting Authority miss said deadlines, and should the Contracting Officer be unable to provide his services in a timely and accurate manner the Contracting Authority shall hold the Contracting Officer and his employees harmless from any election errors and corresponding liability and/or damages that may result, including but not limited to the costs incurred related to an election contest and/or the need to conduct a subsequent election.**

2.9 As required by § 67.017 (b) and the Secretary of State's Office, make an electronic precinct-by-precinct report to the Secretary of State's Office by no later than the 30th day after Election Day.

2.10 Unless otherwise stipulated, transport, or have the Presiding Election Judges transport on its behalf, the voting machines and equipment to and from the Contracting Authority's Early Voting and Election Day voting locations.

2.11 Supervise, with the assistance of the Contracting Officer, the overall conduct of its election in Contracting Authority's jurisdiction including the supervision of the tabulation of results.

2.12 (Reserved)

2.13 Pay a \$150 fee per Early Voting and Election Day polling location within its jurisdiction to cover a portion of the Contracting Officer's costs for hiring two election judges to provide the Contracting Authority and its Judges election support services throughout the term of this Contract.

Cancellation of Contract: Except for contracts consummated after January 27, 2017, the Contracting Authority may cancel this Contract without incurring any expenses by notifying Contracting Officer of its intention to so cancel by no later than 5 p.m., February 28, 2017. Should Contracting Authority desire to cancel this Contract after that time it may do so upon twenty-four (24) hours written notice to Contracting Officer but Contracting Authority will be obligated to pay Contracting Officer the greater of a \$500 fee or the cost of services and equipment rendered up through the date of cancellation.

Special Provision: Bilingual Poll Worker Requirements. Galveston County was a party in Civil Action No. 3:07 CV 377 styled "The United States of America, Plaintiff, v. Galveston County, Texas, Defendant in the United States District Court for the Southern District of Texas, Galveston Division". It entered into a Consent Decree that acknowledged it is covered under both Section 4(f)(4) of the Voting Rights Act as amended and 42 U.S.C. §1973(b)(4)(Section 4(f)(4) to provide Spanish language written materials and assistance to voters. Galveston also has an obligation to ensure that its polling places and poll workers comply with the Help America Vote Act of 2002 ("HAVA"), 42 U.S.C. §§15301 et. seq. Although this Consent Decree expired December 31, 2010, Galveston County agreed that it is permanently enjoined from:

a) Failing to provide in Spanish "any registration or voting notices, forms, instructions, assistance, or other materials or information relating to the electoral process, including ballots", that they provide in English as required by Section 4(f)(4) of the Voting Rights Act, 43U.S.C.S1973b(f)(4); and

b) Failing to ensure that poll workers provide and receive adequate training regarding (1) the use of providing provisional ballots under Section 302(a) of HAVA; and (2) the display of all HAVA-required signs under Section 302(b) of HAVA.

Contracting Authority understands that regardless of whether it desires to engage the Contracting Officer's services, it likewise has an obligation to comply fully with the applicable terms and provisions of the Voting Rights Act and the Help America Vote Act.

Selection of Services and Fee Schedule:

The Contracting Authority hereby selects the following services that it wants the Contracting Officer to provide and those services for which the Contracting Authority shall be responsible. The Contracting Officer will affirm his willingness to perform the services requested by the Contracting Authority by signing this agreement.

Contracting Authority to Perform	Contracting Officer to perform	Service
	☒	Procure and distribute to the Election Judges all necessary election supplies, including but not limited to sample ballots, election kits, and office supplies such as paperclips, and pens. Each kit and unused election supplies are to be returned by the Contracting Authority to the Contracting Officer after the voting polls close on Election Night. <i>[Cost: \$50 per kit]</i>
	☒	Arrange for receiving and checking in the supplies and equipment being returned by the Election Judges after the voting polls close on Election Night. <i>[Cost: Overtime for staff and part time workers hired to provide this service will be evenly split between Galveston County and the entities contracting with the Contracting Officer.]</i>
	☒	Procure all necessary voting machines and equipment for use at early voting and election day locations and prepare them for use. <i>[Cost: \$250 per eSlate or JBC and \$300 per DAU eSlate]</i>
	☒	Transport, or arrange to have transported, the voting machines and equipment to and from the early voting or Election Day locations. <i>[Cost: \$125 delivery per location].</i>
	☒	Arrange for programming of the ballot and the Logic and Accuracy Testing of the counting equipment. <i>[Cost: Determined by the number of contests on the ballot: \$600 for up to ten contests, \$1,200 for up to 20, \$1,800 for up to 30, \$2,450 for up to 40 and \$3,000 for 41 or more contests.]</i>
	☒	Arrange for the use of a central counting station and for the tabulating and supervisory personnel and equipment needed at the counting station. Prepare the testing materials for the tabulation of the ballots to be used with electronic tallying equipment. Prepare the unofficial tabulation of precinct results, doing so on Election Night if requested. <i>[Cost: \$400 for use of the equipment plus overtime for county employees doing the tabulation if applicable]</i>

Contracting Authority to Perform	Contracting Officer to perform	Service
	☒	Assist the Contracting Authority in the general overall supervision of the election and any subsequent runoff election and provide advisory services in connection with the decisions to be made and the actions taken by the Contracting Authority who is the convening authority for the election/runoff election. <i>[Cost: Included in the 10% election fee]</i>
	☒	Conduct Early Voting, Election Day Voting, and bilingual training with one four hour course for clerks [covering election equipment, Voter ID requirements, polling place etiquette and basic election procedures] and a second (4 hour) course for Judges and Alternate Judges covering in depth election procedures and polling place etiquette. <i>[Cost: \$50 per trainee for the "Clerks" class; \$50 for the Procedures class or \$80 for Judges and Alternate Judges who attend both.]</i>
☒ Allow	☐ Decline	<i>Waiver of evening training:</i> The County employee overtime costs associated with conducting training after normal business hours will be shared equally among those entities who have election workers attend these sessions. <u>By checking the Decline box your workers will not be allowed to attend evening training.</u>
☒ Use ePollBooks [Vote Center Elections]		<i>For Countywide Vote Center elections ePollBook will be used. The cost will be \$125 for each with two being deployed to every polling location.</i> <i>[Cost: \$125 each with a minimum of two per polling location]</i>
☒	☐	Determine the polling locations within their jurisdiction. If the Contracting Authority is performing this task he/she will inform the Contracting Officer of said selections and provide the facilities contact information for each location.

Contracting Authority to Perform	Contracting Officer to perform	Service
☐	☒	Hire judges, alternate judges, and clerks that, in the opinion of the Contracting Officer, are sufficiently trained for the Contracting Authority's election. In order to comply with the Texas Election Code, workers must be registered voters from within one of the jurisdictions holding the election. [Cost: Base cost of \$10 per hour per worker. If Contracting Officer is unable to locate workers who reside within the territorial boundaries of the Contracting Authority or otherwise meet all Election Code requirements he may hire qualified county employees who will be paid at their normal overtime rate. Additionally, it is the Contracting Officer's practice to pay any worker who serves more than 40 hours in a given pay week, time and a half for the hours served in excess of 40 hours. If the Contracting Officer is to hire the election workers the Contracting Authority agrees to abide by this policy.]
	☒	Elections Mobile App: One of the services provided to all entities contracting elections with Galveston County Elections is to include information about said election on the County's Elections Mobile Application. Depending on the size of the entity the Contract Authority will be charged up to \$500 for this service. [Cost: Minimum: \$250 up to \$500]
The Contracting Officer will notify the Election Judges of the dates of the election and any subsequent runoff election as required by Texas Election Code §4.007. Otherwise the Contracting Authority shall perform this service. [No additional cost]		
The cost for all printed ballots (including ballots by mail, sample ballots for polling locations, and test ballots for use in the Logic and Accuracy testing) is \$.25 per ballot.		
Ballots by Mail: The Contracting Officer will provide ballot by mail services to the Contracting Authority. The cost for this service is \$3.00 per ballot sent to a voter within the Contracting Authority's jurisdiction. If a multi-page ballot is required the cost will be \$3.50 per ballot. This service includes sending the voter an application for a ballot by mail, processing said application, providing the voter with the appropriate ballot, postage costs and all the associated envelopes and printed materials other than the actual ballot.		
☒ Accept	☐ Decline	The Contracting Authority may have an observer present during the tabulation of the votes. If Contracting Authority desires an observer it will, prior to Election Day, provide the Contracting Officer with the name and contact information of the person who will represent them at the Central Counting Station.

3. Compensation, Billing, and Payment.

Pursuant to Texas Election Code §31.100 the fees charged by the Contracting Officer are the actual expenses incurred in providing the various services contained herein.

During this election cycle the Contracting Officer will be hiring two part time election judges to assist in preparation of the election, answering inquiries from polling locations, and post election duties. As noted in paragraph 2.13, the Contracting Authority shall pay \$150 per Early Voting and Election Day polling location within its jurisdiction to help defray the \$8,500 cost of hiring this part time help.

If the Contracting Officer is hiring the election workers for the Contracting Authority the following is agreed:

(1) The base rate of pay for each worker who has attended training is \$10 per hour and the base pay for any clerk who has been unable to attend training is \$8 per hour.

(2) If any election worker serves more than 40 hours during a normal pay week (*Thursday through Wednesday*) they will be paid time-and-a-half for each hour served over 40 during that pay week.

(3) If the Contracting Officer is unable to locate qualified election workers who reside within the Contracting Authority's territorial boundaries the Contracting Officer is authorized to hire qualified County employees who meet all Election Code requirements at their normal overtime rate. In signing this agreement the Contracting Authority agrees to reimburse the Contracting Officer for the payment of election workers as outlined in this paragraph.

In accordance with Section 31.100 (d) of the Texas Election Code the Contracting Authority will pay Contracting Officer the greater of Seventy-Five (\$75.00) Dollars or ten percent (10%) of the total amount of this contract for general supervision of the election.

Pursuant to Texas Election Code §31.098, Contracting Officer may contract with third persons for election services and supplies agreed to herein and the Contracting Authority hereby agrees to pay for these third party costs when invoiced by the Contracting Officer.

Contracting Officer will invoice Contracting Authority for services rendered under this Contract. Contracting Authority will make payment to Contracting Officer in accordance with the terms and provisions of what is commonly referred to as the Texas Prompt Payment Act.

4. Voting System.

The Hart Intercivic 6.1 E-Slate System owned by Galveston County will be the voting system used by Contracting Officer in providing services under this Contract.

5. Authorized Representatives.

Contracting Officer's Authorized Representative for all purposes of this Contract is its' Chief Deputy Clerk for Elections.

The Contracting Authority's Authorized Representative for all purposes of this Contract is

Bobby Hocking (Name) Mayor 409-9389259 (Phone).

6. General Provisions.

As specified in Texas Election Code §31.096 this Contract may not change:

(1) the authority with whom applications of candidates for a place on a ballot are filed;

(2) the authority with whom documents are filed under Texas Election Code §251.001 et. seq.; or

(3) the authority to serve as custodian of voted ballots or other election records.

As set forth in Texas Election Code §31.099 not later than the 10th day after the date this Contract is executed the Contracting Officer shall file a copy of this Contract with the County Treasurer and the County Auditor.

7. WAIVER OF DAMAGES. The parties acknowledge that the Hart Intercivic 6.1 ESlate System and the programming of paper ballots is highly technical and that it is conceivable that despite the efforts of the Contracting Officer it might fail during an election or might contain errors. The Contracting Authority agrees that should the electronic voting system fail, it will not make any claim against the Contracting Officer, the County of Galveston, or any of their full or part-time employees, independent contractors or agents for damages of any kind, including but not limited to any and all costs relating to an election contest and/or costs and damages incurred for having to conduct a second election caused as a result of such failure or error.

The Contracting Authority acknowledges that holding multiple simultaneous elections presents logistical problems and other problems over and above a single election. The Contracting Officer and his employees and agents will attempt to help ensure that these simultaneous elections are conducted without error or mishap, but on occasion, errors or mishaps do occur. Accordingly, the Contracting Authority agrees that should an error or mishap occur that it will not make any claim against the Contracting Officer, the County of Galveston, or their full or part-time employees, independent contractors or agents for damages of any kind including but not limited to any and all costs relating to an election contest and/or costs and damages incurred by the Contracting Authority for having to conduct a second election, as a result of such error or mishap.

If legal action is filed against the Contracting Authority involving its election and if, the County and/or the Contracting Officer is named as a party to this legal action and the complaint is based solely on allegations made against the Contracting Authority, the Contracting Authority shall be solely responsible for all costs and defense of that suit. In addition, Contracting Authority shall be required to provide adequate legal counsel for the County and/or the Contracting Officer and, upon notice to the Contracting Authority and/or County shall be entitled to settle such claim or legal action upon terms it deems most advantageous to itself.

For purposes of implementing this Contract, the Contracting Officer and the Contracting Authority designate the following individuals, and whenever the Contract requires submissions of information or notice to the Contracting Officer or the Contracting Authority, submissions or notices shall be made to these individuals:

Contracting Officer:

Dwight Sullivan, County Clerk
Attention: William Sargent, Chief Deputy Clerk for Elections
Galveston County Justice Center
600 59 th Street, Suite 2001
Galveston, TX 77551-4180
409-770-5108
Email: William.Sargent@co.galveston.tx.us

Contracting Authority:

Bobby Hocking Mayor
City of La Marque

Phone: 409-938-9259

Email: CityClerk@CityofLaMarque.org

Although the parties recognize that pursuant to §31.092 of the Texas Election Code this Contract need not be submitted to the Galveston County Commissioners' Court to be placed on the Consent Agenda as a Receive and File Item, they find it prudent so to do.

8. Galveston County Title VI Assurance Clause

Galveston County is committed to ensuring that no person, on the ground of race, color, national origin, religion, sex, age, disability or Veteran status, shall be subjected to discrimination, excluded from participation, or denied the benefits of, its programs and activities.

In accordance with this policy, it requires its service providers and contractors, to agree that during the performance of this contract, the service provider or contractor, for itself, its assignees and successors will abide by the following:

Compliance with Non-Discrimination Laws and Regulations

During the performance of this contract, contractor, for itself, its assignees and successors in interest (hereinafter referred to as "contractor") agrees as follows:

(1) Compliance with Regulations. The contractor shall comply with the Regulations relative to nondiscrimination in Federally-assisted programs of the Department of Transportation (hereinafter, DOT) Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time (hereinafter referred to as the Regulations), which are incorporated herein by reference and made a part of this contract.

(2) Nondiscrimination. The contractor, with regard to the work performed by it during the contract, shall not discriminate on the basis of race, color, national origin, religion, sex, age, disability or Veteran status in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by Section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.

(3) Solicitations for Subcontractors, Including Procurement of Materials and Equipment. In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurement of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, national origin, religion, sex, age, disability or Veteran status.

(4) Information and Reports. The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information and its facilities as may be determined by the Galveston County or the Texas Department of Transportation to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish this information the contractor shall so certify to Galveston County or the Texas Department of Transportation as appropriate, and shall set forth what efforts it has made to obtain the information.

(5) Sanctions for Noncompliance. In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, Galveston County shall impose such contract sanctions as it or the Texas Department of Transportation may determine to be appropriate, including, but not limited to:

- (a) withholding of payments to the contractor under the contract until the contractor complies, and/or
- (b) cancellation, termination, or suspension of the contract, in whole or in part.

(6) Incorporation of Provisions. The contractor shall include the provisions of paragraphs (1) through (6) in every subcontract, including procurement of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any

subcontract or procurement as Galveston County or the Texas Department of Transportation may direct as a means of enforcing such provisions including sanctions for non-compliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request Galveston County to enter into such litigation to protect the interests of Galveston County, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

[The Rest of This Page has Intentionally Been Left Blank.]

Executed this _____ day of _____, 20__.

Contracting Officer:

Dwight D. Sullivan

Contracting Authority:

Name: Bobby Hocking
Mayor
() City Manager (☒) Mayor
() Superintendent () President
() Chair County Executive Committee
() City Secretary () Other

Received and Filed:

Galveston County

Hon. Mark Henry
County Judge
Attest:

Dwight D. Sullivan
County Clerk

Date: _____

Date Copy of Agreement Furnished
to County Treasurer: _____

Date Copy of Agreement Furnished
to County Auditor: _____



CITY COUNCIL AGENDA FORM

Meeting Date: January 9, 2017

Prepared by: Gerald Grimm

Department: Fire Department

Agenda item: 6c

Reviewed by: *Carol Buttler*

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding the award of Bid **LM# 09-17** to Siddons-Martin Emergency Group for Fire Apparatus Maintenance and Repair Services in the amount of \$35,000.00 for one (1) year from date of award with two (2) additional one (1) year automatic renewal periods if mutually agreed upon.

☒

Attachments for reference

1. Bid Tab
2. Bid Submittal

STAFF BRIEFING:

- Siddons-Martin was the only bidder out of seven (7) vendors solicited for bid responses.
- Bid LM# 09-17 was mailed out to (7) Fire Apparatus Repair Facilities to solicit bid responses on October 12, 2016.
- Invitation to bid LM# 09-17 was placed on City website until received on October 26, 2016.
- Historically given our location and limited number of qualified Fire Apparatus Repair Facilities, vendors have chosen not to bid.
- Siddons-Martin Emergency Group continues to provide exceptional service, emergency repairs, after hours, weekends, holidays, and on-site repairs when necessary.
- Vendor is local, specializing in fire apparatus repair and maintenance services.
- Siddons-Martin Emergency Group is a South Western US Regional Corporation since 1974.
- Bid award recommendation has been reviewed by the Finance Department

HISTORY:

- **Original bid awarded by Council 10-14-2013 for one (1) year with two (2) one (1) year renewal periods.**

TARGET IMPLEMENTATION: December 13, 2016

SIGNIFICANT ACTION DATES:

October 14, 2013 – original bid awarded by Council.

October 13, 2014 – Council authorized one (1) year renewal.

October 28, 2015 – Council authorized one (1) year renewal



CITY COUNCIL AGENDA FORM

ACTION:

- | | |
|---|---|
| ☐ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☒ Other – Bid Award 12-13-2016 - 12-12-2017 | |

- ☒ Mark if this item does not conflict with any Resolution, Ordinance or City Charter

Cost Details:	
Budgeted	\$40,000.00
Actual Bid	See submission
Estimated Expenditure	\$35,000.00
Acct. Name(s)	Repair & Maintenance Motor Vehicles
Line Items #	01-3030-06-00
Other Funding	NA

STAFF'S RECOMMENDATION: Motion to award **Bid LM# 09-17** to Siddons-Martin Emergency Group for Fire Apparatus Maintenance and Repair Services in the amount of \$35,000.00 for one (1) year from date of award with two (2) additional one (1) year automatic renewal periods if mutually agreed upon.

FISCAL IMPACT: \$35,000.00

BID TAB

LM 09-17 FIRE APPARATUS MAINTENANCE

Siddons Martin Emergency Group	See attachment.
Metro Fire Apparatus Specialists	No Response.
Heitman Truck Repair	No Response.
Walker Diesel Services	No Response.
Stewart Stevenson	No Response.
Stewart Stevenson	No Response.
Cummins Southern Plains	No Response.

RECEIVED
BY: Kristina Alcazar
DATE: 10/26/16

Siddons-Martin Emergency Group

Protecting the Community

Siddons-Martin Emergency Group Response to City of La Marque RFP for Annual/Preventative Maintenance on Fire Apparatus

Overview

Siddons-Martin Emergency Group is fully equipped to handle all of your fire apparatus service and repair needs for all makes and models of fire apparatus.

Siddons-Martin Emergency Group is the combination of Martin Apparatus, Inc. and Siddons Fire Apparatus, Inc. The joining of these two companies was effective April 18, 2013. The combination of the two companies provides our customers with access to service and repair needs throughout the state of Texas. All service activities are billed through Martin Apparatus, Inc. d/b/a Siddons-Martin Emergency Group during the transition of the formal name change of the company.

Martin Apparatus has been in business since 1974 and Siddons Fire has been in business since 1998. Combined the two companies have 12 service centers throughout the states of Texas, Louisiana, and New Mexico.

Each Siddons-Martin Emergency Group service center is staffed with EVT and ASE certified mechanics and receive updated training on the major component manufacturers used in fire apparatus today, including Hale, Waterous, Akron, Harrison and Hendrickson. This list is by no means comprehensive.

Siddons-Martin Emergency Group also provides EVT and ASE field technicians in order to provide in the field service 24 hours a day, 7 days per week.

Siddons-Martin Emergency Group currently operates 12 service centers with a combined staff of over 40 service technicians available to keep our customer's apparatus in service.

As indicated in the City of La Marque Request for Proposal, the focus of this project is to provide for the service and repair of the fire apparatus of the City along with scheduled preventative maintenance necessary to keep the fleet in service.

Apparatus Covered

Siddons- Martin Emergency Group performs all ranges of maintenance and repair service on mini pumpers, full size pumpers, tankers, aerial apparatus, and rescue vehicles. Service and repairs include necessary work for body, cab, emergency equipment, emergency lighting, water pump, electrical, driveline, chassis, brakes, steering, diagnosis, engine, transmission and cooling system. We have the ability to service an entire fire apparatus from bumper to tail board.

Apparatus to be covered by this proposal are as follows:

E-1 2010 Pierce 1500 GPM

E-2 1997 Pierce 1500 GPM

R-1 1992 KMC 1500 GPM

PREVENATIVE MAINTENANCE COST AND SERVICES

For Pumpers, Rescues, and Mini-Pumpers

Annual Maintenance: An annual maintenance includes changing engine oil, oil filter(s), fuel filter(s), check condition and top off transmission fluid level, (change fluid and filter if mileage or if oil conditions are warranted), check and top off differential fluid level, (change if mileage or oil conditions are warranted), complete chassis and valve lubrication, check condition and top off pump fluid level, check condition and top off engine coolant (change if mileage or conditions are warranted), change engine air filter, check condition and top off power steering fluid level, check condition and top off brake fluid level (if applicable), check and top off windshield washer fluid, inspect all hoses and belts, change all hydraulic filters, check fluid condition and top off, check and top off priming tank reservoir (if applicable), check condition of tires and adjust air pressures, lubricate all door hinges and compartment door hardware, perform electrical, hydraulic and air systems checks, inspect wiper blade condition, road test apparatus, inspect all DOT and emergency lighting, check batteries and alternator output. Perform 104-point visual inspection with written report and estimates for needed repairs. Replacement of air filter is not included in pricing.

Cost: In Shop – \$ 1,395.00

An additional charge of \$500.00 will be applied for Synthetic Transmission Fluid Changes when required.

Estimated Service Time: An Annual Maintenance Service normally takes 2 days to complete unless additional repairs are required.

Semi Annual Maintenance: *“Recommended every 6 months depending upon operational use of the vehicle”*

A Semi Annual Preventative Maintenance includes performing a 104-point visual inspection report identifying needed/recommended repairs. Services performed include changing engine oil and oil filter(s); a check of the transmission, pump, differential and coolant fluid levels; and a complete chassis lubrication.

Cost: In Shop – \$ 795.00

ADDITIONAL PREVENATIVE MAINTENCE COST AND SERVICES OFFERED

Annual Foam System Maintenance: An annual maintenance includes changing system fluid and filters check for concentrate or water in the drain oil, clean system strainers, screens and flush. Test system for proper operation and present written estimates for needed repairs when required.

Cost: \$250.00

Annual Generator System Maintenance: An annual maintenance includes changing the fluid and filters. Test system for proper operation and present written estimates for needed repairs when required.

Cost: \$250.00

Annual Air System Maintenance: An annual maintenance includes changing the filter and purge valve. Test the system for proper operation and present written estimates for needed repairs when required.

Cost: \$250.00

Annual Pump Testing: An annual pump test includes picking up the apparatus, testing, certification and returning the apparatus to City facility.¹

Cost: \$589.00

Wheel off Brake Inspection: A wheel off brake inspection by request only.

Cost: \$400.00

REPAIR COST AND SERVICE (EXCLUDING PM COST)

We will provide repairs services to the City of La Marque at the following rates:

HOURLY LABOR RATES

Labor is calculated on an hourly rate per job and broken down by individual labor operations. Labor rates are the same regardless of make, model or manufacturer of apparatus. Normal business hours are 7:30 a.m. to 4:30 p.m.

<u>In Shop Labor Rate:</u>	<u>\$111.50 per hour (normal business hours)</u>
<u>Field Service Rate:</u>	<u>\$116.50 per hour (normal business hours)</u>
<u>After-Hours Field Service Rate:</u>	<u>\$116.50 per hour (after normal business hours)</u>
<u>Holiday Call out Rate:</u>	<u>\$126.50 per hour</u>
<u>Travel Rate</u>	<u>\$75.00 per travel hour</u>

PARTS

Parts will be charged to the City at cost multiplied times 1.67. This cost factor remains the same regardless of origin of the part. The cost factor of the parts includes our costs for storage, shipping, travel, research and credit line terms to be able to provide parts necessary for your apparatus. As requested by the City we will provide copies of vendor invoices for verification of the amount charged.

Siddons-Martin strives to use our volume purchasing to reduce costs of commonly acquired parts, supplies and miscellaneous items used in the repair of apparatus. Any discount we receive is passed along to the customer by using the discount price as the cost price for determining the cost to be charged to the City.

REFERENCES

Siddons-Martin performs Annual Maintenance Services for the following departments. This list is by no means comprehensive.

1. Friendswood Volunteer Fire Department
Assistant Chief Mike Jankowski
281-996-3360
2. Pearland Fire Department
Chief Vance Riley
281-997-5851
3. Marathon Petroleum
Chief Thomas Lyke
409-943-7086

CONFLICT OF INTEREST QUESTIONNAIRE

Siddons-Martin Emergency Group has no known conflicts of interest with the City of La Marque's Administration as outlined in the Fire Apparatus Maintenance and Repair Service Bid Packet.

ORDINANCE NO. O-2016-0020

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, REPEALING CHAPTER 8, ANIMAL CONTROL, OF THE CODE OF ORDINANCES, CITY OF LA MARQUE, TEXAS, AND IN ITS PLACE ADOPTING A NEW CHAPTER 8 TO REGULATE BIRDS, LIVESTOCK, ANIMALS, EXOTIC ANIMALS, DOGS, CATS, KENNELS, PUBLIC NUISANCES; PROVIDING OWNERSHIP; PROVIDING ENFORCEMENT; ESTABLISHING A PENALTY; ALLOWING NO PRE-EXISTING DESIGNATIONS; REPEALING CONFLICTING PROVISIONS; AND PROVIDING SEVERABILITY.

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

That Chapter 8, Article II, Livestock, of the Code of Ordinances, City of La Marque, Texas, is hereby amended to read as follows:

SECTION 1.

That Chapter 8, Animal Control, of the Code of Ordinances, City of La Marque, is hereby repealed.

SECTION 2.

That a new Chapter 8, Animal Control, of the Code of Ordinances, City of La Marque, Texas, is hereby adopted which reads as follows:

“Chapter 8. Animal Control.

Article I. In General.

Sec. 8-1. City designated as bird sanctuary.

The entire area embraced within the corporate limits of the city is hereby designated as a bird sanctuary.

Sec. 8-2. Trapping, shooting, etc., of birds or wildfowl.

It shall be unlawful for any person to trap, hunt, shoot, molest or attempt to shoot in any manner any bird or wildfowl, or to rob bird nests or wildfowl nests in the city.

Section 8-3. Definitions.

Livestock shall include, regardless of age, sex or breed, horses and all equine species, including

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Ordinance No. O-2016-0020

mules, donkeys and jennies; cows and all bovine species; sheep and all ovine species; and llamas, *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; and llamas, goats and all caprine species.

Animal shall mean, but not be 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.

Run at large, running at large, or at large shall mean any canine, feline or animal, livestock or fowl, not under direct physical (no verbal) control of its owner or keeper, on the streets, sidewalks, or other public property and on private property other than the owner's or keeper's property. 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 (Agricultural District) property for the purpose of grass or weed control.

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

Sec. 8-4. Livestock.

(a) It shall be unlawful for any person to own, harbor or keep any livestock or fowl within the city limits except on property zoned AG (Agricultural District).

(b) Livestock and fowl in an AG District 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.

Sec. 8-5. Keeping of swine prohibited.

It shall be unlawful for any person to keep swine, including "pot-bellied pigs", "micro pigs", and swine by any other designation within the city.

Section 8-6. Public Nuisance Prohibited.

(a) It shall be unlawful for any owner to 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 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 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 causing a frequent or long-continued noise plainly audible at a distance of 50 feet or more.

(4) Any building, room, cage, yard, run or any other place or facility where animals are kept or harbored, except commercial animal establishments, 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 nuisance.

Sec. 8-7. Kennels; location 500 feet from occupied dwellings.

(a) It shall be unlawful for any person to maintain or construct a kennel or animal shelter as defined in this section within 500 feet of a dwelling, school or church with the following exceptions:

(1) The owner or operator may locate within the distance limitation;

(2) Distance limitation may be reduced to 100 feet when all residents and property owners within 500 feet sign a verified statement waiving the 500 foot distance requirement.

(b) In no event shall such kennel or animal shelter create a nuisance because of noise, smell or any other reason.

(c) A “kennel” is defined as follows: any premises, including animal shelters, wherein any person keeps, harbors, possesses, or maintains more than four (4) dogs or four (4) cats or a combination of said animals within the total number exceeding four (4) over three (3) months old, except licensed veterinarian clinics.

(d) An “animal shelter” is defined as follows: a facility that keeps or legally impounds stray,

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Ordinance No. O-2016-0020

homeless, abandoned or unwanted animals.

Sec. 8-8. Number of dogs and cats limited.

(a) *Private premises.* It shall be unlawful for any person to keep, harbor, possess, maintain or allow to be kept, harbored, possessed or maintained more than four (4) dogs or four (4) cats or a combination of said animals with the total number exceeding four (4), over three (3) months old, upon or within any premises owned, occupied or under the control of such person within the city except where specifically exempt in subsection 8-8(c).

(b) *Multiple dwellings.* It shall be unlawful for any person to keep, harbor, possess, maintain or allow to be kept, harbored, possessed or maintained more than two dogs or two cats or a combination of said animals with the total number exceeding two (2), over three (3) months old, upon any premises or within any apartment of a multiple dwelling structure within the city. The county animal control district and/or the city police department shall have full authority to limit the number of dogs, cats and any and all other animals per apartment in any specific area of the complex, or in the multiple dwelling complex as a whole and the county animal control district and/or the city police department and/or code compliance officer shall have the authority to enforce any such regulation as they may deem necessary for the control of rabies and for the health and safety of the people within such multiple dwelling complexes.

(c) *Exemptions.* The provision of this section limiting the number of animals shall not apply to the following:

- (1) Veterinary hospitals;
- (2) Pet shops;
- (3) Kennels;
- (4) Circuses; and
- (5) Animal shelters.

Sec. 8-9. Defecation by dogs and cats.

It shall be unlawful for any person to fail to promptly remove and dispose of, in a sanitary manner, feces left by a dog or cat being handled by that person on property, public or private, other than the premises of the owner or handler of such dog or cat. For the purposes of this section, "handler" means the person having custody and control of such dog or cat, whether by leash or voice and sight. Further, it shall be unlawful for any person to walk a dog or cat on public property or the private property of someone other than the owner or handler of such dog or

cat without having in their possession a container or other instrument suitable for the removal and disposal of such animal's feces in a sanitary manner. This section shall not, however, apply to handicapped person using guide dogs or to peace officers while using animals in the discharge of law enforcement activities.

Sec. 8-10. Ownership of any animal.

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

Sec. 8-11. Enforcement.

The provisions of this chapter shall be enforced by the City of La Marque Code Compliance Officer, City of La Marque Police Department, and/or Galveston County Animal Control.

Sec. 8-12. Penalty for Violation.

Any person convicted of violating any provision of this chapter shall be punished as prescribed in Section 1-7 of this Code.

SECTION 3.

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

SECTION 4.

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.

SECTION 5.

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 on first reading this the 12th day of December, 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

Chapter 8 - ANIMAL CONTROL^[1]

Footnotes:

--- (1) ---

State Law reference— Health and safety of animals, V.T.C.A., Health and Safety Code § 821.001 et seq.; rabies control, V.T.C.A., Health and Safety Code § 826.001 et seq.; municipality may adopt rabies control chapter of state law, V.T.C.A., Health and Safety Code § 826.013; municipality may establish local rabies control program, V.T.C.A., Health and Safety Code § 826.015; municipal authority to require restraint of dogs and cats, V.T.C.A., Health and Safety Code § 826.033(a)(1); registration of dogs and cats, V.T.C.A., Health & Safety Code § 826.031 et seq.; vaccination of dogs and cats required, V.T.C.A., Health and Safety Code § 826.016; vaccination requirement, 25 Tex. Admin. Code § 169.29; disposition of domestic animals exposed to rabies, 25 Tex. Admin. Code § 169.30; report of potential human exposure to rabies, 25 Tex. Admin. Code § 169.25; quarantine method and testing, 25 Tex. Admin. Code § 169.27; treatment of live birds, V.T.C.A., Health and Safety Code § 821.003; dangerous wild animals, V.T.C.A., Health and Safety Code § 822.101 et seq.; subchapter of state law does not preempt municipal regulation or prohibition of dangerous wild animals, V.T.C.A., Health and Safety Code § 822.116(b); local regulation of dangerous dogs, non-breed specific, V.T.C.A., Health and Safety Code § 822.047.

ARTICLE I. - IN GENERAL

Sec. 8-1. - City designated as bird sanctuary.

The entire area embraced within the corporate limits of the city is hereby designated as a bird sanctuary.

(Code 1972, § 4-1; Ord. No. 167, § I)

Sec. 8-2. - Trapping, shooting, etc., of birds or wildfowl.

Except as otherwise provided in section 8-3, it shall be unlawful for any person to trap, hunt, shoot, molest or attempt to shoot in any manner any bird or wildfowl, or to rob bird nests or wildfowl nests in the city.

(Code 1972, § 4-2; Ord. No. 167, § II)

Sec. 8-3. - Starlings and similar birds constituting nuisance.

If starlings or similar birds are found to be congregating in such numbers in a particular locality that they constitute a nuisance or menace to health or property in the opinion of the health officer, the health officer shall meet with representatives of any local Audubon Society, bird club, garden club or Humane Society and attempt to determine a satisfactory method to abate such nuisance. If as a result of such meeting no satisfactory alternative is found to abate such nuisance, then such birds may be destroyed in such numbers and in such manner as is deemed advisable by the health officer, under the supervision of the chief of police.

(Code 1972, § 4-3; Ord. No. 167, § II)

Charter reference— Authority of council to define and prohibit nuisances, § 1.10.

Sec. 8-4. - Keeping of nondomesticated or exotic animals prohibited; exceptions.

- (a) It shall be unlawful for any person to keep or maintain any nondomesticated or exotic animal within the city. The term "exotic animal" shall be taken to mean any animal that is not indigenous to Galveston County, Texas, except monkeys.
- (b) This section shall not apply to the showing or exhibition of any animal as part of and in connection with any circus or carnival.

(Code 1972, § 4-4; Ord. No. 307)

Sec. 8-5. - Keeping of monkeys.

All monkeys kept within the city shall be subject to the provisions of article II of this chapter, relating to canine animals, it being the intention of the city council that all of the provisions of such article relating to canine animals shall apply to monkeys.

(Code 1972, § 4-4.1; Ord. No. 307)

Sec. 8-6. - Keeping of swine prohibited.

It shall be unlawful for any person to keep **swine** within the city.

(Code 1972, § 4-5)

Sec. 8-7. - Penalty for violations of chapter.

Any person convicted of violating any provision of this chapter shall be punished as prescribed in section 1-7 of this Code.

(Code 1972, § 4-6)

Sec. 8-8. - Keeping animals and **fowl** within 100 feet of an occupied building under certain conditions prohibited.

It shall be unlawful for any person to maintain or keep any animal or fowl within 100 feet of an occupied building in such a manner as to create noise or conditions of sanitation which are offensive, disturbing or annoying to persons of normal sensibilities, or in a manner which unreasonably interferes with such person's normal habits and mode of living.

(Code 1972, § 4-7; Ord. No. 478)

Sec. 8-9. - Kennels; location 500 feet from occupied dwellings.

- (a) It shall be unlawful for any person to maintain or construct a kennel or animal shelter as defined in this section within 500 feet of a dwelling, school or church with the following exceptions:
 - (1) The owner or operator may locate within the distance limitation;

- (2) Distance limitation may be reduced to 100 feet when all residents and property owners within 500 feet sign a verified statement waiving the 500-foot distance requirement.
- (b) In no event shall such kennel or animal shelter create a nuisance because of noise, smell or any other reason.
- (c) A "kennel" is defined as follows: any premises, including animal shelters, wherein any person keeps, harbors, possesses, or maintains more than four dogs or four cats or a combination of said animals within the total number exceeding four over three months old, except licensed veterinarian clinics.
- (d) An "animal shelter" is defined as follows: a facility that keeps or legally impounds stray, homeless, abandoned or unwanted animals.

(Code 1972, § 4-8; Ord. No. 923, § 4-8, 7-14-2003)

Sec. 8-10. - Running at large prohibited.

- (a) *At large—Riding in vehicle.* No owner or keeper of any dog or cat shall permit or allow such dog or cat to run at large within the limits of the city. The owner or keeper of any animal running at large or not confined shall be in violation of this section.
- (b) *Same—Animal establishment.* Any animal off the premises of an animal establishment or outside the approved confinement area within said animal establishment without written approval from the animal control officer shall be considered at large and a violation of this section.
- (c) *At large on private property.* Any dog or cat found trespassing or running at large upon any private property may be taken up by any person and delivered to the regulatory authority.

(Ord. No. 974, § 1, 12-11-2006)

Sec. 8-11. - Number of dogs and cats limited.

- (a) *Private premises.* It shall be unlawful for any person to keep, harbor, possess, maintain or allow to be kept, harbored, possessed or maintained more than four dogs or four cats or a combination of said animals with the total number exceeding four, over three months old, upon or within any premises owned, occupied or under the control of such person within the city except where specifically exempt in subsection 8-11(d).
- (b) *Multiple dwellings.* It shall be unlawful for any person to keep, harbor, possess, maintain or allow to be kept, harbored, possessed or maintained more than two dogs or two cats or a combination of said animals with the total number exceeding two, over three months old, upon any premises or within any apartment of a multiple dwelling structure within the city. The county animal control district and/or the city police department shall have full authority to limit the number of dogs, cats and any and all other animals per apartment in any specific area of the complex, or in the multiple dwelling complex as a whole and the county animal control district and/or the city police department shall have the authority to enforce any such regulation as they may deem necessary for the control of rabies and for the health and safety of the people within such multiple dwelling complexes.
- (c) *Litters.* Only one litter from animals permitted under subsections 8-11(a) and (b) of this chapter shall be allowed at any given time.
- (d) *Exemptions.* The provision of this section limiting the number of animals shall not apply to the following:
 - (1) Veterinary hospitals;
 - (2) Pet shops;
 - (3) Kennels;

- (4) Circuses; and
- (5) Animal shelters.

(Ord. No. 974, § 1, 12-11-2006)

Sec. 8-12. - Defecation by dogs or cats.

It shall be unlawful for any person to fail to promptly remove and dispose of, in a sanitary manner, feces left by a dog or cat being handled by that person on property, public or private, other than the premises of the owner or handler of such dog or cat. For the purposes of this section, "handler" means the person having custody and control of such dog or cat, whether by leash or voice and sight. Further, it shall be unlawful for any person to walk a dog or cat on public property or the private property of someone other than the owner or handler of such dog or cat without having in their possession a container or other instrument suitable for the removal and disposal of such animal's feces in a sanitary manner. This section shall not, however, apply to handicapped person using guide dogs or to peace officers while using animals in the discharge of law enforcement activities.

(Ord. No. 974, § 1, 12-11-2006)

Sec. 8-13. - 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.
- (b) All of the following 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 which turns over garbage containers or scatter garbage or which otherwise damage private or public property.
 - (2) Any dog, cat, livestock or fowl, running at large.
 - (3) Any animal kept on premises and not under control by loud and unusual barking, whining or howling in an excessive, continuous or untimely fashion in which the peace and quiet of the neighborhood and occupants of the adjacent premises are disturbed.
 - (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.

(Ord. No. 974, § 1, 12-11-2006)

Sec. 8-14. - Enforcement and liability generally.

The provisions of this chapter shall be enforced by the county animal control district or their delegated representative and/or the city police department. It shall be a violation of this chapter to interfere with the county animal control district's representative and/or the city police department in the performance of their duties.

(Ord. No. 974, § 1, 12-11-2006)

Sec. 8-15. - Penalty.

Whenever in this Chapter an act is prohibited or is made or declared to be unlawful or whenever in such Chapter the doing of an act is required or the failure to do any act is declared to be unlawful, the violation of any such provisions of this Chapter shall be punished by a fine of not less than \$50.00, nor more than the maximum allowed by law. Each violation and each day each violation of this Chapter continues shall constitute a separate offense.

(Ord. No. 974, § 1, 12-11-2006)

Sec. 8-16. - Chaining or tethering of dogs prohibited; size of dog enclosures.

- (a) Any person owning and/or controlling dogs whether vaccinated or unvaccinated, licensed or unlicensed, shall not allow said animal to be tied or chained to dog houses or other stationary objects.
- (b) No person shall, at any time, fasten, chain, or tie any dog or cause such dog to be fastened, chained or tied while such dog is on the dog owner's property, or on the property of the dog owner's landlord, or on any property within the limits of the city.
- (c) Any dog confined within a fenced yard must have an adequate space for exercise based on a dimension of at least 150 square feet per dog. Provided, further that where dogs are kept or housed on property without a fenced yard, the owner of such dogs or persons have custody of such dogs shall provide an enclosure for such dogs meeting the 150 square foot per dog dimensions. Such enclosure shall be constructed of chain link or similar type materials with all four sides enclosed. The enclosure shall be sufficient height to prevent the dog from escaping from such enclosure. The top of such enclosure shall be covered with materials to provide the dog with shade and protection from the elements.
- (d) Nothing in this section shall be construed to prohibit owners or others walking dogs with a hand-held leash.
- (e) Nothing in this section shall be construed to prohibit owners from allowing dogs to be attached to overhead runs (i.e. leash or chain attached to an overhead wire at least ten feet long that allows the dog to move unheeded.)

(Ord. No. 1051, 7-25-11)

Secs. 8-17—8-36. - Reserved.

ARTICLE II. - LIVESTOCK

Sec. 8-37. - Livestock not to run at large.

It shall be unlawful for any owner or keeper to allow or permit any cow, horse, mule, goat, sheep or any other livestock of any character to run at large. Any livestock found to be running at large may be impounded by the police department. A fee of \$50.00 will be charged on each animal impounded. There shall also be a \$10.00 per day per animal care fee. All fees shall be paid in full prior to the release of the animal.

(Code 1972, § 4-19; Ord. No. 588)

Sec. 8-38. - Duty of poundmaster upon impoundment.

The health officer or other police officer who may be acting as poundmaster, shall deliver to the owner, after proper evidence of ownership is given him, each animal impounded by him, provided that such owner shall pay all charges which may have accrued against such animal.

(Code 1972, § 4-20; Ord. No. 588)

Sec. 8-39. - Sale of redeemed, impounded animals—Authorized notice.

After the expiration of five days after any animal may have been impounded, if the owner of such animal shall not have appeared and redeemed such animal, the health officer shall advertise the same for sale at public auction on a date not earlier than five days after the first publication of such advertisement. Each such advertisement shall describe the animal to be sold as clearly as possible, shall name the date on which such animal was impounded, shall state the amount of the pound fees which have accrued against such animal, and shall name a definite day and hour at which the same is to be sold. All notices of sales of impounded animals shall be posted for the full period of five days in some two public places within the city.

(Code 1972, § 4-21; Ord. No. 588)

Sec. 8-40. - Same—Procedure.

At each sale of unredeemed, impounded animals, the health officer shall sell for cash only and to the highest bidder and shall deliver to the purchaser a bill of sale in the name of the city which shall have impressed thereon by the city clerk the corporate seal of the city, and shall be signed by both the city clerk and the health officer.

(Code 1972, § 4-22; Ord. No. 588)

Sec. 8-41. - Same—Disposition of receipts.

In the event of the sale of any animal which has been impounded, the health officer shall deduct from the price of said animal obtained at said sale the full amount of such lawful fees and charges as shall have accrued prior to the sale. The remainder of such sale price shall be delivered by the health officer to the city finance officer. Such money so paid to the city finance officer shall be held by the city finance officer in a separate account for a period of one year from the date of such sale, and if the owner of any animal so sold shall appear within the year and establish his ownership to the satisfaction of the city finance officer, the full amount so held shall be delivered to such claimant upon his executing a receipt for the amount and a full release of all claims against the city for the value of the animal. In the event that such money be not claimed within one year by a person who can show his ownership, then the full amount of such money shall be placed in the general fund of the city.

(Code 1972, § 4-23; Ord. No. 588)

Sec. 8-42. - Records to be kept by the poundmaster.

The master of the city pound shall keep a book in which he shall carefully record the following information concerning each animal which may be impounded therein, to wit:

- (1) The date on which such animal was impounded;
- (2) The name of the owner, if known;
- (3) A full and clear description of the animal;
- (4) The date on which such animal was discharged from the pound;

- (5) The name of the person to whom delivered;
- (6) The date on which such animal was advertised for sale;
- (7) The places where notices of sale were posted;
- (8) The number of days that notices were posted before sale;
- (9) The price at which such animal was sold;
- (10) The person to whom sold and his place of residence;
- (11) The amount of charges accrued against such animal before sale; and
- (12) The amount of charges accrued before delivery to owner.

(Code 1972, § 4-24; Ord. No. 588)

Sec. 8-43. - Liability of owners of impounded animals.

The payment of pound fees shall not exempt the owner, or person in control of any animals impounded from prosecution under the provisions of this chapter.

(Code 1972, § 4-25; Ord. No. 588)

Sec. 8-44. - Disposition of impounded animals not sold.

If at the time of the sale of any animal impounded under the provisions of this article, no purchaser can be found, then the pound officer shall kill or otherwise dispose of such animal in a manner approved by the health officer. In the event the animal is killed, the poundmaster shall dispose of the carcass of the animal in such place and manner as may be designated by the city commission.

(Code 1972, § 4-26; Ord. No. 588)

Item 8a.

Presentation/Discussion/possible action
regarding status report of Revitalization
Program

Agenda Form and Backup will be given
out at the dais on Monday



CITY COUNCIL AGENDA FORM

Meeting Date: January 9, 2017
 Prepared by: Robin Eldridge
 Department: City Clerk

Agenda item: 9a
 Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding **Resolution No. R-2017-001**, calling for the General Election to be held on May 6, 2017 to elect one Councilmember for District “B” and one Councilmember for District “D”, each for a three (3) year term.

☒ Attachments for reference
 1. Resolution

STAFF BRIEFING: According to the Election Calendar for a City’s General Election the recommended time for Calling and Posting a Notice of Election is January 18, 2017 through February 17, 2017.

HISTORY:

- According to the City Charter, Councilmembers may be elected to three (3) year terms.
- Councilmember in District “B” and Councilmember District “D” are up for election in the upcoming May 6, 2017 Election.

TARGET IMPLEMENTATION: January 9, 2017

SIGNIFICANT ACTION DATES:

January 9, 2017 – Resolution to call for the City of La Marque’s General Election and to contract with Galveston County to conduct the General Election and Run-off (if need be)

January 18, 2017 – First day for filing for a place on the ballot

February 17, 2017 – Last day for filing for a place on the ballot

April 24, 2017 – First day for Early Voting by personal appearance

May 2, 2017 – Last day for Early Voting by personal appearance

May 6, 2017 – Election Day

ACTION:

☐ Ordinance ☒ Resolution
☐ Proclamation ☐ Special Presentation
☐ Finance Report ☐ Public Hearing
☐ Other

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

Cost Details:	
Budgeted	\$36,000.00
Actual Bid	
Estimated Expenditure	\$
Acct. Name	Election costs
Line Items #	01-4021-07-00
Other Funding	NA



CITY COUNCIL AGENDA FORM

STAFF'S RECOMMENDATION: Motion to approve Resolution **R-2017-001**, calling for the General Election to be held on May 6, 2017 to elect one Councilmember for District "B" and one Councilmember for District "D", for a three (3) year term.

FISCAL IMPACT: This amount will depend on how many entities will be having an election, after the filing period ends.

Some may be able to cancel their elections.

The cost is split between the County and the entities that will be holding their elections.

RESOLUTION R-2017-001

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, CALLING THE GENERAL ELECTION TO BE HELD ON MAY 6, 2017 AND ADMINISTERED BY THE GALVESTON COUNTY ELECTIONS ADMINISTRATOR ON MAY 6, 2017, FOR THE PURPOSE OF ELECTING THE POSITION OF ONE (1) COUNCILMEMBER (DISTRICT "B") AND ONE (1) COUNCILMEBER (DISTRICT "D"), TO THE LA MARQUE CITY COUNCIL FOR A THREE (3) YEAR TERM; DESIGNATING LOCATIONS OF POLLING PLACES; DESIGNATING FILING DEADLINES; ORDERING NOTICES OF ELECTION TO BE GIVEN AS PRESCRIBED BY LAW IN CONNECTION WITH SUCH ELECTION

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

Section 1. An election is hereby called to be held on May 6, 2017, for the purpose of electing two (2) Councilmembers, one Councilmember from City Council District "B" and one from City Council District "D".

Section 2. Early voting by personal appearance will be conducted at the City of La Marque Community Room, 1109-B Bayou Road, La Marque, Texas, beginning on Monday, April 24, 2017 through Friday, April 28, 2017, with the polls being upon from 8:00 a.m. to 5:00 p.m., and from 7:00 a.m. to 7:00 p.m. on Monday, May 1, 2017 and Tuesday, May 2, 2017.

Early Voting by mail shall be conducted by the Early Voting Clerk for Galveston County.

Applications for ballots by mail must be received no later than the close of business on Tuesday, April 25, 2017. Applications must be sent to:

Galveston County Elections Administration Office
Attn: Elections Coordinator (Early Voting Clerk)
P.O. Box 17253
Galveston, Texas 77552-4253

Dwight Sullivan, County Clerk Galveston County or his designee shall serve as the Presiding Judge of the Central Counting Station.

Section 3. The Election Day polling place where qualified voters shall cast ballots at such location in the City of La Marque 2017 General Municipal Election is as follows:

La Marque City Hall Community Room
1109-B Bayou Road
La Marque, Texas 77568

**** There will be several other polling places, established once the filing period ends, since the Elections Services Contract with Galveston County is considered a Local Entity Countywide Vote Center Election**

Election polls shall be open from 7:00 a.m. until 7:00 p.m. on the date of the election.

Section 4. Candidates must file for a specific place and adhere to the filing deadlines accordingly. Candidate packets will be available in the City Clerk's office on the first day the filing period begins. The candidates filing periods for the General Election for City Council Districts B and D; are as follows:

Filing dates for the position of City Council Districts "B" and "D"

Beginning: January 18, 2017 at 7:30 a.m.

Ending: February 17, 2017 at 5:00 p.m.

Candidates must file in the City Clerk's Office located at 1111 Bayou Road, La Marque, Texas 77568.

Section 5. The City Clerk is hereby authorized and directed to publish and/or post, in the time and manner prescribed by law, all notices required to be so published and/or posted in connection with the conduct of this election. Galveston County Election Officer shall designate the election judges for the election. The election, including providing Notice of the Election, shall be conducted in accordance with the Texas Election Code and other applicable law, and all resident qualified and registered voters of the City shall be eligible to vote at the election.

PASSED, APPROVED AND ADOPTED by the City Council of the City of La Marque on this the _____ day of January, 2017.

CITY OF LA MARQUE, TEXAS

Bobby Hocking
Mayor

ATTEST:

Robin Eldridge
City Clerk

APPROVED AS TO FORM:

Ellis Ortego, City Attorney



CITY COUNCIL AGENDA FORM

Meeting Date: January 9, 2017

Agenda item: 9b

Prepared by: Robin Eldridge

Reviewed by: Carol Buttler

Department: Cemetery Board

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding adopting **Ordinance No. O-2017-001**, approving new the La Marque Cemetery Rules and Regulations as recommended by the La Marque Cemetery Board **THIS IS THE FIRST READING**

☒ X

1. Ordinance
2. Rules & Regulations (w/attachments A & B)
3. Current Ordinance

STAFF BRIEFING:

- The Cemetery Board has been meeting and discussing possible changes to the current La Marque Cemetery Rules and Regulations that the members believe are necessary.
- The Board believes they have come to a consensus for changes and are ready to recommend to City Council for approval.
- Some changes are minor and some are for clarification.
- No fees are changing
- City Attorney has reviewed and approved the Ordinance

HISTORY: The last time that changes were made and approved by City Council to the La Marque Cemetery Rules and Regulations, were on November 14, 2011.

TARGET IMPLEMENTATION: After the second and final reading of the ordinance.

SIGNIFICANT ACTION DATES:

4.7.2016 – Cemetery Board met and made a few changes to the La Marque Cemetery Rules and Regulations

5.5.2016 – Cemetery Board met and made a few changes to the La Marque Cemetery Rules and Regulations

10.6, 2016 – Cemetery Board met and approved the final version of the changes made to the La Marque Cemetery Rules and Regulations and recommended the changes be presented to City Council

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



CITY COUNCIL AGENDA FORM

ACTION:

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

Other Funding	
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STAFF'S RECOMMENDATION: Motion to adopt Ordinance No. **O-2017-001** approving new La Marque Cemetery Rules and Regulations as recommended by the La Marque Cemetery Board **THIS IS THE FIRST READING**

FISCAL IMPACT: Depends on activity.

ORDINANCE NO. O-2017-001

AN ORDINANCE OF THE CITY OF LA MARQUE, TEXAS, AMENDING CHAPTER 2, ADMINISTRATION, ARTICLE IX, LA MARQUE CEMETERY BOARD, SECTION 2.314, OF THE CODE OF ORDINANCES, CITY OF LA MARQUE, TEXAS, TO ADD RULES AND REGULATIONS AS DESCRIBED IN ATTACHMENT “A”; AMENDING APPENDIX “A” SCHEDULE OF FEES AND CHARGES OF THE CODE OF ORDINANCES OF THE CITY OF LA MARQUE, TEXAS, BY ADDING GRAVESITE AND BURIAL FEES AS DESCRIBED IN ATTACHMENT “B” AS PRESCRIBED BY THE CEMETERY BOARD.

WHEREAS, the Cemetery Board approved certain rules and regulations and fees at its meeting on October 6, 2016; and

WHEREAS, such rules and regulations and fees must be approved by City Council to be enforceable. **NOW, THEREFORE**

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

SECTION 1. All of the above premises and findings of fact are found to be true and correct and are incorporated into the body of this Ordinance as if copied herein in their entirety.

SECTION 2. That Chapter 2, Administration, Article IX, La Marque Cemetery Board, Section 2.314, of the Code of Ordinances, City of La Marque, Texas, is hereby amended to read as follows:

“Section 2.314. Duties, Rules and Regulations and Fees.

(a) The Cemetery Board shall prescribed rules and regulations for the operation of the cemetery, and shall set a price for grave sites and cemetery services fees, provided that all such rules and regulations and charges shall first be approved by the City Council. Such rules and regulations as are so promulgated and approved shall be administered by City Employees under

the direction of the City Manager and the Cemetery Board shall exercise no administrative authority over such employees of the City.

(b) The La Marque Cemetery Rules and Regulations and fees promulgated by the Cemetery Board on October 6, 2016, attached hereto as Attachments “A” and “B” are hereby adopted.”

PASSED AND ADOPTED on first reading this the ____ day of _____, 2017.

PASSED, APPROVED AND ADOPTED on the second and final reading this the _____ day of _____, 2017.

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor

ATTEST:

Robin Eldridge, TRMC
City Clerk

APPROVED AS TO FORM:

Ellis J. Ortego, City Attorney

ATTACHMENT “A”

LA MARQUE CEMETERY RULES AND REGULATIONS (updated October 2016)

I. BURIAL REGULATION

No interment shall be made in the La Marque Cemetery by any firm, person or corporation without first obtaining a burial permit from the City Clerk. The fee for the burial permit (refer to fee schedule - Attachment “B”). The burial permit shall be in a form or certificate, prescribed by the City Clerk and shall contain the following information:

1. Name and age of person to be interred.
2. Place and date of death of the person to be interred.
3. Plot and grave site in cemetery, crypt or vault therein where remains are to be interred.
4. Name of person, firm or corporation to whom permit is issued.
5. Date of issuance of permit.
6. Name and address of undertaker.

After receiving the form, the certificate will be issued to the Funeral Home. The original of the permit shall be filed with the City Clerk and one copy to the Funeral Director. Funeral Home shall be required to place a temporary marker at grave made of steel or aluminum.

The permit requirements herein contained shall be in addition to the report of death by Funeral Director or burial transit permits required by law.

II. PLOTS AND GRAVE SITES

Purchase of Gravesites: Gravesites may be purchased from the City upon payment (refer to fee schedule – Attachment “A”). Purchases will only be made from the Southeast Quadrant. The City Clerk shall execute all deeds of conveyance to cemetery lots or gravesites in the name of the City (conveying the exclusive right to sepulture). Reissue of any deed will include any City or County fees. Such deeds shall be subject to the rules and regulations herein contained and all future rules and regulations that may be promulgated by the Cemetery Board and the City Council and shall further contain a provision that no cemetery lot or grave site may be conveyed, assigned or transferred by any purchaser from the City without prior consent of the City Cemetery Board. Consent to such re-sale shall not be given by the Cemetery Board in instances where it shall be determined that the cemetery lot or gravesite was purchased in the first instance for speculation or resale. Burial sites will be marked by authorized personnel.

III. INTERMENTS AND DISINTERMENTS

Every grave shall be excavated to state requirements. The opening and closing of each grave and the excavation to provide minimum coverage below the earth's surface, is the responsibility of the Funeral Home. No remains of any deceased person shall be removed from any gravesite except upon written order of the Texas Department of Health or upon written request of authorized relatives of the deceased person. A copy of the order from the Texas Department of Health and/or written request by relatives shall be delivered to the City Clerk and maintained as part of the cemetery records. No remains shall be removed without prior consent of the Cemetery Board in conformity with the provisions of § 771.004 off the Health and Safety Code. (Cemetery Board and the City of La Marque shall be held harmless)

It shall be the responsibility of any person, firm or corporation removing any remains from the Cemetery to keep and maintain a true and correct record showing the following information:

1. Date the remains were removed
2. The name and age of person at death
3. The plot and space where the remains were removed
4. The cemetery, plot and space in which such remains were buried

If there should be disposition of such remains other than by interment a record shall be made and kept of such disposition. Such person, firm or corporation shall deliver to the City Clerk two (2) copies of the true, full and complete records of the disposition of the remains.

Only one interment shall be made in a grave, except a mother and infant, or two (2) children in one coffin, when such children are of the same family or two cremated remains in a grave.

IV. MAINTENANCE

- (1) All work done on grave sites or plots shall be done under the direction of the Cemetery Board or custodian of the Cemetery.
- (2) No enclosure of any nature such as fences, copings, hedges, ditches, flower beds or other means of marking boundaries of lots or graves shall be used, except granite corner stones, and total concrete covers, the same to be set even with the surface of the ground and only with the authority of the Cemetery Board.
- (3) No trees, shrubs, plants or flowers shall be planted other than in conformity with the general landscape plan, and the same shall not be planted, pruned or removed without the consent of the Cemetery Board. Flower plantings are allowed at either side of upright monuments providing they are of a nature not to extend onto surrounding grave spaces. The cemetery reserves the right to trim or remove such

- shrubbery should they extend over the adjoining grave space. No shrub will be allowed on non-monument spaces. Acting for the best interests of the cemetery, the Cemetery Board shall have the authority to prune, remove or transplant any tree, shrub, plant, flower or anything upon the property when the Board may consider such course necessary.
- (4) No part of any lot or grave shall be graded above the established grade.
 - (5) No marker, monument, tomb, vault or portion thereof above ground shall be of material other than marble, granite or bronze and shall face the front of the gravesite unless otherwise authorized by the Cemetery Board. Monument placement must be approved and flagged by city personnel. Markers shall not exceed width and length of the gravesite.
 - (6) The foundation of all monuments, tombs and vaults must be of solid masonry or concrete of sufficient size and depth for super structure in accordance with industry standards. The design and specifications of monuments, mausoleums, tombs or vaults must first be submitted to the Cemetery Board for approval. The placing or setting of the work shall not be allowed without the consent of the Cemetery Board.
 - (7) Adornments on memorials or grave spaces are prohibited. Adornments include but are not limited to glass, ceramic, cement, cloth, wood, paper, plastic placards, balloons, pinwheels, windsocks, etc.
 - (8) Floral regulations are for the benefit of the families, park beautification and cemetery maintenance. Funeral flowers will be removed three days after service. One arrangement per interment space is allowed all year long. Types of flowers allowed are silks, plastic, fresh cut or pot plants. During mowing season, March 15 – October 15, no artificial flowers or pot plants are allowed. In addition to the one arrangement, special floral arrangements may be brought out for a two day period during the holiday season. Holidays include: Christmas, Easter, Memorial Day, Mother's Day and Father's Day. All "seasonal" arrangements may be removed by the cemetery 10 days following the holiday.
 - (9) Alcoholic beverages, cooking and picnicking are prohibited in the Cemetery.
 - (10) A copy of the Rules and Regulations for La Marque Cemetery shall be given to each person purchasing a cemetery lot.
 - (11) La Marque Cemetery is open from dawn to dusk.

The above mentioned rules are not intended to discriminate against race, religion or creed but for the beautification of the Cemetery.

ATTACHMENT “B”

SCHEDULE OF THE LA MARQUE CEMETERY FEES

Burial Permit -----	\$50.00
Gravesite Purchase -----	\$500.00
Filing of Cemetery Deed -----	Current filing fees with County
Transfer of Cemetery Deed -----	Current filing fees with County

ARTICLE IX. - LA MARQUE CEMETERY BOARD**Sec. 2-312. - Creation.**

There is hereby created a cemetery board for the city, which shall consist of five members to be appointed by the city council. The function of the cemetery board shall be to oversee the operation of the city cemetery and to maintain standards and conditions in the cemetery that will make it an attractive and properly managed burial ground, and to otherwise assist the city council in maintaining the cemetery. In addition to the five regular members of the cemetery board, the city council shall appoint one of its members as ex-officio member of the board.

(Ord. No. 1033, § 2, 5-10-10)

Sec. 2-313. - Term and membership.

The cemetery board shall elect a president and secretary from among its membership. Board members shall serve for two year terms, beginning June 1. Vacancies on the cemetery board shall be filled by appointment by the city council. Lot drawings shall be held to determine which of the board members shall serve initial two year terms.

(Ord. No. 1033, § 2, 5-10-10)

Sec. 2-314. - Duties.

The cemetery board shall prescribe rules and regulations for the operation of the cemetery, and shall set a price for grave sites and cemetery service fees, provided that all such rules and regulations and charges shall first be approved by the city council. Such rules and regulations as are so promulgated and approved shall be administered by city employees under the direction of the city manager and the cemetery board shall exercise no administrative authority over such employees of the city.

(Ord. No. 1033, § 2, 5-10-10)

Sec. 2-315. - Penalty.

Any person, firm or corporation which shall violate any rules or regulations established by the cemetery board and approved by the city council shall be guilty of misdemeanor and shall upon conviction be fined not less than \$5.00 nor more than \$200.00.

(Ord. No. 1033, § 2, 5-10-10)



CITY COUNCIL AGENDA FORM

Meeting Date: January 9, 2017

Prepared by: Les Rumburg

Department: Development Services

Agenda item: 9c

Reviewed by: *Carol Buttler*

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding adopting Ordinance No. **O-2017-002**, amending Chapters 14 and 29 of the Code of Ordinances by adoption of the 2012 Editions of the International Fire Code, International Building Code, International Residential Code, International Property Maintenance Code, International Plumbing Code, International Mechanical Code, and International Fuel Gas Code; adding local amendments to the adopted codes; designating the Fire Chief as Fire Code Official; establishing the Building Standards Commission as the Board of Appeals for these Codes; providing a saving and severability clause; providing a penalty, and repealing all previous editions in conflict **THIS IS THE FIRST READING**

X

Attach for reference

1. Ordinance
2. Attachment – Exhibit “A”
3. Minutes, December 13th Regular Meeting Planning Commission
4. Minutes, December 28th Special Meeting, Building Standards Commission

STAFF BRIEFING:

- The City of La Marque has been operating under the 2002 International Building Code (as well as the others)
- Many developers and contractors are already implementing newer versions of building standards into their projects
- Staff has been active in preparing this update for several months
- By updating these Codes, staff will be better prepared to inspect and approve the higher standards which will provide a community-wide benefit by updating developmental standards

HISTORY:

- 2002 Code adopted

TARGET IMPLEMENTATION: After second reading of Ordinance

SIGNIFICANT ACTION DATES:

December 13, 2016 – Regular Meeting, Planning Commission.

December 28, 2016 – Special Meeting, Building Standards



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-2017-002**, amending Chapters 14 and 29 of the Code of Ordinances by adoption of the 2012 Editions of the International Fire Code, International Building Code, International Residential Code, International Property Maintenance Code, International Plumbing Code, International Mechanical Code, and International Fuel Gas Code; adding local amendments to the adopted codes; designating the Fire Chief as Fire Code Official; establishing the Building Standards Commission as the Board of Appeals for these Codes; providing a saving and severability clause; providing a penalty, and repealing all previous editions in conflict **THIS IS THE FIRST READING**

FISCAL IMPACT: None

ORDINANCE NO. O-2017-002

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, AMENDING CHAPTERS 14 AND 29 OF THE CODE OF ORDINANCES TO ADOPT THE 2012 EDITIONS OF THE INTERNATIONAL FIRE CODE, INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL PROPERTY MAINTENANCE CODE, INTERNATIONAL PLUMBING CODE, INTERNATIONAL MECHANICAL CODE, AND INTERNATIONAL FUEL GAS CODE; ADDING LOCAL AMENDMENTS TO THE ADOPTED CODES; DESIGNATING THE FIRE CHIEF AS THE FIRE CODE OFFICIAL; ESTABLISHING THE BUILDING STANDARDS COMMISSION AS THE BOARD OF APPEALS FOR THESE ADOPTED CODES; PROVIDING A SAVING AND SEVERABILITY CLAUSE; PROVIDING A PENALTY AS PROVIDED BY SECTION 1-7 OF THE CODE OF ORDINANCES AND REPEALING ALL ORDINANCES ADOPTING AND AMENDING PREVIOUS CODE EDITIONS IN CONFLICT HERewith.

WHEREAS, the Texas Legislature has adopted the 2001 International Residential Code, the National Electrical Code, and the 2003 International Building Code as the municipal building codes of the state (Tex. Loc. Gov't Code §§ 214.212, 214.214 & 214.216); and

WHEREAS, the City may establish procedures to adopt more recent editions and local amendments to the building codes, and may review and consider amendments made to the codes adopted by the state; and

WHEREAS, the City procedure for the adoption of local amendments to the building code is 1) for the City's Building and Standards and Planning and Zoning Commissions to consider and provide a recommendation of local amendments; and 2) to hold a public hearing on the proposed local amendments at a regular city council meeting; and

WHEREAS, the City Council has considered the recommendations of its Commissions and conducted a public hearing on the proposed local amendments. **NOW, THEREFORE**

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

SECTION 1. That the following sections of the Code of Ordinances, City of La Marque, Texas, are hereby amended to read as follows, consistent with the adoption of the 2012 International Fire Code:

Sec. 29-5 - Code adopted; penalty for violation.

“(a) The 2012 edition of the International Fire Code and Appendix chapter's C and D, and I, as published by the International Code Council, a current copy of which is on file with the office of the city clerk, is hereby adopted as the fire code of the city as if fully set out in this section, with the additions, insertions, deletions and changes prescribed in sections 29-8 and 29-9, and declared operative and binding within the corporate limits of the city.

(b) If a section of the International Fire Code conflicts with any other requirement of an adopted code or other City ordinance, the most restrictive section shall control.”

(c) Any person, firm, or corporation violating the terms of the fire code shall be guilty of a misdemeanor and punished by a fine up to \$2,000.00. Each day that any violations of, or failure to comply with, this article is committed or permitted to continue shall constitute a separate and distinct offense under this section.”

Sec. 29-8 – Permit fees.

“(a) As stated in the 2012 International Fire Code, Sections 105.7.1 through 105.7.12, two types of permits will be required; operational and construction. All operational permits shall be valid for 12 months from the date of issuance. All construction permits shall be valid for a period of time as determined by the fire code official.

(b) Permit fees shall be required and fees applied to the extent set forth:

(1) *Fire code plan review fee schedule.*

(2) *Fire code inspection services fee schedule.*

(3) *Temporary operation permits.*

a. Hot work operations as required.....\$50.00

1. Public exhibitions and demonstrations

2. Use of portable hot work equipment inside a structure.

3. Fixed site hot work equipment inside a structure.

4. Hot work conducted in a hazardous area.

5. Application of roof coverings with the use of an open flame device.

b. Open burning as required.....\$50.00

c. Trench burning as required.....\$100.00

d. Pyrotechnic special effects material for use and handling or pyrotechnic special effects material as required.....\$100.00

e. Temporary membrane structures, tents and canopy - to erect an air supported temporary membrane structure or a tent having an area in excess of 200 sq. ft. or a canopy in excess of 400 sq. ft.\$75.00

(4) *Re-inspection fees for certificate of occupancy inspections or annual certificate of occupancy maintenance inspection.* When it has been determined that a fire hazard or violation exists in or upon the property, structure, vehicle, system or process, and the period of time given to correct the fire hazard or violation has expired, the fire official or authorized representatives shall conduct a re-inspection. If after the inspection the violations still exist a re-inspection fee will be imposed.

a. *Second re-inspection fee:* A re-inspection fee of \$50.00 shall be charged for the second re-inspection. This fee shall be paid to the fire marshal's office before the inspection is conducted.

b. *Third re-inspection fee:* A re-inspection fee of \$200.00 shall be charged for the third and subsequent re-inspections. The fee shall

be paid to the fire marshal's office before the inspection or subsequent inspections are conducted.”

And that the Code of Ordinances, City of La Marque, Texas is hereby amended by adding the following section, to be numbered 29-9, which said section reads as follows:

“Sec. 29-9 – Revisions to fire code.

The following sections of the code adopted in Section 29-7 are hereby revised.

Section 103.2. Is amended to read as follows: The *fire code official* shall be the fire chief or the fire chief’s designee.

Section 105.6, including subsections, is deleted in its entirety, and amended to read as follows: Operational permits shall be required for the following activities, unless otherwise directed by the *fire code official*:

- a. Hot work operations as required
 1. Public exhibitions and demonstrations
 2. Use of portable hot work equipment inside a structure.
 3. Fixed site hot work equipment inside a structure.
 4. Hot work conducted in a hazardous area.
 5. Application of roof coverings with the use of an open flame device.
- b. Open burning as required
- c. Trench burning as required
- d. Pyrotechnic special effects material for use and handling or pyrotechnic special effects material as required
- e. Temporary membrane structures, tents and canopy - to erect an air supported temporary membrane structure or a tent having an area in excess of 200 sq. ft. or a canopy in excess of 400 sq. ft.
- f. Other operational permits as required by the City of La Marque Code of Ordinances.

Section 903.2.8. Group R is hereby adopted with changes to read as follows: An *automatic sprinkler system* installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R *fire area, including multi-family structures, townhouses, tri-plex and quad-plex (four-plex) apartments with no minimum square footage and regardless of any fire rated walls, shall have a fire sprinkler system installed, when they contain three or more dwelling units. This section shall not apply to “detached single-family dwelling units” and “two-family dwelling units”, as defined in Sec. 71-4 of the Code of Ordinances of the City of La Marque.*

Appendix C is amended as follows.

Section C103.1, C105 and Table C105.1 are deleted and amended to read: The minimum number of fire hydrants available to a building shall not be less than 1 hydrant per every 4,000 square feet of floor area. Additional hydrants shall be required for a complex or subdivision if the average spacing between hydrants is greater than 500 feet when applied to fire

apparatus access roads and perimeter public streets from which fire operations could be conducted. Regardless of the average spacing, fire hydrants shall be located such that all points on streets and access roads adjacent to a building are within 250 feet.

Appendix D is amended as follows.

Section D103.1 is amended to read: The minimum road width shall be as specified in Section 29-41 of the City of La Marque Code of Ordinances.

Section D103.4, Table D103.4, and Figure D103.1 are deleted and amended to read: Dead-end fire apparatus access roads in excess of 100 feet shall be provided with a turnaround of minimum radius as specified in Section 29-41 of the City of La Marque Code of Ordinances.

Section D103.6, including subsections, is deleted in its entirety. Fire Lane signs shall comply with Section 29-41 of the City of La Marque Code of Ordinances.”

And that the code reference in the following section of the Code of Ordinances, City of La Marque, Texas, is hereby amended to read as follows, consistent with the adoption of the 2012 International Fire Code:

Sec. 14-279. - "Substandard buildings or structures" constituted and defined.
“All buildings, or structures, which have any or all of the following defects or lack of facilities shall be deemed substandard buildings:
(3) All buildings or structures which constitute or in which are maintained fire hazards ~~as that term is defined in the Standard Building Code in~~ violation of the fire code, as adopted by the City of La Marque, Texas.”

And that the code references in the following sections of the Code of Ordinances, City of La Marque, Texas, are hereby amended to read as follows, consistent with designation of the fire code official as part of the adoption of the 2012 International Fire Code:

“Sec. 29-31. - Office of fire marshal, ~~created independent of other departments~~
The office of fire marshal is hereby created. ~~Such office shall be considered the deputy chief of fire prevention overseeing functions of the certified fire safety inspectors of the fire department.~~ The fire marshal reports directly to the ~~city manager~~ fire chief or the ~~city manager's~~ fire chief's designee. The fire marshal shall be hired as a uniformed member of the fire department in accordance with the standard procedures of any applicable collective bargaining agreement.

Sec. 29-32. - Appointment, qualifications and removal.
The fire marshal shall be duly qualified for the duties of the office. ~~The fire marshal shall serve at the direction, control, and at the will of the city manager.~~”

SECTION 2. That the following sections of the Code of Ordinances, City of La Marque, Texas, are hereby amended to read as follows, consistent with the adoption of the 2012 International Building Code:

Sec. 14-21. - Building code.

“(a) The International Building Code, 2012 edition, as published by the International Code Council, is hereby adopted as if fully set out in this section, with the additions, insertions, deletions and changes prescribed in section 14-22, on file with the office of the city clerk, as the building code of the city for regulating and governing the conditions and maintenance of all property, buildings and structures by providing the standards for: supplied utilities and facilities and other physical things and conditions essential to ensure that structures are safe, sanitary and fit for occupation and use; the condemnation of buildings and structures unfit for human occupancy and use and the demolition of such structures; and the issuance of permits and collection of fees.

(b) If a section of the International Building Code conflicts with any other requirement of an adopted code or other City ordinance, the most restrictive section shall control.

(c) Any reference throughout the City of La Marque Code of Ordinances to ”building code” or ”building codes” shall be deemed to reference all applicable codes adopted under this chapter and the fire code adopted by the City of La Marque.”

Sec. 14-22. - Revisions to building code.

“The following sections are hereby revised:

Section 101.1. Insert: City of La Marque

Section 103.1. Is deleted in its entirety.

Section 103.2. Is amended to read: “The *building official* shall be appointed by the city manager.”

Section 1612.3. Insert: City of La Marque

Section 1612.3. Insert: February 16, 1983

Section 3410.2. Insert: March 1, 2017 “effective date of building codes”

SECTION 3. That the following sections of the Code of Ordinances, City of La Marque, Texas, are hereby amended to read as follows, consistent with the adoption of the 2012 International Residential Code:

Sec. 14-23. - Residential code.

“(a) The International Residential Code, 2012 edition, including Appendix chapters M, N, O, P , as published by the International Code Council, is hereby adopted as if fully set out in this section, with the additions, insertions, deletions and changes prescribed in section 14-24, as the residential code of the city for regulating and governing the construction, alteration, movement, enlargement, replacement, repair, equipment location, removal and demolition of detached single- and two-family dwellings and multiple single-family dwellings

(townhouses) not more than three stories in height with separate means of egress as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said residential code on file in the office of the city clerk.

(b) If a section of the International Residential Code conflicts with any other requirement of an adopted code or other City ordinance, the most restrictive section shall control.”

Sec. 14-24. - Revisions to residential code.

“The following sections of the residential code adopted in Section 14-23 are hereby revised.

Section R101.1. Insert: City of La Marque

Section R103.1. Is deleted in its entirety.

Table R301.2 (1). Insert the following as a single chart:

Ground Snow Load	Wind Speed (mph)	Seismic Design Category	Subject to Damage From				Winter Design Temp	Ice Shield Underlayment Required
			Weathering	Frost Line Depth	Termite	Decay		
0	120 b or c	A	Negligible	6"	Very heavy	Slight to moderate	32	No
Flood Hazards					Air Freezing Index		Mean Annual Temp	
Ord. No. 660 11-30-87 2-16-83 Firm and FBFM					9		69.9	

Section P2603.5.1. Insert: six inches (6")

Section P2603.5.1. Insert: eighteen inches (18")”

Sec. 14-26. - Article not to affect any suit, etc.

“Nothing in this article or in the building codes hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Ord. No. 955; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this article.”

SECTION 4. That the Code of Ordinances, City of La Marque, Texas is hereby amended by adding the following sections, to be numbered 14-28 and 14-29, which said sections read as follows, consistent with the adoption of the 2012 International Property Maintenance Code:

“Sec. 14-28. – Property Maintenance code

(a) The International Building Code, 2012 edition, including appendix chapter A, as published by the International Code Council, is hereby adopted as if fully set out in this section, with the additions, insertions, deletions and changes prescribed in section 14-29, as the property maintenance code of the city and pursuant to Chapters 214 and 54 of the Texas Local Government Code to provide the minimum standards for all structures within the corporate limits of the city, a copy of which is on file with the office of the city clerk..

(b) If a section of the International Property Maintenance Code conflicts with any other requirement of an adopted code or other City ordinance, the most restrictive section shall control.

Sec. 14-29. – Revisions to property maintenance code.

The following sections of the code adopted in Section 14-28 are hereby revised.

Chapter 1 is replaced with Exhibit A showing amendments and deletions to that chapter, attached to this ordinance and incorporated herein by reference.

Section 302.4. Is deleted in its entirety.

Section 304.14. Is amended to require ventilation screens year round.

Section 602.3. Insert: November 1, February 28

Section 602.4. Insert: November 1, February 28”

SECTION 5. That the following sections of the Code of Ordinances, City of La Marque, Texas, are hereby amended to read as follows, consistent with the adoption of the 2012 International Plumbing Code:

Sec. 14-187. - Plumbing code adopted; applicability.

“(a) The International Plumbing Code , 2012 edition, as published by the International Code Council and as amended is hereby adopted as the plumbing code for all nonresidential construction and buildings in the city, all installations, including alterations, repairs and replacement of plumbing piping, fittings, fixtures, equipment and appurtenances, which may be connected to the city water or sewerage system shall be regulated in accordance with said International Plumbing Code (2012) on file in the office of the city clerk are hereby adopted as if fully set out in this section, with the additions, insertions, deletions and changes prescribed in sections 14-188 through 14-202.

(b) Plumbing regulations and requirements within the International Residential Code constitute the plumbing code for residential construction.

(c) If a section of the International Plumbing Code adopted in subsection (a) conflicts with any requirement in sections 14-188 through 14-202 of this article, the most restrictive section shall control.”

Sec. 14-201. - Shutoff valves.

“Location of shutoff valves within the International Plumbing Code shall be amended by adding the following to Section P606.2:

4. Multifamily dwellings, including single- and two-family dwellings where multiple buildings are located on the same lot, shall be required to provide an accessible shutoff valve at each building.”

And that the Code of Ordinances, City of La Marque, Texas is hereby amended by adding the following section, to be numbered 14-188, which said section reads as follows:

“Sec. 14-188. - Revisions to plumbing code.

The following sections of the code adopted in Section 14-187 are hereby revised.

Section P101.1. Insert: City of La Marque

Section P108.4. Amended to read as follows: Any person, firm, or corporation violating the terms of the plumbing code shall be guilty of a misdemeanor and punished by a fine up to \$2,000.00. Each day that any violations of, or failure to comply with, this article is committed or permitted to continue shall constitute a separate and distinct offense under this section.

Section P108.5. Last sentence is amended to read as follows: Any person who shall continue any work in or about the structure after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not more than two thousand dollars (\$2,000).

Section P305.6.1. Insert: six inches (6")

Section P305.6.1. Insert: eighteen inches (18")

Section P903.1. Insert: six inches (6")”

SECTION 6. That the following sections of the Code of Ordinances, City of La Marque, Texas, are hereby amended to read as follows, consistent with the adoption of the 2012 International Fuel Gas Code:

Sec. 14-228. - Adoption of code.

“The International Fuel Gas Code, 2012 edition, as published by the International Code Council, is hereby adopted as if fully set out in this section, with the additions, insertions, deletions and changes prescribed in section 14-229, on file in the office of the city clerk, as the gas code for the city. All installations of gas piping shall be installed and regulated in accordance with this code.

And that the Code of Ordinances, City of La Marque, Texas is hereby amended by adding the following section, to be numbered 14-229, which said section reads as follows:

“Sec. 14-229. – Revisions to Fuel Gas Code

The following revisions are made to the International Fuel Gas Code adopted in section 14-228.

When wrought steel and wrought iron pipe are used outside of buildings, they shall be epoxy-coated and wrapped at the joints according to local gas company specifications.

Section 101.1, Insert: City of La Marque.

Section 106.6.2 and 106.6.3 amended to read as follows: The fee for work schedule shall be as provided for by City Code.

Section 108.4 Class C, Misdemeanor.

Section 108.5 \$2,000.00.”

SECTION 7. That the following sections of the Code of Ordinances, City of La Marque, Texas, are hereby amended to read as follows, consistent with the adoption of the 2012 International Mechanical Code:

Sec. 14-250. - Adoption of code.

“The International Mechanical Code 2012 edition, as published by the International Code Council, is hereby adopted as if fully set out in this section, with the additions, insertions, deletions and changes prescribed in section 14-251, as the mechanical code for the city, a copy of which is on file in the office of the city clerk.”

SECTION 8. That the Building Standards Commission shall be the Board of Appeals as referenced by any code adopted by this ordinance.

SECTION 9. That this Ordinance repeals the above sections of the City’s Code of Ordinances to the extent that said sections are inconsistent or in conflict with this Ordinance, but not otherwise.

SECTION 10. That in the event any section, paragraph, subdivision, clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance 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 of 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, or whether there be one or more parts.

SECTION 11. That this Ordinance shall be in full force and effect from and after its passage and its publication, as provided by law.

PASSED AND APPROVED on first reading this the ____ day of _____, 2016.

PASSED, APPROVED AND ADOPTED on the Second and Final reading this the ____ day of _____, 2017.

CITY OF LA MARQUE, TEXAS

Bobby Hocking
Mayor

ATTEST:

Robin Eldridge, TRMC
City Clerk

APPROVED AS TO FORM:

Ellis J. Ortego,
City Attorney

Exhibit A

CHAPTER 1

SCOPE AND ADMINISTRATION

PART 1 — SCOPE AND APPLICATION

SECTION 101 GENERAL

[A] 101.1 Title. These regulations shall be known as the *International Property Maintenance Code of the City which has adopted it, including any additions, deletions, or changes*, hereinafter referred to as “this code.”

[A] 101.2 Scope. The provisions of this code shall apply to all existing residential and nonresidential structures and all existing *premises* and constitute minimum requirements and standards for *premises*, structures, equipment and facilities for light, *ventilation*, space, heating, sanitation, protection from the elements, life safety, safety from fire and other hazards, and for safe and sanitary maintenance; the responsibility of *owners, operators and occupants*; the *occupancy* of existing structures and *premises*, and for administration, enforcement and penalties.

[A] 101.3 Intent. This code shall be construed to secure its expressed intent, which is to ensure public health, safety and welfare insofar as they are affected by the continued *occupancy* and maintenance of structures and *premises*. Existing structures and *premises* that do not comply with these provisions shall be altered or repaired to provide a minimum level of health and safety as required herein.

[A] 101.4 Severability. If a section, subsection, sentence, clause or phrase of this code is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this code.

SECTION 102 APPLICABILITY

[A] 102.1 General. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall govern. Where differences occur between provisions of this code and the referenced standards, the provisions of this code shall apply. Where, in a specific case, different sections of this code or a section of this code and another requirement of the City specify different requirements, the most restrictive shall govern.

[A] 102.1.1 Treatment of Apartment Complexes For the purposes of this code, an apartment complex shall be treated as a single structure if common areas fail to be maintained in violation of the International Property Maintenance Code, as adopted and amended by the city. All other buildings on the same premises of an apartment complex shall be treated as a single structure. Common stairwells and walkways of each building shall be common areas for purposes of this code.

[A] 102.2 Maintenance. Equipment, systems, devices and safeguards required by this code or a previous regulation or code under which the structure or *premises* was constructed, altered or repaired shall be maintained in good working order. No *owner, operator or occupant* shall cause any service, facility, equipment or utility which is required under this section to be removed from or shut off from or discontinued for any occupied dwelling, except for such temporary interruption as necessary while repairs or alterations are in progress. The requirements of this code are not intended to provide the basis for removal or abrogation of fire protection and safety systems and devices in existing structures. Except as otherwise specified herein, the *owner* or the *owner's* designated agent shall be responsible for the maintenance of buildings, structures and *premises*.

[A] 102.3 Application of other codes. Repairs, additions or alterations to a structure, or changes of *occupancy*, shall be done in accordance with the procedures and provisions of the *International Building Code, International Energy Conservation Code, International Fire Code, International Fuel Gas Code, International Mechanical Code, International Residential Code, International Plumbing Code* and NFPA 70. Nothing in this code shall be construed to cancel, modify or set aside any provision of the *International Zoning Code* or any other requirement of the City.

[A] 102.4 Existing remedies. The provisions in this code shall not be construed to abolish or impair existing remedies of the jurisdiction or its officers or agencies relating to the removal or demolition of any structure which is dangerous, unsafe and insanitary.

[A] 102.5 Workmanship. Repairs, maintenance work, alterations or installations which are caused directly or indirectly by the enforcement of this code shall be executed and installed in a *workmanlike* manner and installed in accordance with the manufacturer's instructions.

[A] 102.6 Historic buildings. The provisions of this code shall not be mandatory for existing buildings or structures designated as historic buildings when such buildings or structures are judged by the *code official* to be safe and in the public interest of health, safety and welfare.

[A] 102.7 Referenced codes and standards. The codes and standards referenced in this code shall be those that are listed in Chapter 8 and considered part of the requirements of this code to the prescribed extent of each such reference and as further regulated in Sections 102.7.1 and 102.7.2.

Exception: Where enforcement of a code provision would violate the conditions of the listing of the equipment or appliance, the conditions of the listing shall apply.

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[A] 102.7.1 Conflicts. Where conflicts occur between provisions of this code and the referenced standards, the provisions of this code shall apply.

[A] 102.7.2 Provisions in referenced codes and standards. Where the extent of the reference to a referenced code or standard includes subject matter that is within the scope of this code, the provisions of this code, as applicable, shall take precedence over the provisions in the referenced code or standard.

[A] 102.8 Requirements not covered by code. Requirements necessary for the strength, stability or proper operation of an existing fixture, structure or equipment, or for the public safety, health and general welfare, not specifically covered by this code, shall be determined by the *code official*.

[A] 102.9 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

[A] 102.10 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

PART 2 — ADMINISTRATION AND ENFORCEMENT

SECTION 103

DEPARTMENT OF PROPERTY MAINTENANCE INSPECTION CODE OFFICIAL, DEPUTIES, LIABILITY, AND FEES

~~**[A] 103.1 General.** The department of property maintenance inspection is hereby created and the executive official in charge thereof shall be known as the *code official*.~~

[A] 103.2 Appointment. The *code official* shall be appointed by the chief appointing authority City Manager of the jurisdiction.

[A] 103.3 Deputies. In accordance with the prescribed procedures of ~~this jurisdiction~~ the City and with the concurrence of the appointing authority, the *code official* ~~shall have the authority to may~~ appoint a deputy(s). Such employees shall have powers as delegated by the *code official*.

~~**[A] 103.4 Liability.** The *code official*, member of the board of appeals or employee charged with the enforcement of this code, while acting for the jurisdiction, in good faith and without malice in the discharge of the duties required by this code or other pertinent law or ordinance, shall not thereby be rendered liable personally, and is hereby relieved from all personal liability for any damage accruing to persons or property as a result of an act or by reason of an act or omission in the discharge of official duties. Any suit instituted against any officer or employee because of~~

~~an act performed by that officer or employee in the lawful discharge of duties and under the provisions of this code shall be defended by the legal representative of the jurisdiction until the final termination of the proceedings. The *code official* or any subordinate shall not be liable for costs in an action, suit or proceeding that is instituted in pursuance of the provisions of this code.~~

[A] 103.5 Fees. The fees for activities and services performed by the department in carrying out its responsibilities under this code shall be as indicated in the following schedule. ~~[JURISDICTION TO INSERT APPROPRIATE SCHEDULE.]~~ under this code shall be as provided by the adopted fee schedule of the City.

SECTION 104

DUTIES AND POWERS OF THE CODE OFFICIAL

[A] 104.1 General. The *code official* is hereby authorized and directed to enforce the provisions of this code. The *code official* shall have the authority to render interpretations of this code and to adopt policies and procedures in order to clarify the application of its provisions. Such interpretations, policies and procedures shall be in compliance with the intent and purpose of this code. Such policies and procedures shall not have the effect of waiving requirements specifically provided for in this code.

[A] 104.2 Inspections. The *code official* shall make all of the required inspections, or shall accept reports of inspection by *approved* agencies or individuals. All reports of such inspections shall be in writing and be certified by a responsible officer of such *approved* agency or by the responsible individual. The *code official* is authorized to engage such expert opinion as deemed necessary to report upon unusual technical issues that arise, subject to the approval of the appointing authority.

[A] 104.3 Right of entry. Where it is necessary to make an inspection to enforce the provisions of this code, or whenever the *code official* has reasonable cause to believe that there exists in a *structure* or upon a *premises* a condition in violation of this code, the *code official* is authorized to enter the structure or *premises* at reasonable times to inspect or perform the duties imposed by this code, provided that if such *structure* or *premises* is occupied the *code official* shall present credentials to the *occupant* and request entry. If such structure or *premises* is unoccupied, the *code official* shall first make a reasonable effort to locate the *owner* or other person having charge or control of the *structure* or *premises* and request entry. If entry is refused, the *code official* shall have recourse to the remedies provided by law to secure entry.

[A] 104.4 Identification. The *code official* shall carry proper identification when inspecting *structures* or *premises* in the performance of duties under this code.

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[A] 104.5 Notices and orders. The *code official* shall issue all necessary notices or orders to ensure compliance with this code.

[A] 104.6 Department records. The *code official* shall keep official records of all business and activities of the department specified in the provisions of this code. Such records shall be retained in the official records for the period required for retention of public records.

SECTION 105 APPROVAL

[A] 105.1 Modifications. Whenever there are practical difficulties involved in carrying out the provisions of this code, the *code official* shall have the authority to grant modifications for individual cases upon application of the *owner* or *owner's* representative, provided the *code official* shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, life and fire safety requirements. The details of action granting modifications shall be recorded and entered in the department files.

[A] 105.2 Alternative materials, methods and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any method of construction not specifically prescribed by this code, provided that any such alternative has been *approved*. An alternative material or method of construction shall be *approved* where the *code official* finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

[A] 105.3 Required testing. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the *code official* shall have the authority to require tests to be made as evidence of compliance at no expense to the jurisdiction.

[A] 105.3.1 Test methods. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the *code official* shall be permitted to approve appropriate testing procedures performed by an *approved* agency.

[A] 105.3.2 Test reports. Reports of tests shall be retained by the *code official* for the period required for retention of public records.

[A] 105.4 Used material and equipment. The use of used materials which meet the requirements of this code for new materials is permitted. Materials, equipment and devices shall not be reused unless such elements are in good repair or have been reconditioned and tested when necessary, placed in good and proper working condition and *approved* by the *code official*.

[A] 105.5 Approved materials and equipment. Materials, equipment and devices *approved* by the *code official* shall be constructed and installed in accordance with such approval.

[A] 105.6 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from *approved* sources.

SECTION 106 VIOLATIONS

[A] 106.1 Unlawful acts. It shall be unlawful for a person, firm or corporation to be in conflict with or in violation of any of the provisions of this code.

[A] 106.2 Notice of violation. The *code official* shall serve a notice of violation or order in accordance with Section 107; except, citations shall be issued and notice of citation provided in accordance with state law.

[A] 106.3 Prosecution of violation. Any person failing to comply with a notice of violation or order served in accordance with Section 107 or issued citation shall be deemed guilty of a misdemeanor or civil infraction as determined by the local municipality, and the violation shall be deemed a *strict liability offense*. If the notice of violation is not complied with, the *code official* shall institute the appropriate proceeding at law or in equity to restrain, correct or abate such violation, or to require the removal or termination of the unlawful *occupancy* of the structure in violation of the provisions of this code or of the order or direction made pursuant thereto. Any action taken by the authority having jurisdiction on such *premises* shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

[A] 106.4 Violation penalties. Any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall be prosecuted within the limits provided by state or local laws. Each day that a violation continues after due notice has been served shall be deemed a separate offense.

[A] 106.5 Abatement of violation. The imposition of the penalties herein prescribed shall not preclude the ~~legal officer of the jurisdiction~~ city attorney or other counsel retained by the City from instituting appropriate action to restrain, correct or abate a violation, or to prevent illegal *occupancy* of a building, structure or *premises*, or to stop

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an illegal act, conduct, business or utilization of the building, structure or *premises*.

SECTION 107

NOTICES AND ORDERS

[A] 107.1 Notice to person responsible. Whenever the *code official* determines that there has been a violation of this code or has grounds to believe that a violation has occurred, notice shall be given in the manner prescribed in Sections 107.2 and 107.3 to the ~~person responsible for the violation~~ owner as specified in this code and identified in accordance with section 107.1.1. ~~Notices for condemnation procedures shall also comply with Section 108.3.~~

[A] 107.1.1 Owner for purposes of this section. All notices shall be sent to the owner of the affected premises or structure, who shall be identified by a diligent search of the following records:

1. county real property records of the county in which the building is located;
2. appraisal district records of the appraisal district in which the building is located;
3. records of the secretary of state;
4. assumed name records of the county in which the building is located;
5. tax records of the municipality; and
6. utility records of the municipality.

[A] 107.2 Form. Such notice prescribed in Section 107.1 shall be in accordance with all of the following:

1. Be in writing.
2. Include a description of the real estate sufficient for identification.
3. Include a statement of the violation or violations and why the notice is being issued.
4. Include a correction order allowing a reasonable time to make the repairs and improvements required to bring the *dwelling unit* or structure into compliance with the provisions of this code.
5. Inform the property *owner* of the right to appeal.
6. Include a statement of the right to file a lien in accordance with Section 106.3.

[A] 107.2.1 Additional requirements for notice of unsafe structure. In addition to the form prescribed in Section 107.2, notice of an *unsafe structure* shall include:

1. the date of the scheduled public hearing; or a copy of the board of appeals or municipal court determination and order;
2. a statement that the owner will be required to submit at the hearing proof of the scope of any work that may be required to comply with this code and city ordinances and the time it will take to reasonably perform the work; and
3. a statement that the city may take the actions ordered if the owner does not complete those actions prior to the deadline imposed at the public hearing, which may be 30 days from the date of the public hearing.

[A] 107.3 Method of service. Such notice shall be deemed to be properly served if a copy thereof is:

1. Delivered personally;
2. Sent by certified ~~or first-class~~ mail, return receipt requested, addressed to the last known address; or
3. If the notice is returned showing that the letter was not delivered, a copy thereof shall be posted in a conspicuous place in or about the structure affected by such notice.

[A] 107.4 Unauthorized tampering. Signs, tags or seals posted or affixed by the *code official* shall not be mutilated, destroyed or tampered with, or removed without authorization from the *code official*.

[A] 107.5 Penalties. Penalties for noncompliance with orders and notices shall be as set forth in Section 106.4.

[A] 107.6 Transfer of ownership. It shall be unlawful for the *owner* of any *dwelling unit* or structure who has received a compliance order or upon whom a notice of violation has been served to sell, transfer, mortgage, lease or otherwise dispose of such *dwelling unit* or structure to another until the provisions of the compliance order or notice of violation have been complied with, or until such *owner* shall first furnish the grantee, transferee, mortgagee or lessee a true copy of any compliance order or notice of violation issued by the *code official* and shall furnish to the *code official* a signed and notarized statement from the grantee, transferee, mortgagee or lessee, acknowledging the receipt of such compliance order or notice of violation and fully accepting the responsibility without condition for making the corrections or repairs required by such compliance order or notice of violation.

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SECTION 108

UNSAFE STRUCTURES AND EQUIPMENT

[A] 108.1 General. When a structure or equipment is found by the *code official* to be unsafe, the *code official* may recommend ~~require~~ the vacation, relocation of occupants, securing, repair, removal, or demolition of an *unsafe structure* or *premises* pursuant to the provisions of this code.

[A] 108.1.1 Unsafe structures. An *unsafe structure* is one that is found to be a hazard to the public health, safety, and welfare due to one or more of the following conditions: ~~dangerous to the life, health, property or safety of the public or the occupants of the structure by not providing minimum safeguards to protect or warn occupants in the event of fire, or because such structure contains unsafe equipment or is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation, that partial or complete collapse is possible.~~

1. the structure is dilapidated as defined by section 108.1.5, substandard as defined by section 108.1.4, or unfit for human habitation as defined by section 108.1.3;
2. the structure is, regardless of its structural condition, unoccupied by its owners, lessees, or other invitees and is unsecured from unauthorized entry to the extent that it could be entered or used by vagrants or other uninvited persons as a place of harborage or could be entered or used by children; or
3. the structure is boarded up, fenced, or otherwise secured in any manner that constitutes a danger to the public even though secured from entry; or the means used to secure the building are inadequate to prevent unauthorized entry or use of the building in the manner described by subsection 2.

[A] 108.1.2 Unsafe equipment. Unsafe equipment includes any boiler, heating equipment, elevator, moving stairway, electrical wiring or device, flammable liquid containers or other equipment on the *premises* or within the structure which is in such disrepair or condition that such equipment is a hazard to life, health, property or safety of the public or *occupants* of the *premises* or structure.

[A] 108.1.3 Structure unfit for human occupancy. A structure is unfit for human *occupancy* whenever the *code official* finds that such structure ~~is unsafe, unlawful or~~, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and

contamination, or lacks *ventilation*, illumination, sanitary or heating facilities or other essential equipment required by this code, or because the location of the structure constitutes a hazard to the *occupants* of the structure or to the public.

[A] 108.1.4 Unlawful Substandard structure. An ~~unlawful~~ *substandard structure* is one found in whole or in part to be occupied by more persons than permitted under this code, or was erected, altered or occupied contrary to law.

[A] 108.1.5 Dangerous—Dilapidated—structure or premises. For the purpose of this code, any structure or *premises* that has any or all of the conditions or defects described below shall be considered dangerous:

1. Any door, aisle, passageway, stairway, exit or other means of egress that does not conform to the *approved* building or fire code of the jurisdiction as related to the requirements for existing buildings.
2. The walking surface of any aisle, passageway, stairway, exit or other means of egress is so warped, worn loose, torn or otherwise unsafe as to not provide safe and adequate means of egress.
3. Any portion of a building, structure or appurtenance that has been damaged by fire, earthquake, wind, flood, *deterioration*, *neglect*, abandonment, vandalism or by any other cause to such an extent that it is likely to partially or completely collapse, or to become *detached* or dislodged.
4. Any portion of a building, or any member, appurtenance or ornamentation on the exterior thereof that is not of sufficient strength or stability, or is not so *anchored*, attached or fastened in place so as to be capable of resisting natural or artificial loads of one and one-half the original designed value.
5. The building or structure, or part of the building or structure, because of dilapidation, *deterioration*, decay, faulty construction, the removal or movement of some portion of the ground necessary for the support, or for any other reason, is likely to partially or completely collapse, or some portion of the foundation or underpinning of the building or structure is likely to fail or give way.
6. The building or structure, or any portion thereof, is clearly unsafe for its use and *occupancy*.

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7. The building or structure is *neglected*, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.
 8. Any building or structure has been constructed, exists or is maintained in violation of any specific requirement or prohibition applicable to such building or structure provided by the *approved* building or fire code of the jurisdiction, or of any law or ordinance to such an extent as to present either a substantial risk of fire, building collapse or any other threat to life and safety.
 9. A building or structure, used or intended to be used for dwelling purposes, because of inadequate maintenance, dilapidation, decay, damage, faulty construction or arrangement, inadequate light, *ventilation*, mechanical or plumbing system, or otherwise, is determined by the *code official* to be unsanitary, unfit for human habitation or in such a condition that is likely to cause sickness or disease.
 10. Any building or structure, because of a lack of sufficient or proper fire-resistance-rated construction, fire protection systems, electrical system, fuel connections, mechanical system, plumbing system or other cause, is determined by the *code official* to be a threat to life or health.
 11. Any portion of a building remains on a site after the demolition or destruction of the building or structure or whenever any building or structure is abandoned so as to constitute such building or portion thereof as an attractive nuisance or hazard to the public.
2. send notice to the owner of the public hearing in accordance with section 107 that the *code official* has identified an *unsafe structure* on the *premises*, including the specific conditions that render the *structure unsafe* and the date of the scheduled public hearing (notice must be received at least 10 days prior to the scheduled hearing);
 3. file or cause to be filed a copy of the notice in the real property records of the county in which the *unsafe structure* is located;
 4. verify and document the condition of the *unsafe structure* within 48 hours of the scheduled public hearing;
 5. report the condition of the unsafe structure to the *board of appeals* or municipal court at the public hearing and recommend the vacation, relocation of occupants, securing, repair, removal, or demolition of the *unsafe structure* within 30 days; provided, the *board of appeals* or municipal court may allow the *owner* up to 90 days to repair, remove, or demolish the *unsafe structure*, or to submit at the hearing a detailed plan and time schedule for the work if the *owner* establishes at the hearing that the work cannot reasonably be completed within 90 days because of the scope and complexity of the work;
 6. send notice in accordance with section 107 of the board's determination and order within 10 days after the order is issued;
 7. publish or cause to be published in a newspaper of general circulation in the city in which the *unsafe structure* is located a notice containing: the street address or legal description of the property; the date the public hearing was held; a brief statement indicating the results of the order; and instructions stating where a complete copy of the order may be obtained; unless, the hearing was performed before a building and standards commission in accordance with subchapter C of Chapter 54 of the Texas Local Government Code, in which case notice shall be posted on the structure in lieu of publication;
 8. verify and document the condition of the unsafe structure following the date specified by the order;
 9. take no action nor cause any action to be taken until 30 days has elapsed from the date notice of the order is sent with no appeal for court review filed in accordance with section

[A] 108.1.6 Procedure for Abatement of Unsafe Structures. If a structure has been identified as unsafe, the *code official* shall:

1. schedule a public hearing with the *board of appeals* or, if none, the municipal court to determine whether the *structure is unsafe* and to order the *structure* vacated, secured, repaired, removed, or demolished by the owner and the occupants relocated within a reasonable time if such a determination is made;

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111.7; and the condition of the *unsafe structure* remains *unsafe*; provided, if an appeal has been filed in accordance with sections 111.1 or 111.7, the appeal shall stay all enforcement, other than emergency measures taken under section 109, until the appeal is heard; and

10. provided no appeal has been filed and the deadline for such appeal has elapsed, timely commence the vacation, relocation of occupants, securing, repair, removal, or demolition of the *unsafe structure* pursuant to the order of the board of appeals or municipal court and document all actions taken.

[A] 108.2 Closing-Securing of vacant structures. If the *unsafe structure* is vacant and unfit for human habitation and occupancy, and is not in danger of structural collapse, the *code official* is authorized to post a placard of condemnation on the *premises* and order the structure closed up and secured so as not to be an attractive nuisance. Upon failure of the *owner* to close up the *premises* within the time specified in the order, the *code official* shall cause the *premises* to be closed and secured through any available public agency or by contract or arrangement by private persons and the cost thereof shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate and may be collected by any other legal resource.**process for securing

[A] 108.2.1 Authority to disconnect service utilities.

The *code official* shall have the authority to authorize disconnection or prevent connection of utility service to the building, structure or system regulated by this code and the referenced codes and standards set forth in Section 102.7 in case of emergency where necessary to enforce this code to eliminate an immediate hazard to life or property or when such utility connection has been made without approval. The *code official* shall notify the serving utility and, whenever possible, the *owner* and *occupant* of the building, structure or service system of the decision to disconnect prior to taking such action. If not notified prior to disconnection the *owner* or *occupant* of the building structure or service system shall be notified in writing as soon as practical thereafter.

[A] 108.3 Notice and Placarding. Whenever the *code official* has ~~condemned~~ identified as *unsafe* a structure or equipment under the provisions of this section, notice shall be posted in a conspicuous place in or about the structure affected by such notice and served on the *owner* or the person or persons responsible for the structure or equipment in accordance with Section 107.3. If the notice pertains to equipment, it shall also be placed on the

~~condemned~~ *unsafe* equipment. The notice shall be in the form prescribed in Section 107.2

[A] 108.4 Placarding. ~~Upon failure of the owner or person responsible to comply with the notice provisions within the time given,~~ The *code official* shall post on the *premises* or on defective equipment a placard bearing the word “~~condemned~~” “*Unsafe, it shall be unlawful to occupy this building*” and a statement of the penalties provided for occupying the *premises*, operating the equipment or removing the placard.

[A] 108.4.1 Placard removal. The *code official* shall remove the ~~condemnation~~ placard whenever the defect or defects upon which the condemnation and placarding action were based have been eliminated. Any person who defaces or removes a condemnation placard without the approval of the *code official* shall be subject to the penalties provided by this code.

[A] 108.5 Prohibited occupancy Vacating of Structure. Any occupied structure ~~condemned~~ found to be *unsafe* and placarded by the *code official* shall be vacated as ordered by the *code official*. Any person who shall occupy a placarded *premises* or shall operate placarded equipment, and any *owner* or any person responsible for the *premises* who shall let anyone occupy a placarded *premises* or operate placarded equipment shall be liable for the penalties provided by this code.

[A] 108.6 Abatement methods. The *owner, operator* or *occupant* of a building, *premises* or equipment deemed *unsafe* by the *code official* shall abate or cause to be abated or corrected such *unsafe* conditions either by repair, rehabilitation, demolition or other *approved* corrective action.

[A] 108.7 Record. The *code official* shall cause a report to be filed on an *unsafe* condition. The report shall state the *occupancy* of the structure and the nature of the *unsafe* condition.

SECTION 109

EMERGENCY MEASURES

[A] 109.1 Imminent danger. When, in the opinion of the *code official*, there is *imminent danger* of failure or collapse of a building or structure which endangers life, or when any structure or part of a structure has fallen and life is endangered by the occupation of the structure, or when there is actual or potential danger to the building *occupants* or those in the proximity of any structure because of explosives, explosive fumes or vapors or the presence of toxic fumes, gases or materials, or operation of defective or dangerous equipment, the *code official*, after approval of the governing body of the City, is hereby authorized and empowered to order and require the *occupants* to vacate the *premises* forthwith. The *code official* shall cause to be posted at each entrance to such

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structure a notice reading as follows: "This *Structure* Is Unsafe and Its *Occupancy* Has Been Prohibited by the *Code Official*." It shall be unlawful for any person to enter such structure except for the purpose of securing the structure, making the required repairs, removing the hazardous condition or of demolishing the same.

[A] 109.2 Temporary safeguards. Notwithstanding other provisions of this code, whenever, in the opinion of the *code official*, there is *imminent danger* due to an unsafe condition, the *code official* ~~shall~~ may order the necessary work to be done to temporarily secure the structure, including the boarding up of openings, to render such structure temporarily safe ~~whether or not the legal procedure herein described has been instituted~~; and shall cause such other action to be taken as the *code official* deems necessary to meet such emergency; provided the structure is unoccupied or is occupied only by persons who do not have a right of possession to the building. Before the 11th day after the date the structure is secured, notice shall be provided in accordance with section 107

[A] 109.3 Closing streets. When necessary for public safety, the *code official* shall temporarily close structures and close, or order the authority having jurisdiction to close, sidewalks, streets, *public ways* and places adjacent to unsafe structures, and prohibit the same from being utilized.

[A] 109.4 Emergency repairs. For the purposes of this section, the *code official* shall employ the necessary labor and materials to perform the required work as expeditiously as possible.

[A] 109.5 Costs of emergency repairs. Costs incurred in the performance of emergency work shall be paid by the jurisdiction. The legal counsel of the jurisdiction shall institute appropriate action against the *owner* of the *premises* where the unsafe structure is or was located for the recovery of such costs.

[A] 109.6 Hearing. Any person ordered to take emergency measures shall comply with such order forthwith. Any affected person shall thereafter, upon written request ~~petition~~ directed to the appeals board within 30 days after the date the City secures the building, be afforded a hearing as described in this code within 20 days after the date the request is filed.

SECTION 110 DEMOLITION

[A] 110.1 General. The *code official* shall order the *owner* of any *premises* upon which is located any structure, which in the *code official* judgment after review is so deteriorated or dilapidated or has become so out of repair as to be dangerous, unsafe, insanitary or otherwise unfit for human habitation or occupancy, and such that it is unreasonable to repair the structure, to demolish and remove such

structure; or if such structure is capable of being made safe by repairs, to repair and make safe and sanitary, or to board up and hold for future repair or to demolish and remove at the *owner's* option; or where there has been a cessation of normal construction of any structure for a period of more than two years, the *code official* shall order the *owner* to demolish and remove such structure, or board up until future repair. Boarding the building up for future repair shall not extend beyond one year, unless *approved* by the building official.

[A] 110.2 Notices and orders. All notices and orders shall comply with Section 107.

[A] 110.3 Failure to comply. If the *owner* of a *premises* fails to comply with a demolition order within the time prescribed, the *code official*, after approval of the governing body of the City, shall cause the structure to be demolished and removed, either through an available public agency or by contract or arrangement with private persons, and the cost of such demolition and removal shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

[A] 110.4 Salvage materials. When any structure has been ordered demolished and removed, the governing body or other designated officer under said contract or arrangement aforesaid shall have the right to sell the salvage and valuable materials at the highest price obtainable. The net proceeds of such sale, after deducting the expenses of such demolition and removal, shall be promptly remitted with a report of such sale or transaction, including the items of expense and the amounts deducted, for the person who is entitled thereto, subject to any order of a court. If such a surplus does not remain to be turned over, the report shall so state.

SECTION 111 MEANS OF APPEAL AND PUBLIC HEARINGS

[A] 111.1 Application for appeal. Any person directly affected by a decision of the *code official* or a notice or order issued under this code shall have the right to appeal to the board of appeals, provided that a written application for appeal is filed within 20 days after the day the decision, notice or order was served, except as otherwise provided by section 109 for appeals of Emergency Repairs or other action taken under section 109. An application for appeal shall be based on a claim that the true intent of this code or the rules legally adopted thereunder have been incorrectly interpreted, the provisions of this code do not fully apply, or the requirements of this code are adequately satisfied by other means. An application for appeal under section 111.1 is an administrative remedy and shall not preclude an appeal for court review of an order by the board of appeals or municipal court in accordance with section 111.7.

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~~[A] 111.2 Membership of board.~~ The board of appeals shall consist of a minimum of three members who are qualified by experience and training to pass on matters pertaining to property maintenance and who are not employees of the jurisdiction. The *code official* shall be an ex-officio member but shall have no vote on any matter before the board. The board shall be appointed by the chief appointing authority, and shall serve staggered and overlapping terms.

~~[A] 111.2.1 Alternate members.~~ The chief appointing authority shall appoint a minimum of two alternate members who shall be called by the board chairman to hear appeals during the absence or disqualification of a member. Alternate members shall possess the qualifications required for board membership.

~~[A] 111.2.2 Chairman.~~ The board shall annually select one of its members to serve as chairman.

~~[A] 111.2.3 Disqualification of member.~~ A member shall not hear an appeal in which that member has a personal, professional or financial interest.

~~[A] 111.2.4 Secretary.~~ The chief administrative officer shall designate a qualified person to serve as secretary to the board. The secretary shall file a detailed record of all proceedings in the office of the chief administrative officer.

~~[A] 111.2.5 Compensation of members.~~ Compensation of members shall be determined by law.

[A] 111.3 Notice of meeting. The jurisdiction City may, but is not required to, hold additional public hearings as part of the procedure for the abatement of unsafe structures prescribed in section 108.1.6. Notice of such additional public hearings shall be sent to the *owner* in accordance with section 107.

[A] 111.4 Open hearing. All hearings ~~before the board shall be subject to the Open Meetings Act, open to the public. The appellant, the appellant's representative, the code official and any person whose interests are affected shall be given an opportunity to be heard. A quorum shall consist of a minimum of two thirds of the board membership.~~

[A] 111.4.1 Procedure. The board shall adopt and make available to the public through the secretary procedures, if any, under which a hearing will be conducted. The procedures shall not require compliance with strict rules of evidence, but shall mandate that only relevant information be received.

~~[A] 111.5 Postponed hearing.~~ When the full board is not present to hear an appeal, either the appellant or the appellant's representative shall have the right to request a postponement of the hearing.

[A] 111.6 Board decision. The board shall modify or reverse the decision of the *code official* only by a concurring vote of a majority of the total number of appointed board members.

~~[A] 111.6.1 Records and copies.~~ The decision of the board shall be recorded. Copies shall be furnished to the appellant and to the *code official*.

[A] 111.6.2 Administration. The *code official* shall take immediate action in accordance with the decision of the board.

[A] 111.7 Court review. Any person, whether or not a previous party of the appeal, shall have the right to apply to the appropriate court for a writ of certiorari to correct errors of law. Application for review shall be made in the manner and time required by law. ~~following the filing of the decision in the office of the chief administrative officer.~~ Appeals under this section must be filed in the district court within the county where the unsafe structure is located within 30 days of the date the order is issued by the board of appeals or municipal court.

[A] 111.8 Stays of enforcement. Appeals of notice and orders (other than *Imminent Danger* notices) shall stay the enforcement of the notice and order until the appeal is heard by the appeals board or municipal court.

SECTION 112

STOP WORK ORDER

[A] 112.1 Authority. Whenever the *code official* finds any work regulated by this code being performed in a manner contrary to the provisions of this code or in a dangerous or unsafe manner, the *code official* is authorized to issue a stop work order.

[A] 112.2 Issuance. A stop work order shall be in writing and shall be given to the *owner* of the property, to the *owner's* agent, or to the person doing the work. Upon issuance of a stop work order, the cited work shall immediately cease. The stop work order shall state the reason for the order and the conditions under which the cited work is authorized to resume.

[A] 112.3 Emergencies. Where an emergency exists, the *code official* shall not be required to give a written notice prior to stopping the work.

[A] 112.4 Failure to comply. Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable to a fine of not ~~less than [AMOUNT] dollars or more than \$2,000.00 dollars per violation.~~



1111 Bayou
La Marque, Texas 77568
409.938.9202

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

Minutes of the Regular Meeting of the Planning and Zoning Commission, that was held on December 13, 2016 at 4:00 p.m. at 1109 Bayou Road, with the following members present:

(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 Greg Cornett
Commissioner Hugh Cash

ABSENT:

Commissioner Augustino Molis
Commissioner Russell Washington
Commissioner Chris Crowder

STAFF PRESENT:

Les Rumburg, Director of Public Works
Erica Grundmann – Inspections
Ellis Ortego– City Attorney

(3) INVOCATION AND PLEDGE OF ALLEGIANCE

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

(4) APPROVAL OF MINUTES

- a. Regular Meeting Minutes of December 13, 2016
Commissioner Greg Cornett made a motion to accept the minutes for December 13, 2016, Commissioner Hugh Cash seconded the motion.
MOTION PASSED.

(5) CITIZENS COMMENTS

None

(6) PUBLIC HEARING

Chairman Bethea closed the Regular meeting and opened the Public Hearing at 4:08 p.m.

- a. **Re-Zone** from R-1 Single Family Residential to C-2 Restricted Commercial ABST 150 PAGE PT OF BLK 11 (1100-4) DIV H COOK & STEWART SUB. Location 1916 Magnolia
- b. **Re-Zone** from R-1 Single Family Residential to C-2 Restricted Commercial ABST 150 PAGE 4 LOT 5 BLK 1 A FORMANS SUB. Location 1533 Bayou RD
- c. **Re-Zone** from R-1 Single Family Residential to C-2 Restricted Commercial ABST 150 PAGE 4 LOT 35 MAGNOLIA ADDN. Location 1602 Bayou
- d. **Re-Zone** from R-1 Single Family Residential to C-2 Restricted Commercial ABST 150 PAGE 4 LOT 4 BLK 1 A FORMANS SUB. Location 1531 Bayou RD

Chairman Bethea closed the Public Hearing and reconvened the Regular meeting at 4:16 p.m.

(7) NEW BUSINESS

- a. **Re-Zone** from R-1 Single Family Residential to C-2 Restricted Commercial ABST 150 PAGE 4 PT OF BLK 11 (1100-4) DIV H COOK & STEWART SUB. Location 1916 Magnolia

Commissioner Greg Cornett made a motion to accept the Re-Zone from R-1 Single Family Residential to C-2 Restricted Commercial. Commissioner Hugh Cash seconded the motion. **MOTION PASSED.**

- b. **Re-Zone** from R-1 Single Family Residential to C-2 Restricted Commercial ABST 150 PAGE 4 LOT 5 BLK 1 A FORMANS SUB. Location 1533 Bayou RD

Commissioner Greg Cornett made a motion to accept the Re-Zone from R-1 Single Family Residential to C-2 Restricted Commercial. Commissioner Hugh Cash seconded the motion. **MOTION PASSED.**

- c. **Re-Zone** from R-1 Single Family Residential to C-2 Restricted Commercial ABST 150 PAGE 4 35 MAGNOLIA ADDN. Location 1602 Bayou

Commissioner Greg Cornett made a motion to accept the Re-Zone from R-1 Single Family Residential to C-2 Restricted Commercial. Commissioner Hugh Cash seconded the motion. **MOTION PASSED.**

- d. **Re-Zone** from R-1 Single Family Residential to C-2 Restricted Commercial ABST 150 PAGE 4 LOT 4 BLK 1 A FORMANS SUB. Location 1531 Bayou RD

Commissioner Greg Cornett made a motion to accept the Re-Zone from R-1 Single Family Residential to C-2 Restricted Commercial. Commissioner Hugh Cash seconded

the motion. **MOTION PASSED.**

- e. **Final Plat** for Landing at Delany Cove Section 6 a subdivision of 11.849 acres located in S.F. Austin League no. 4 survey, A-2 City of La Marque, Galveston County, Texas

Commissioner Greg Cornett made a motion to accept the Final Plat for Landing at Delany Cove Section 6 a subdivision of 11.849 acres located in S.F. Austin League no. 4 survey, A-2 City of La Marque, Galveston County, Texas Hugh Cash seconded the motion.

MOTION PASSED.

- f. **Re-Zone:** Discussion possible/ action: regarding a Re-Zone from R-1 Single Family Residential to C-2 Restricted Commercial A tract or parcel of land containing 2.9 457 acres being the north portion out of a 5.0140 acre tract conveyed to Sidney E. and Shirley A. West (now Vivian Ann West in instrument dated June 29, 1970 recorded in volume 2133, page 749 of the deed records of Galveston County out of the Southwesterly portion of the original Wiedemann 300 acre parent tract in the West half of survey no. 4 of the S.F. Austin League, in the cities of La Marque (2.9457 acres. Location 5515 FM 2004

Commissioner Greg Cornett made a motion to accept Re-Zone from R-1 Single Family Residential to C-2 Restricted Commercial A tract or parcel of land containing 2.9 457 acres being the north portion out of a 5.0140 acre tract conveyed to Sidney E. and Shirley A. West (now Vivian Ann West in instrument dated June 29, 1970 recorded in volume 2133, page 749 of the deed records of Galveston County out of the Southwesterly portion of the original Wiedemann 300 acre parent tract in the West half of survey no. 4 of the S.F. Austin League, in the cities of La Marque (2.9457 acres. Location 5515 FM 2004 Hugh Cash seconded the motion. **MOTION PASSED.**

- g. Discussion/ possible action regarding proposed amendments to chapters 14 and 29 of the La Marque Code of Ordinances adopting the 2012 editions of the International Fire Code, Building Code, Residential Code, Property Maintenance Code, Plumbing Code, Mechanical Code, and Fuel Gas Code; adding local amendments to the adopted codes; designating the Fire Chief as the Fire Code Official; establishing the Building Standards Commission as the board of appeals for these adopted codes; and providing a penalty in accordance with Section 1-7.

Commissioner Greg Cornett made a motion to accept adopting the 2012 editions of the International Fire Code, Building Code, Residential Code, Property Maintenance Code, Plumbing Code, Mechanical Code, and Fuel Gas Code; adding local amendments to the adopted codes; designating the Fire Chief as the Fire Code Official; establishing the building standards commission as the board of appeals for these adopted codes; and providing a penalty in accordance with Section 1-7. Hugh Cash seconded the motion. **MOTION PASSED.**

- (8) **CHAIRMAN REPORT**
There was no Chairman Report

- (9) **EXECUTIVE SESSION**

There was no Executive Session

(10) REQUESTS AND ANNOUNCEMENTS

None were none

(11) ADJOURNMENT

Commissioner Greg Cornett made a motion to adjourn the meeting at 5:36 p.m.

Commissioner Hugh Cash seconded. **MEETING ADJOURNED.**

Planning & Zoning Commission,
Chairman Deanna Bethea

DRAFT



1111 Bayou
La Marque, Texas 77568
409.938.9202

**Building Standards Commission
Special Meeting
December 28, 2016
Minutes**

Minutes of the Special Meeting of the Building Standards Commission, that was held on December 28, 2016 at 3:00 p.m. at 1109 Bayou Road, with the following members present:

(1) CALL MEETING TO ORDER

Vice Chairman Louis McGaffey called Special Meeting to order at 3:03 p.m.

(2) ROLL CALL

PRESENT:

Vice Chairman Louis McGaffey
Bart Jennings
Billy Jefferson

ABSENT:

Chairman Deanie Barrett
Trina Phillips

STAFF PRESENT:

Les Rumburg, Director of Development Services
Sherlyn Williams, Revitalization Specialist

(3) INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation led by Billy Jefferson
Pledge of Allegiance was led by Bart Jennings

(4) CITIZEN'S PARTICIPATION

There was no citizen participation

(5) NEW BUSINESS

- a.** Discussion/possible action regarding an Ordinance amendment on Chapters 14 and 29 of the Code of Ordinances for 2012 Editions of the International Fire Code, International Building Code, International Residential Code, International Property Maintenance Code, International Plumbing Code, International Mechanical Code and the International Fuel Gas code; adding local amendments to the adopted codes; designating the Fire Chief as the Fire Code official; Establishing the Building Standards Commission as the Board of the Appeals for these adopted codes; Providing a Savings and Severability Clause; Providing a penalty as provided by Section 1-7 of the Code of Ordinances and repealing all ordinances adopting and amending previous code editions in conflict herewith.

Development Services Director Les Rumburg introduced Attorney Derra Mattina to the Building Standard Commission. Ms. Mattina explained the amended Chapters 14 and 29 of the Code of Ordinances, so the Commission may adopt the 2012 Editions of the International Fire Code and Building Code.

Vice Chairman McGaffey asked why all the codes were included if all this Commission would consider are those codes that affect the Building Code.

Ms. Mattina explained that for various reasons International Code groups decided to produce five different books to be more in depth for each code.

Vice Chairman McGaffey asked if the other boards had adopted their codes as he didn't feel it was up to the Building Standard Commission to accept the amendments to the codes on their behalf

Development Services Director Les Rumburg stated the other Boards and Commissions had previously read and adopted the 2012 International Code amendments; however, due to miscommunication, the BSC failed to get it on their December agenda; therefore, a special meeting had to be called in order for the BSC to have a chance to do so before the second reading at the next council meeting on January 9, 2017

Ms. Mattina stated all this Commission is adopting is the Building and Fire Code regulations. Fire and Code Enforcement were essential in the decision making as to what was needful and what was not on Page 4, Section 29-31, the last sentence will be deleted and she was asking for approval with the exclusion of that last sentence.

Vice Chairman McGaffey was asked about the use of the word "condemn".

Ms. Mattina stated the use of the word is used only if it addresses the State Statute because the State Statutes are written for the whole nation and the use of the word "condemn" is used in some instances.

Vice Chairman McGaffey asked about the credentials of the Deputy that can be appointed by the Code Enforcement Officer; however, Ms. Mattina stated that person would not be allowed to write citations because they have not been certified. Ms. Mattina stated that an issue had been addressed within the City Code and it was more specific regarding that issue.

Vice Chairman McGaffey asked for clarification on what the underlines and the strike-outs meant.

Ms. Mattina explained that if the State law was better than what was previously adopted it was added to the code and was underlined (i.e. kkkkkkkk). If the information was going to be removed from the code it would show as a strike through (i.e. kkkkkkkk).

Vice Chairman McGaffey asked if the state would take precedence over the City code.

Ms. Mattina stated if the State code was better, then it would, but if not the City code would take precedence, depending on the circumstance.

Development Services Director Les Rumburg asked if the copy going to City Council will have the last line with a strike-through.

Ms. Mattina said that it would.

Motion made by Member Jefferson to send the Building Standard Commission adopted Code to City Council. Member Jennings seconded the motion. Motion passed unanimously.

(6) EXECUTIVE SESSION

No Executive Session was held

(7) REQUESTS AND ANNOUNCEMENTS

There were none.

(8) ADJOURNMENT

Motion was made by Member Jefferson to adjourn the Special meeting.
Motion was seconded by Member Jennings. **MEETING ADJOURNED.**

Vice Chairman Louis McGaffey, Presiding



CITY COUNCIL AGENDA FORM

Meeting Date: January 9, 2017
Prepared by: Les Rumburg
Department: Development Services

Agenda item: 9d
Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible action to adopt **Ordinance No. O-2017-003**, approving the request for rezoning from R-1, Single Family Residential, to C-2, Restricted Commercial, a tract of land containing 2.9457 acres being the north portion out of a 5.0140 acre tract conveyed to Sidney E. and Shirley A. West (now Vivian Ann West) in instrument dated June 29, 1970 recorded in volume 2133, page 749 of the deed records of Galveston County out of the Southwesterly portion of the original Wiedemann 300 acre parent tract in the West half of survey no. 4 of the S.F. Austin League, in the City of La Marque, commonly known as 5515 FM 2004, as recommended by the Planning and Zoning Commission

☒ X

Attachments for reference

1. Ordinance
2. Planning and Zoning Minutes for December 13, 2016
3. Map of Location
4. Property Owner Public Notice
5. Planning and Zoning Commission Letter of Recommendation

STAFF BRIEFING:

- The Planning and Zoning Commission discussed at regular meeting of December 13, 2016.
- The Commission voted to forward item to City Council with a favorable recommendation based on the configuration of the project and on public input received.
- Property is currently zoned S-1 Single Family Residential.

HISTORY

- **November 28, 2016** – Property Owner Public Notice mailed to residents within a 200 ft. radius
- **December 13, 2016** – Planning and Zoning Commission held a regular meeting/public hearing and approved to recommend to City Council to change the zoning classification from S-1 Single Family to C-2 Restricted Commercial.

TARGET IMPLEMENTATION: January 9, 2017

SIGNIFICANT ACTION DATES:

- **November 28, 2016:** Property Owner Public Notice mailed to residents within a 200 ft. radius
- **December 13, 2016** Planning and Zoning Commission held a regular meeting/public hearing and approved and recommended to City Council to change the zoning classification from S-1 Single Family to C-2 Restricted Commercial.



CITY COUNCIL AGENDA FORM

ACTION:

- | | |
|--|---|
| ☒ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☐ Other- recommendation to deny | |

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

- ☒ Mark if this item does not conflict with any Resolution, Ordinance or City Charter

STAFF'S RECOMMENDATION: Motion to adopt **Ordinance No. O-2017-003**, approving the request for rezoning from R-1, Single Family Residential, to C-2, Restricted Commercial, a tract of land containing 2.9457 acres, commonly known as 5515 FM 2004, as recommended by the Planning and Zoning Commission

FISCAL IMPACT: Fees for Rezoning Request, increased property taxes, possibly increased sales taxes depending on type of commercial activity

ORDINANCE NO. O-2017-003

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, CHANGING THE ZONING CLASSIFICATION FROM R-1 SINGLE FAMILY RESIDENTIAL TO C-2 RESTRICTED COMMERCIAL, OF A TRACT OF LAND CONTAINING 2.9457 ACRES BEING THE NORTH PORTION OUT OF A 5.0140 ACRE TRACT CONVEYED TO SIDNEY E. AND SHIRLEY A. WEST (Now VIVIAN ANN WEST) IN INSTRUMENT DATED JUNE 29, 1970 RECORDED IN VOLUME 2133, PAGE 749 OF THE DEED RECORDS OF GALVESTON COUNTY OUT OF THE SOUTHWESTERLY PORTION OF THE ORIGINAL WIEDEMANN 300 ACRE PARENT TRACT THE WEST HALF OF SURVEY NO. 4 OF THE S.F. AUSTIN LEAGUE, IN THE CITY OF LA MARQUE; AMENDING THE ZONING MAP OF THE CITY ADOPTED THE DAY OF DECEMBER 2005 BY ORDINANCE NUMBER 953

WHEREAS, Albert Rathmell (the "Applicant") agent of the owner of the property Highway 6 Interests has purchased the Tract of land described 2.9457 ACRES BEING THE NORTH PORTION OUT OF A 5.0140 ACRE TRACT CONVEYED TO SIDNEY E. AND SHIRLEY A. WEST (NOW VIVIAN ANN WEST) IN INSTRUMENT DATED JUNE 29, 1970 RECORDED m VOLUME 2133, PAGE 749 OF THE DEED RECORDS OF GALVESTON COUNTY OUT OF THE SOUTHWESTERLY PORTION OF THE ORIGINAL WIEDEMANN 300 ACRE PARENT TRACT AND THE WEST HALF OF SURVEY NO. 4 OF THE S.F. AUSTIN LEAGUE, (the "Property") generally situated in the •orporate city limits of the City of La Marque, Texas (the "City") and being more particularly described in Exhibit "A" made part hereof for all purposes; and

WHEREAS, the Property presently has a zoning classification of Single Family Residential under Chapter 71: Zoning of the Code of ordinances of the City of La Marque; and

WHEREAS, the applicant has made application to the City to change such zoning classification of said property from Single Family Residential to Restricted Commercial as authorized by the City's Zoning Ordinance; and

WHEREAS, the City Council of the City 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 City Council now deems it appropriate to grant such requested change in classification;

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

Section 1. The facts and the matters set forth in the preamble on this Ordinance are hereby found to be true and correct.

Section 2. The zoning classification of the certain tract of land described as TRACT OF LAND CONTAINING 2.9457 ACRES BEING THE NORTH PORTION OUT OF A 5.0140 ACRE TRACT CONVEYED TO SIDNEY E. AND SHIRLEY A. WEST (NOW VIVIAN ANN WEST) IN INSTRUMENT DATED JUNE 29, 1970 RECORDED IN VOLUME 2133, PAGE 749 OF THE DEED RECORDS OF GALVESTON COUNTY OUT OF THE SOUTHWESTERLY PORTION OF THE ORIGINAL WIEDEMANN 300

ACRE PARENT TRACT IN THE WEST HALF OF SURVEY NO. 4 OF THE S.F. AUSTIN LEAGUE, IN THE CITY OF LA MARQUE, MORE PARTICULARLY DESCRIBED IN EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF FOR ALL PURPOSES, is hereby changed from Single Family Residential to Restricted Commercial as authorized by the Chapter 71: Zoning of the Code of Ordinances of the City of La Marque.

Section 3. 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, with the appropriate reference to the number and effective date of this Ordinance and brief description of the nature of the change.

Section 4. This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City, save and except the change in zoning classification of the tract described in section 2 hereof.

Section 5. 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 _____ 2017.

PASSED, APPROVED AND ADOPTED by the City Council of the City of La Marque, Texas, on the second and last reading this the _____ day of _____ 2017.

ATTEST:

Robin Eldridge, TRMC
City Clerk

APPROVED AS TO FORM:

Ellis J. Ortego, City Attorney

EXHIBIT "A"

ORDINANCE NO. O-2017-003

**METES AND BOUNDS DESCRIPTION OF 2.9457 ACRE TRACT- HIGHWAY 6
INTERESTS LLC**

A TRACT OR PARCEL OF LAND CONTAINING 2.9457 ACRES BEING THE NORTH PORTION OUT OF A 5.0140 ACRE TRACT CONVEYED TO SIDNEY E. AND SHIRLEY A. WEST (NOW VIVIAN ANN WEST) IN INSTRUMENT DATED JUNE 29, 1970 RECORDED IN VOLUME 2133, PAGE 749 OF THE DEED RECORDS OF GALVESTON COUNTY OUT OF THE SOUTHWESTERLY PORTION OF THE ORIGINAL WIEDEMANN 300 ACRE PARENT TRACT IN THE WEST HALF OF SURVEY NO. 4 OF THE S. F. AUSTIN LEAGUE, IN THE CITIES OF LA MARQUE (2.9457 ACRES) AND HITCHCOCK (2.0683), SAID 29457 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS TO-WIT:

BEGINNING at a $\frac{1}{4}$ inch iron rod set in concrete in the South line of said original Wiedemann 300 acre parent tract in the East right-of-way line of FM Highway No. 2004 marking the Northwest corner of the remainder 2.0683 acre tract;

THENCE North 02 degrees 49 minutes 51 seconds West with the East right-of-way line of said FM Highway No. 2004 (120 ft.. right-of-way) and 60.00 ft. perpendicularly distant from the centerline of said FM Highway No. 2004 a distance of 176.15 ft. to an old 1 inch pipe found at the Northwest corner of the herein described tract and the Southwest corner of the Brenwood South Interests, LTD. Tract 98-7, a 40.92 acre tract described in Clerk's file No. 2015006653 of the Official Public Records of Galveston County;

THENCE North 87 degrees 20 minutes 19 seconds East with the South boundary of said 40.92 acre tract a distance of 726.59 ft. to a $\frac{5}{8}$ Inch iron rod found at the Northeast corner of the herein described tract marking a re-entrant corner of said 40.92 acre tract;

THENCE South 02 degrees 49 minutes 51 seconds East with the West boundary of said 40.92 acre tract, passing the Northwest corner of a 2.310 acre tract also conveyed to Brenwood South Interests, LTD described in Clerk's File No. 2015006653 of the Official Public Records of Galveston County a distance of 176.15 ft. to a point at the Southeast corner of the herein described tract and the Southwest corner of said Brenwood South Interests, LTD Tract;

THENCE South 87 degrees 14 minutes 52 seconds West with the North boundary of said remainder 2.0683 acre tract a distance of 726.58 ft. to the PLACE OF BEGINNING and containing 2.9457 acres of land.

GUYOTT SURVEY, ASST. 71

(120' R/W - Asphalt Surf.)

Hwy.

No. 2004

Survey Line

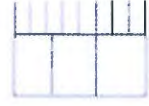
gas Manhole for 116 Fr.

of 300 Acres

demarc. Tract

N 65° 05' 49" W 351'

Retail



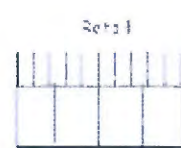
Drive



124'

2.0683 AC

Drive



Office Warehouse 1 ex 2900'



176'

2.1407 AC

City of La Marque
City of Hitchcock

Drive

City of Wrentham The Spine

S 87° 14' 52" W 726.58' (726')

Existing 25' Wide Gavelston Dr. Draining Dist. 2 NW

South Line of Wicremann 2000' Tract (Featured on Map)

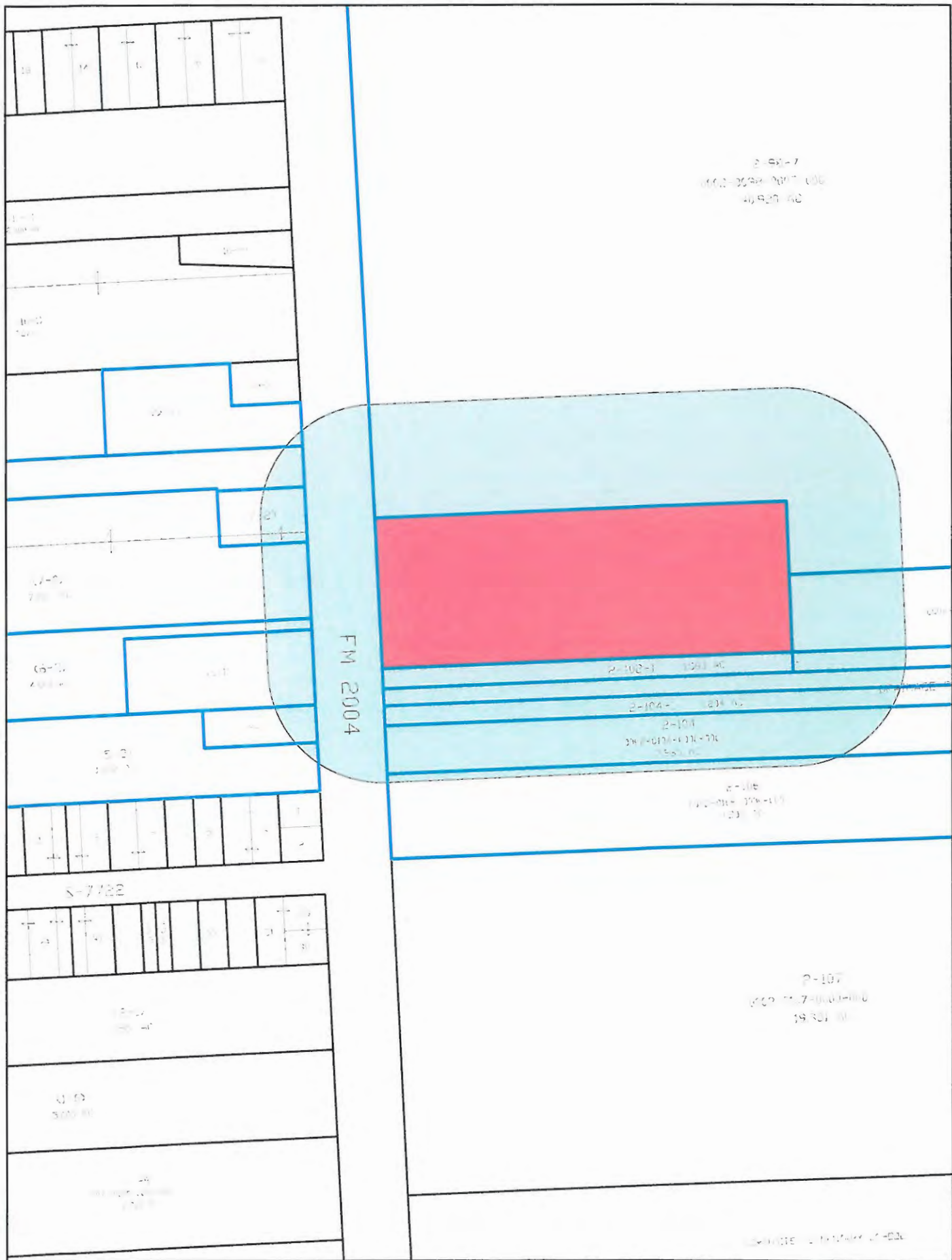
NOT E.S.

Starting from 120' R/W

gas Pipeline SW
Point N 13° 04' 55" E 342.62'
E 88° 07' 40" S 2015' 006655 AC
N 13° 04' 55" E 342.62'
E 88° 07' 40" S 2015' 006655 AC

Electric Power Co. - 110KV
4 Lines HL & P. Co. - 110KV
N 13° 04' 55" E 342.62'
E 88° 07' 40" S 2015' 006655 AC

S 82° 48' 51" E 3000'
Brown's
11.2317 AC





December 13, 2016

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

Dear Mayor and City Council:

On December 13, 2016 the Planning and Zoning Commission Conducted a meeting regarding **Re-Zone:** from R-1 Single Family Residential to C-2 Restricted Commercial

A tract or parcel of land containing 2.9 457 acres being the north portion out of a 5.0140 acre tract conveyed to Sidney E. and Shirley A. West (now Vivian Ann West in instrument dated June 29, 1970 recorded in volume 2133, page 749 of the deed records of Galveston County out of the Southwesterly portion of the original Wiedemann 300 acre parent tract in the West half of survey no. 4 of the S.F. Austin League, in the cities of La Marque (2.9457 acres. Location 5515 FM 2004

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



1111 Bayou
La Marque, Texas 77568
409.938.9202

**Planning and Zoning Commission
Regular Meeting
December 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 Greg Cornett
Commissioner Hugh Cash

ABSENT:

Commissioner Augustino Molis
Commissioner Russell Washington
Commissioner Chris Crowder

STAFF PRESENT:

Les Rumburg, Director of Public Works
Erica Grundmann – Inspections
Ellis Ortego– City Attorney

(3) INVOCATION AND PLEDGE OF ALLEGIANCE

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

(4) APPROVAL OF MINUTES

- a. Regular Meeting Minutes of December 13, 2016
Commissioner Greg Cornett made a motion to accept the minutes for December 13, 2016, Commissioner Hugh Cash seconded the motion.

MOTION PASSED.

(5) CITIZENS COMMENTS

None

(6) PUBLIC HEARING

Chairman Bethea closed the Regular meeting and opened the Public Hearing at 4:08 p.m.

- a. **Re-Zone** from R-1 Single Family Residential to C-2 Restricted Commercial ABST 150 PAGE PT OF BLK 11 (1100-4) DIV H COOK & STEWART SUB. Location 1916 Magnolia
- b. **Re-Zone** from R-1 Single Family Residential to C-2 Restricted Commercial ABST 150 PAGE 4 LOT 5 BLK 1 A FORMANS SUB. Location 1533 Bayou RD
- c. **Re-Zone** from R-1 Single Family Residential to C-2 Restricted Commercial ABST 150 PAGE 4 LOT 35 MAGNOLIA ADDN. Location 1602 Bayou
- d. **Re-Zone** from R-1 Single Family Residential to C-2 Restricted Commercial ABST 150 PAGE 4 LOT 4 BLK 1 A FORMANS SUB. Location 1531 Bayou RD

Chairman Bethea closed the Public Hearing and reconvened the Regular meeting at 4:16 p.m.

(7) NEW BUSINESS

- a. **Re-Zone** from R-1 Single Family Residential to C-2 Restricted Commercial ABST 150 PAGE 4 PT OF BLK 11 (1100-4) DIV H COOK & STEWART SUB. Location 1916 Magnolia

Commissioner Greg Cornett made a motion to accept the Re-Zone from R-1 Single Family Residential to C-2 Restricted Commercial. Commissioner Hugh Cash seconded the motion. **MOTION PASSED.**

- b. **Re-Zone** from R-1 Single Family Residential to C-2 Restricted Commercial ABST 150 PAGE 4 LOT 5 BLK 1 A FORMANS SUB. Location 1533 Bayou RD

Commissioner Greg Cornett made a motion to accept the Re-Zone from R-1 Single Family Residential to C-2 Restricted Commercial. Commissioner Hugh Cash seconded the motion. **MOTION PASSED.**

- c. **Re-Zone** from R-1 Single Family Residential to C-2 Restricted Commercial ABST 150 PAGE 4 35 MAGNOLIA ADDN. Location 1602 Bayou

Commissioner Greg Cornett made a motion to accept the Re-Zone from R-1 Single Family Residential to C-2 Restricted Commercial. Commissioner Hugh Cash seconded the motion. **MOTION PASSED.**

- d. **Re-Zone** from R-1 Single Family Residential to C-2 Restricted Commercial ABST 150 PAGE 4 LOT 4 BLK 1 A FORMANS SUB. Location 1531 Bayou RD

Commissioner Greg Cornett made a motion to accept the Re-Zone from R-1 Single Family Residential to C-2 Restricted Commercial. Commissioner Hugh Cash seconded the motion. **MOTION PASSED.**

- e. **Final Plat** for Landing at Delany Cove Section 6 a subdivision of 11.849 acres located in S.F. Austin League no. 4 survey, A-2 City of La Marque, Galveston County, Texas

Commissioner Greg Cornett made a motion to accept the Final Plat for Landing at Delany Cove Section 6 a subdivision of 11.849 acres located in S.F. Austin League no. 4 survey, A-2 City of La Marque, Galveston County, Texas Hugh Cash seconded the motion.

MOTION PASSED.

- f. **Re-Zone:** Discussion possible/ action: regarding a Re-Zone from R-1 Single Family Residential to C-2 Restricted Commercial A tract or parcel of land containing 2.9 457 acres being the north portion out of a 5.0140 acre tract conveyed to Sidney E. and Shirley A. West (now Vivian Ann West in instrument dated June 29, 1970 recorded in volume 2133, page 749 of the deed records of Galveston County out of the Southwesterly portion of the original Wiedemann 300 acre parent tract in the West half of survey no. 4 of the S.F. Austin League, in the cities of La Marque (2.9457 acres. Location 5515 FM 2004

Commissioner Greg Cornett made a motion to accept Re-Zone from R-1 Single Family Residential to C-2 Restricted Commercial A tract or parcel of land containing 2.9 457 acres being the north portion out of a 5.0140 acre tract conveyed to Sidney E. and Shirley A. West (now Vivian Ann West in instrument dated June 29, 1970 recorded in volume 2133, page 749 of the deed records of Galveston County out of the Southwesterly portion of the original Wiedemann 300 acre parent tract in the West half of survey no. 4 of the S.F. Austin League, in the cities of La Marque (2.9457 acres. Location 5515 FM 2004 Hugh Cash seconded the motion. **MOTION PASSED.**

- g. Discussion/ possible action regarding proposed amendments to chapters 14 and 29 of the La Marque Code of Ordinances adopting the 2012 editions of the International Fire Code, Building Code, Residential Code, Property Maintenance Code, Plumbing Code, Mechanical Code, and Fuel Gas Code; adding local amendments to the adopted codes; designating the Fire Chief as the Fire Code Official; establishing the Building Standards Commission as the board of appeals for these adopted codes; and providing a penalty in accordance with Section 1-7.

Commissioner Greg Cornett made a motion to accept adopting the 2012 editions of the International Fire Code, Building Code, Residential Code, Property Maintenance Code, Plumbing Code, Mechanical Code, and Fuel Gas Code; adding local amendments to the adopted codes; designating the Fire Chief as the Fire Code Official; establishing the building standards commission as the board of appeals for these adopted codes; and providing a penalty in accordance with Section 1-7. Hugh Cash seconded the motion.

MOTION PASSED.

(8) CHAIRMAN REPORT

There was no Chairman Report

(9) EXECUTIVE SESSION

There was no Executive Session

(10) REQUESTS AND ANNOUNCEMENTS

None at this time

(11) ADJOURNMENT

Commissioner Greg Cornett made a motion to adjourn the meeting at 5:36 p.m.
Commissioner Hugh Cash seconded. **MEETING ADJOURNED.**

Planning & Zoning Commission,
Chairman Deanna Bethea

DRAFT



1111 Bayou Road
La Marque, Texas 77568
409.938.9202

CITY OF LA MARQUE
PROPERTY OWNER PUBLIC NOTICE
REZONING REQUEST

November 28, 2016

Dear Property Owner:

This PUBLIC NOTICE is in accordance with Section 26, AMENDMENTS, Subsection D. PUBLIC HEARING AND NOTICE, of the City of La Marque's Zoning Ordinance. An application for rezoning has been received by the Planning and Zoning Commission. Land under your ownership or care, as listed with the City of La Marque Tax Records, is located within 200 feet of the property that is being considered for rezoning.

Re-Zone: Discussion possible/ action: regarding a Re-Zone from R-1
Single Family Residential to C-2 Restricted Commercial

A tract or parcel of land containing 2.9 457 acres being the north portion out of a 5.0140 acre tract conveyed to Sidney E. and Shirley A. West (now Vivian Ann West in instrument dated June 29, 1970 recorded in volume 2133, page 749 of the deed records of Galveston County out of the Southwesterly portion of the original Wiedemann 300 acre parent tract in the West half of survey no. 4 of the S.F. Austin League, in the cities of La Marque (2.9457 acres. Location 5515 FM 2004

The current zoning is (R-1) Single Family Residential. The proposed zoning is C-2 Restricted Commercial

NOTE: None.

This is your OFFICIAL NOTICE that the Planning and Zoning Commission will conduct a PUBLIC HEARING, on **December 13, 2016 at 4:00 PM**, in the Council Chambers of City Hall, 1109-B Bayou Rd., concerning the above rezoning request.

Your comments, if any will be heard at this time. If you are unable to attend, and wish to comment, you may call or write to the City of La Marque Inspection Department at the following:

City of La Marque
Inspection Department
1111 Bayou Rd.
La Marque, TX 77568
409-938-9206

Respectfully,



CITY COUNCIL AGENDA FORM

Meeting Date: January 9, 2017
Prepared by: Les Rumburg
Department: Development Services

Agenda item: 9e
Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible action to adopt **Ordinance No. O-2017-004**, approving the request for rezone from R-1 Single Family Residential, to C-2, Restricted Commercial of four lots facing the intersection of Magnolia Drive and Bayou Road in the City of La Marque, described as:

- ABST 150 PAGE 4 PT OF BLK 11 (1100-4) DIV H COOK & STEWART SUB., commonly known as 1916 Magnolia
- ABST 150 PAGE 4 LOT 5 BLK 1 A FORMANS SUB., commonly known as 1533 Bayou RD
- ABST 150 PAGE 4 35 MAGNOLIA ADDN., commonly known as 1602 Bayou
- ABST 150 PAGE 4 LOT 4 BLK 1 A FORMANS SUB., commonly known as 1531 Bayou RD

As recommended by the Planning and Zoning Commission

☒ X

Attachments for reference

1. Ordinance
2. Planning and Zoning Minutes for December 13, 2016
3. Map of Location
4. Property Owner Public Notice
5. Planning and Zoning Commission Letter of Recommendation

STAFF BRIEFING:

- The Planning and Zoning Commission discussed at regular meeting of December 13, 2016.
- Property is currently zoned S-1 Single Family Residential.
- The Planning and Zoning Commission is requesting the re-zone of four lots on the corner of Bayou and Magnolia.
- The Commission voted to forward item to City Council with a favorable recommendation based on the configuration and public input received.

HISTORY

- **November 28, 2016:** Property Owner Public Notice mailed to residents within a 200ft. radius
- **December 13, 2016** Planning and Zoning Commission held a regular meeting/public hearing and approves and recommended to City Council to change the zoning classification from S-1 Single Family to C-1 General Commercial.

TARGET IMPLEMENTATION: Upon approval by City Council of Second Reading



CITY COUNCIL AGENDA FORM

SIGNIFICANT ACTION DATES:

- **December 13, 2016** Planning and Zoning Commission held a regular meeting/public hearing and approves and recommended to City Council to change the zoning classification from S-1 Single Family to C-2 Restricted Commercial.

ACTION:

- | | |
|--|---|
| ☒ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☐ Other- recommendation to deny | |

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

- ☒ Mark if this item does not conflict with any Resolution, Ordinance or City Charter

STAFF' RECOMMENDATION: Motion to approve the adoption of **Ordinance No. O-2017-004**, approving the request for rezone from R-1 Single Family Residential, to C-2, Restricted Commercial of four lots facing the intersection of Magnolia Drive and Bayou Road in the City of La Marque, as approved by the Planning and Zoning Commission.

FISCAL IMPACT:

ORDINANCE NO. O-2017-004

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, CHANGING THE ZONING CLASSIFICATION FROM R-1 SINGLE FAMILY RESIDENTIAL, TO C-2, RESTRICTED COMMERCIAL OF A TRACT OF LAND CONSISTING OF FOUR LOTS FRONTING THE INTERSECTION OF MAGNOLIA STREET AND BAYOU ROAD IN THE CITY OF LA MARQUE; AMENDING THE ZONING MAP OF THE CITY ADOPTED THE 12TH DAY OF DECEMBER 2005 BY ORDINANCE NUMBER 953

WHEREAS, Ngoc K. Ngo (the "Applicant"), owner of the property 1916 Magnolia Drive described as Lot 1 of the four (4) lot rezone request generally described as fronting the intersection of Magnolia Drive and Bayou Road (the "Property"), generally situated in the corporate city limits of the City of La Marque, Texas (the "City"), and being more particularly described as Tract 1 in Exhibit "A" attached hereto and made a part hereof for all purposes; and

WHEREAS, the Property presently has a zoning classification of Single Family Residential under Chapter 71: Zoning of the Code of ordinances of the City of La Marque; and

WHEREAS, the applicant has made application to the City to change such zoning classification of said property from Single Family Residential to Restricted Commercial as authorized by the City's Zoning Ordinance; and

WHEREAS, the Property described as Tracts, 2, 3 and 4, in Exhibit "A" attached hereto and made a part hereof for all purposes presently has a zoning classification of Single Family Residential under Chapter 71: Zoning of the Code of ordinances of the City of La Marque; and

WHEREAS, City Staff has made recommendation to the City to change such zoning classification of Tracts 2, 3 and 4, described in Exhibit "A" attached hereto and made a part hereof for all purposes said properties from R-1, Single Family Residential to C-2, Restricted Commercial as authorized by the City's Zoning Ordinance; and

WHEREAS, the City Council of the City 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 City Council now deems it appropriate to grant such requested change in classification;

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

Section 1. The facts and the matters set forth in the preamble on this Ordinance are hereby found to be true and correct.

Section 2. The zoning classification of the certain tracts 1, 2, 3, and 4 as described in Exhibit "A", attached hereto and made a part hereof for all purposes, fronting the intersection of

Magnolia Street and Bayou Road in the City of La Marque, is hereby changed from Single Family Residential to Restricted Commercial as authorized by the Chapter 71: Zoning of the Code of Ordinances of the City of La Marque.

Section 3. 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, with the appropriate reference to the number and effective date of this Ordinance and brief description of the nature of the change.

Section 4. This Ordinance shall in no manner amend, change, supplement, or revise any provision of any ordinance of the City, save and except the change in zoning classification of the tract described in section 2 hereof.

Section 5. 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 _____, 2017.

PASSED, APPROVED AND ADOPTED by the City Council of the City of La Marque, Texas, on the second and last reading this the _____ day of _____, 2017.

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor

ATTEST:

Robin Eldridge, TRMC
City Clerk

APPROVED AS TO FORM:

Ellis J. Ortego
City Attorney

EXHIBIT "A"

ORDINANCE NO. O-2017-004

TRACT 1:

Part of Lot 13, Division H of Cook and Stewart Subdivision out of the John D. Moore League, Galveston County, Texas, according to the map of said subdivision of record in Volume 3 1, Page 526, in the Office of the County Clerk of Galveston County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at a point in the East line of Lot 1, 10' North 0 deg. 43 min. West from the Southeast corner of said Lot 1;

THENCE from the beginning point North 0 deg. 43 min. West, along the East line of said Lot 1, a distance of 105 feet to a point for corner;

THENCE South 89 deg. 17 min. West, parallel to the South line of said Lot 1, a distance of 162 feet to appoint for corner;

THENCE South 0 deg. 43 min. East, parallel to the East line of said Lot 1, a distance of 105 feet to a point for corner;

THENCE North 89 deg. 17 min. East, parallel to the South line of said Lot 1, a distance of 162 feet to the PLACE OF BEGINNING.

TRACT 2:

Lot Four (4) in Block One (1) of A. Forman Subdivision, a Subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 254-A, Page 3 1, of the Map Records of Galveston County, Texas.

TRACT 3:

Lots Thirty-three (33) and Thirty-five (35) of Magnolia Addition, a subdivision in Galveston County, Texas, according to the map thereof recorded in Volume 707, Page 46, in the Office of the County Clerk of Galveston County, Texas.

TRACT 4:

Lot 5, in Block 1, a Foreman Subdivision, a subdivision in Galveston County, Texas, according to the map or plat thereof, recorded in Volume 254A, Page 31, of the Map Records and transferred to Plat Record 7, Map No. 23, both of the Map Records of Galveston County, Texas.

110



December 13, 2016

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

Dear Mayor and City Council:

On December 13, 2016 the Planning and Zoning Commission Conducted a meeting regarding **Re-Zone:**
from R-1 Single Family Residential to C-2 Restricted Commercial

Re-Zone from R-1 Single Family Residential to C-2 Restricted Commercial
ABST 150 PAGE 4 PT OF BLK 11 (1100-4) DIV H COOK & STEWART SUB.
Location 1916 Magnolia

Re-Zone from R-1 Single Family Residential to C-2 Restricted Commercial
ABST 150 PAGE 4 LOT 5 BLK 1 A FORMANS SUB
Location 1533 Bayou RD

Re-Zone from R-1 Single Family Residential to C-2 Restricted Commercial
ABST 150 PAGE 4 LOT 35 MAGNOLIA ADDN
Location 1602 Bayou

Re-Zone from R-1 Single Family Residential to C-2 Restricted Commercial
ABST 150 PAGE 4 LOT 4 BLK 1 A FORMANS SUB
Location 1531 Bayou RD

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



1111 Bayou
La Marque, Texas 77568
409.938.9202

**Planning and Zoning Commission
Regular Meeting
December 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 Greg Cornett
Commissioner Hugh Cash

ABSENT:

Commissioner Augustino Molis
Commissioner Russell Washington
Commissioner Chris Crowder

STAFF PRESENT:

Les Rumburg, Director of Public Works
Erica Grundmann – Inspections
Ellis Ortego– City Attorney

(3) INVOCATION AND PLEDGE OF ALLEGIANCE

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

(4) APPROVAL OF MINUTES

- a. Regular Meeting Minutes of December 13, 2016
Commissioner Greg Cornett made a motion to accept the minutes for December 13, 2016, Commissioner Hugh Cash seconded the motion.
MOTION PASSED.

(5) CITIZENS COMMENTS

None

(6) PUBLIC HEARING Open at 4:08 PM, Closed at 4:16PM

a. **Re-Zone** from R-1 Single Family Residential to C-2 Restricted Commercial ABST 150 PAGE 4
PT OF BLK 11 (1100-4) DIV H COOK & STEWART SUB. Location 1916 Magnolia

b. **Re-Zone** from R-1 Single Family Residential to C-2 Restricted Commercial ABST 150 PAGE 4
LOT 5 BLK 1 A FORMANS SUB. Location 1533 Bayou RD

c. **Re-Zone** from R-1 Single Family Residential to C-2 Restricted Commercial ABST 150 PAGE 4
LOT 35 MAGNOLIA ADDN. Location 1602 Bayou

d. **Re-Zone** from R-1 Single Family Residential to C-2 Restricted Commercial ABST 150
PAGE 4 LOT 4 BLK 1 A FORMANS SUB. Location 1531 Bayou RD

(7) NEW BUSINESS

a. **Re-Zone** from R-1 Single Family Residential to C-2 Restricted Commercial ABST 150 PAGE 4
PT OF BLK 11 (1100-4) DIV H COOK & STEWART SUB. Location 1916 Magnolia

Commissioner Greg Cornett made a motion to accept the Re-Zone from R-1
Single Family Residential to C-2 Restricted Commercial. Commissioner Hugh Cash
seconded the motion. **MOTION PASSED.**

b. **Re-Zone** from R-1 Single Family Residential to C-2 Restricted Commercial ABST 150 PAGE 4
LOT 5 BLK 1 A FORMANS SUB. Location 1533 Bayou RD

Commissioner Greg Cornett made a motion to accept the Re-Zone from R-1
Single Family Residential to C-2 Restricted Commercial. Commissioner Hugh Cash
seconded the motion. **MOTION PASSED.**

c. **Re-Zone** from R-1 Single Family Residential to C-2 Restricted Commercial ABST 150 PAGE 4
35 MAGNOLIA ADDN. Location 1602 Bayou

Commissioner Greg Cornett made a motion to accept the Re-Zone from R-1
Single Family Residential to C-2 Restricted Commercial. Commissioner Hugh Cash
seconded the motion. **MOTION PASSED.**

d. **Re-Zone** from R-1 Single Family Residential to C-2 Restricted Commercial ABST 150
PAGE 4 LOT 4 BLK 1 A FORMANS SUB. Location 1531 Bayou RD

Commissioner Greg Cornett made a motion to accept the Re-Zone from R-1
Single Family Residential to C-2 Restricted Commercial. Commissioner Hugh Cash
seconded the motion. **MOTION PASSED.**

- e. **Final Plat** for Landing at Delany Cove Section 6 a subdivision of 11.849 acres located in S.F. Austin League no. 4 survey, A-2 City of La Marque, Galveston County, Texas

Commissioner Greg Cornett made a motion to accept the Final Plat for Landing at Delany Cove Section 6 a subdivision of 11.849 acres located in S.F. Austin League no. 4 survey, A-2 City of La Marque, Galveston County, Texas Hugh Cash seconded the motion.

MOTION PASSED.

- f. **Re-Zone:** Discussion possible/ action: regarding a Re-Zone from R-1 Single Family Residential to C-2 Restricted Commercial A tract or parcel of land containing 2.9 457 acres being the north portion out of a 5.0140 acre tract conveyed to Sidney E. and Shirley A. West (now Vivian Ann West in instrument dated June 29, 1970 recorded in volume 2133, page 749 of the deed records of Galveston County out of the Southwesterly portion of the original Wiedemann 300 acre parent tract in the West half of survey no. 4 of the S.F. Austin League, in the cities of La Marque (2.9457 acres. Location 5515 FM 2004

Commissioner Greg Cornett made a motion to accept Re-Zone from R-1 Single Family Residential to C-2 Restricted Commercial A tract or parcel of land containing 2.9 457 acres being the north portion out of a 5.0140 acre tract conveyed to Sidney E. and Shirley A. West (now Vivian Ann West in instrument dated June 29, 1970 recorded in volume 2133, page 749 of the deed records of Galveston County out of the Southwesterly portion of the original Wiedemann 300 acre parent tract in the West half of survey no. 4 of the S.F. Austin League, in the cities of La Marque (2.9457 acres. Location 5515 FM 2004 Hugh Cash seconded the motion. **MOTION PASSED.**

- g. Discussion/ possible action regarding proposed amendments to chapters 14 and 29 of the La Marque Code of Ordinances adopting the 2012 editions of the International Fire Code, Building Code, Residential Code, Property Maintenance Code, Plumbing Code, Mechanical Code, and Fuel Gas Code; adding local amendments to the adopted codes; designating the Fire Chief as the Fire Code Official; establishing the building standards commission as the board of appeals for these adopted codes; and providing a penalty in accordance with Section 1-7.

Commissioner Greg Cornett made a motion to accept adopting the 2012 editions of the International Fire Code, Building Code, Residential Code, Property Maintenance Code, Plumbing Code, Mechanical Code, and Fuel Gas Code; adding local amendments to the adopted codes; designating the Fire Chief as the Fire Code Official; establishing the building standards commission as the board of appeals for these adopted codes; and providing a penalty in accordance with Section 1-7. Hugh Cash seconded the motion.

MOTION PASSED.

- (8) **CHAIRMAN REPORT**
There was no Chairman Report
- (9) **EXECUTIVE SESSION**
There was no Executive Session

(10) REQUESTS AND ANNOUNCEMENTS

None at this time

(11) ADJOURNMENT

Commissioner Greg Cornett made a motion to adjourn the meeting at 5:36 p.m.
Commissioner Hugh Cash seconded. **MEETING ADJOURNED.**

Planning & Zoning Commission,
Chairman Deanna Bethea

DRAFT



1111 Bayou Road
La Marque, Texas 77568
409.938.9202

CITY OF LA MARQUE
PROPERTY OWNER PUBLIC NOTICE
REZONING REQUEST

November 28, 2016

Dear Property Owner:

This PUBLIC NOTICE is in accordance with Section 26, AMENDMENTS, Subsection D. PUBLIC HEARING AND NOTICE, of the City of La Marque's Zoning Ordinance. An application for rezoning has been received by the Planning and Zoning Commission. Land under your ownership or care, as listed with the City of La Marque Tax Records, is located within 200 feet of the property that is being considered for rezoning.

Re-Zone from R-1 Single Family Residential to C-2 Restricted Commercial
ABST 150 PAGE 4 PT OF BLK 11 (1100-4) DIV H COOK & STEWART SUB.
Location 1916 Magnolia

Re-Zone from R-1 Single Family Residential to C-2 Restricted Commercial
ABST 150 PAGE 4 LOT 5 BLK 1 A FORMANS SUB
Location 1533 Bayou RD

Re-Zone from R-1 Single Family Residential to C-2 Restricted Commercial
ABST 150 PAGE 4 LOT 35 MAGNOLIA ADDN
Location 1602 Bayou

Re-Zone from R-1 Single Family Residential to C-2 Restricted Commercial
ABST 150 PAGE 4 LOT 4 BLK 1 A FORMANS SUB
Location 1531 Bayou RD

NOTE: None.

This is your OFFICIAL NOTICE that the Planning and Zoning Commission will conduct a PUBLIC HEARING, on **December 13, 2016** at **4:00 PM**, in the Council Chambers of City Hall, 1109-B Bayou Rd., concerning the above rezoning request.

Your comments, if any will be heard at this time. If you are unable to attend, and wish to comment, you may call or write to the City of La Marque Inspection Department at the following:

City of La Marque
Inspection Department
1111 Bayou Rd.
La Marque, TX 77568
409-938-9206



CITY COUNCIL AGENDA FORM

Meeting Date: January 9, 2017

Agenda item: 9f

Prepared by: Robin Eldridge

Reviewed by: Carol Buttler

Department: Mayor and City Council

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding appointments and/ or reappointments to various positions of the Boards and Commissions

X

ATTACHMENTS FOR REFERENCE

1. Current positions vacant and / or expired or expiring terms
2. Current applications on file
3. Regular City Council minutes (draft) - December 12, 2016

STAFF BRIEFING:

- Currently there are 4 **vacant** positions on the Boards and Commissions.
- **District "B"** still has (3) three appointments (one vacant position and two expired terms) -BOA, Clean City Commission and Parks Board
- **District "C"** still has one (1) appointment (one vacant position) - Cemetery
- **District "D"** still has five (5) appointments (two vacant- BOA & P&Z) and three (expired terms) - Cemetery, Clean City & Parks Board

HISTORY: Historically, appointments are made as vacancies occur (if possible) and as members reach the end of their terms, based on applications on file, and in accordance with Resolution 1032.

TARGET IMPLEMENTATION: As soon as possible, as to fill each Board or Commission with the amount of members required to conduct City business.

SIGNIFICANT ACTION DATES:

12.12.2016 – Some appointments and reappointments were made by City Council at this meeting

ACTION:

- | | |
|---|---|
| ☐ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☒ Other-appointments/or reappointment to Boards & Commissions | |

Cost Details:

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



CITY COUNCIL AGENDA FORM



Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures

STAFF'S RECOMMENDATION: Motion to approve appointments to the Boards and Commissions as submitted by Mayor and City Council.

FISCAL IMPACT: NA

Current Vacancies or terms ending or ended on Boards & Commissions

COUNCIL DISTRICT “B” APPOINTMENTS

Board of Adjustments	CJ Leggett	2015
Clean City	Vacant	2017
Parks Board	CJ Leggett	2016

COUNCIL DISTRICT “C” APPOINTMENTS

Cemetery	Vacant	2016
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COUNCIL DISTRICT “D” APPOINTMENTS

Board of Adjustments	Vacant	2016
Cemetery Board	Bim Crowder	2016
Clean City Commission	Carlos Flores	2016
Parks Board	Larry Walker	2016
Planning & Zoning Commission	Vacant	2017

**CANDIDATE APPLICATION FORM
FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS
OF
THE CITY OF LA MARQUE**

NOV 27 AM

City Council will review applicants interested in serving on a City Board and/or City Commission. Information disclosed on this application or any other attached documents may be disclosed in public meetings.

Please type or print information

Board Preference 1: Economic Development Corporation

Board Preference 2: Planning + Zoning Commission Preference 3: Library Board

Name: Kimberley N. Yancy

Home Address: 2602 Meadow Lane

City: La Marque Zip: 77568 La Marque Resident: 6 yrs (total 1997-present)

Home Telephone: 713 320.2899 Home E-mail: Kimjyancy@gmail.com - moved back July 2016

Profession: Teacher, President of Staffing Company, author, trainer

Special Knowledge or Experience applicable to City Board/Commission function: B.A. in Government
Former Director of Public Housing; former State Rep. Intern from UT - Austin

Other Information (Civic Activities): NEW VISION BAPTIST CHURCH - DR. of Ministries
Delta Sigma Theta Sorority; NAACP; writer, school sponsor LMHS; advisor

I verify that the information I have provided on this application to be true and correct.
I also acknowledge that this information may be made available to the public.

Signature: Kimberley N. Yancy Date: 11/18/16

PLEASE RETURN COMPLETED APPLICATION TO THE CITY CLERK'S OFFICE, 1111 BAYOU RD,
LA MARQUE, TEXAS 77568. APPLICATIONS WILL REMAIN ON FILE FOR TWO YEARS.

Each month Coast Monthly meets with some of the most charming people on the Texas Coast to see a few of their favorite things



Kimberley Yancy

Story by Sue Mayfield Geiger | Photos by Chris Kuhlman

Kimberley Yancy, who was born on Christmas Day in La Marque, recently moved back to her birthplace to be a part of the unification of the community. Yancy attended Clear Lake High School and went on to graduate from the University of Texas at Austin. The mother of four is married to Clint Yancy, a pastor. In 2006, she wrote a Christian fiction novel, "Confessions of a Preacher's Wife," which addresses forgiveness, love and prayer. The book was adapted into a play that was performed at the Wortham Theater Center in Houston in 2008.

Yancy, who calls herself a "change maker," is a history teacher at Dickinson ISD's Dunbar Middle School. Her mission is to make a difference in the lives of others, she said. She's vice president of the NAACP Dickinson-Bay Area branch, a member of Delta Sigma Theta Sorority and founder of the Malcolm X Lounge, a safe haven for students of all races at the University of Texas at Austin.

"I've always been one to bring people together," she said. Yancy enjoys visiting churches and admires the historical homes and beach houses on the island. Calling her fashion style "1960s conservative chic," she likes wearing blazers with heels, and makes sure her nails and hair are picture perfect before walking out the door.

"I've been called the black Victoria Osteen," she said.

Here are a few of Yancy's favorite things:

1. Texas Longhorn wall hanging: I'm a proud third-generation University of Texas at Austin graduate. It's quite an accomplishment since they didn't accept African-American students until 1956.

2. Elephant: This is the symbol of my sorority, Delta Sigma Theta.

3. Pool Rules sign: I love my swimming pool, and try to swim as much as possible. I was a lifeguard in high school.

4. Book: This is the book I wrote, "Confessions of a Preacher's Wife," using my pen name, Mikasenoja.

5. Hat: I am definitely a big hat person. I have over 30 of them. This is my signature hat that I wear to book signings and when I travel.

6. Silver heels: These are my signature "First Lady" shoes. "First Lady" is a term of endearment for a pastor's wife.

7. Teacher figurine: This was a gift from my friend, Leah Gaston, and is special since I'm a teacher.

8. Red makeup kit: I'm a makeup girl and prefer wearing matte lipsticks.

9. Cap: This was given to me by the Women's Ministry of my church, New Vision Baptist, in Dickinson.

10. Hymnal: I sing from this hymnal every Sunday. My favorite hymn is "I Must Tell Jesus."



**CANDIDATE APPLICATION FORM
FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS
OF
THE CITY OF LA MARQUE**

City Council will review applicants interested in serving on a City Board and/or City Commission. Information disclosed on this application or any other attached documents may be disclosed in public meetings.

Please type or print information

Board Preference 1: Building Standards Commission

Board Preference 2: _____

Name: Abby Cash

Home Address: 217 Sarlee Dr

City: La Marque Zip: 77568 La Marque Resident: 2 yrs

Home Telephone: 409-502-8016 Home E-mail: Cash.abby@yahoo.com

Profession: Homemaker (2yrs) employed previously a total of 19 years in various billing aspects of the medical field

Special Knowledge or Experience applicable to City Board/Commission function: _____

*Bilingual - Speak, read & write in Spanish

Other Information (Civic Activities): _____

I verify that the information I have provided on this application to be true and correct. I also acknowledge that this information may be made available to the public.

Signature: Abby Cash

Date: 11/7/16

PLEASE RETURN COMPLETED APPLICATION TO THE CITY CLERK'S OFFICE, 1111 BAYOU RD, LA MARQUE, TEXAS 77568. APPLICATIONS WILL REMAIN ON FILE FOR TWO YEARS.

NOV 9 9 AM
16

ATTN: R. Eldridge

**CANDIDATE APPLICATION FORM
FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS
OF
THE CITY OF LA MARQUE**

NOV 07 AM

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City Council will review applicants interested in serving on a City Board and/or City Commission. Information disclosed on this application or any other attached documents may be disclosed in public meetings.

Please type or print information

Board Preference 1: Green City Commission

Board Preference 2: Citizens Police Academy

Name: Sheila Loressey

Home Address: 2515 Boon St.

City: La Marque Zip: 77568 La Marque Resident: 7 yrs

Home Telephone: 409 938 3727 Home E-mail: _____

Profession: Disabled

Special Knowledge or Experience applicable to City Board/Commission function: Took a Law course in College

Other Information (Civic Activities): Volunteer Programs mostly in Austin, Tx.

I verify that the information I have provided on this application to be true and correct. I also acknowledge that this information may be made available to the public.

Signature: Sheila Loressey

Date: 10/31/16

PLEASE RETURN COMPLETED APPLICATION TO THE CITY CLERK'S OFFICE, 1111 BAYOU RD, LA MARQUE, TEXAS 77568. APPLICATIONS WILL REMAIN ON FILE FOR TWO YEARS.

CANDIDATE APPLICATION FORM
FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS
OF
THE CITY OF LA MARQUE

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Please type or print information

NOV 22 AM

Board Preference 1: None

Board Preference 2: None

Name: HELEN K. KEE

Home Address: 3103 Mc Arthur

City: La Marque Zip: 77568 La Marque Resident: 25 yrs

Home Telephone: 409-935-4653 Home E-mail: HK.KEE@Comcast.net

Profession: Retired Univ. Faculty / EXEC^{UNIV} Teaching Hospitals

Special Knowledge or Experience applicable to City Board/Commission function: None Specific To City Boards

Other Information (Civic Activities):

I verify that the information I have provided on this application to be true and correct.
I also acknowledge that this information may be made available to the public.

Signature: Helen K. Kee

Date: Nov 21, 2016

PLEASE RETURN COMPLETED APPLICATION TO THE CITY CLERK'S OFFICE, 1111 BAYOU RD,
LA MARQUE, TEXAS 77568. APPLICATIONS WILL REMAIN ON FILE FOR TWO YEARS.

Resume

Helen K. Kee, Ph.D. R.N.

3103 McArthur
LaMarque, Texas 77568
(409) 935-4653

EDUCATION:

Institution	Degree	Year	Field of Study
College of Nursing University of Utah Salt Lake City, Utah	Ph.D.	1988	Nursing Administration With Emphasis on Behavior in Organization Systems
University of New Mexico Albuquerque, New Mexico	M.B.A.	1973	Administrative Sciences
University of California Los Angeles, California	M.S.N.	1968	Mental Health
California State University Los Angeles, California	B.S.N.	1966	
Mount Sinai Hospital School of Nursing Cleveland, Ohio	R.N.	1957	

PROFESSIONAL EXPERIENCE:

1988-2000	Director / Assistant Professor Graduate Program in Nursing Administration School of Nursing University of Texas Medical Branch Galveston, Texas
1991-1992	Acting Chairperson Department of Mental Health / Management School of Nursing University of Texas Medical Branch Galveston, Texas
1987-1988	Assistant Dean for Clinical Affairs College of Nursing, Medical University of South Carolina Charleston, South Carolina (Joint Appointment)
1987-1988	Chairman, Department of Nursing Medical University Hospital Charleston, South Carolina

PROFESSIONAL EXPERIENCE: (cont.)

1984-1987 Full-time Doctoral Student
College of Nursing, University of Utah
Salt Lake City, Utah

1978-1984 Auxiliary Faculty Member
College of Nursing, University of Utah
Salt Lake City, Utah (Joint Appointment)

1978-1984 Associate Administrator / Director Nursing Services
University of Utah Hospital
Salt Lake City, Utah

In addition to managing the inpatient-nursing department, responsibilities included administrating the operating room, Department of Anesthesiology, Division of Physical Medicine, Rehabilitation and EEG.

1970-1978 Associate Dean
College of Nursing, University of New Mexico
Albuquerque, New Mexico (Joint Appointment)

1970-1978 Assistant Administrator / Director of Nursing Services
Bernalillo County Medical Center
(University of New Mexico Teaching Hospital)
Albuquerque, New Mexico

1968-1970 Assistant Professor
College of Nursing, University of New Mexico
Albuquerque, New Mexico (Nursing Management)

1961-1968 Head Nurse, Clinical Specialist – Neurology
Hospital Nursing Supervisor
UCLA Neuro Psychiatric Institute
Los Angeles, California

1957-1961 Staff Nurse and Head Nurse, Adult Medical Surgical Area
UCLA Center for Health Sciences
Los Angeles, California

HONORS AND AWARDS:

- Certification, Nursing Administration Advanced, ANA, Washington, D.C.
- Mental-Health Scholarship for Graduate Education, Dept. of Health and Human Service, Washington D.C., 1969.
- Woman of the Year, Albuquerque business and Professional Women's Club, 1976.
- Who's Who in the West, 1979-1982, 1988.

APPOINTMENTS:

- Treasurer, Alpha Delta Chapter, Sigma Theta Tau, 1995-1999
- Commissioner, Committee for Policy / Legislation Advocacy, American Organization of Nurse Executives, 1994-1996
- Board of Directors, Texas Nurses Association District 6, 1994-1995.
- Third Vice President, Texas League for Nurses, 1992-1995
- Treasurer, Alpha Delta Chapter, Sigma Theta Tau, 1992-1994, 1997-1998
- Active participant and member of the artificial heart team. Member of the evaluation committee (representing nursing) that chose the first artificial heart recipient, 1980-1984.
- Secretary / Treasurer, Board of Directors, Executive Program Alumni Association, University of New Mexico, School of Business and Administrative Science, Albuquerque, New Mexico, 1975
- President, Board of Directors, Executive Program Alumni Association, University of New Mexico School of Business and Administrative Sciences, Albuquerque, New Mexico, 1975-1976
- New Mexico State-wide Governor's Committee to prepare definition of death, 1975.
- Member, Board of Directors of Western Interstate Commission on Higher Education, 1972-1974.
- Served on numerous committees for California Nurses Association, New Mexico Nurses Association and Utah Nurses Association.

PUBLICATIONS:

- Kee, H.K. (1997). The healing role of the nurse leader in response to organizational change. In P.B. Kritek, (Ed.), *Reflections on healing: A central nursing construct* (pp.246-254). New York: National League for Nursing Press.
- Kee, H.K. (1995, August). Home Health care nursing issues: Literature review. *Pulse*.
- Kee, H.K. (1995, Apr.). [Commentary on the article Ethical considerations in the allocation of organs and other scarce medical resources among patients by the Council on Ethical and Judicial Affairs, American Medical association]. *APNSCAN*, 4-5.
- Gamble, D., & Kee, H.K. (1993). Out of entitlement: A nursing organization's journey. *Journal of Nursing Administration*. 23(9), 58-63.
- Kee, H.K. (1988). A case study of two health care institutions that have charging systems for nursing care Doctoral Dissertation, University of Utah, Salt Lake City.
- Kee, H.K., & Cole, B.V. (1985). A heart decision. *American Journal of Nursing*, 85, 535-536.

- Kee, H.K. (1976). [Book review of Making the most of management consulting services by J.H. Fuchs, AMACOM, 1975]. The Journal of Nursing Administration, 6(8).
- Kee, H.K. (1968). Nursing – Pharmacy professional relations. Hospital Forum, 5, 76-77.
- Kee, H.K. (1968). A study of the effects of sedatives on dreaming: Possible implications for nursing. Master's Thesis. UCLA Intra-Loan Library. Presented to the Association for the Psycho Study of Sleep, Los Angeles, California.

CIVIC ACTIVITIES:

- League of Women Voters, 1990-Present
- National Association of Business Women, 1991-1999
- President Board of Directors, Bay Area SPCA, Galveston County, TX 1996-2000
- Executive Director, Bay Area SPCA, Galveston County, TX 2000-2001
- Board of Directors, Senior Olympics, 1997-1999

CONSULTATION:

Consultation to Donna Morris, Dr.P.H., C.N.M., for “Primary Health Care Services in the Laredo Colonias,” 1993-2000.

Memorial Northwest Hospital, Houston, Texas, 1993-1994.

Universidade de Federalis Belo Horizonte, Brazil, 1991-1993.

St. Luke's Episcopal Hospital, Houston, Texas, 1990.

Nursing Service, Holy Cross Hospital, Salt Lake City, Utah, August 1980.

Albuquerque Area Hospital Council, Advised on ethical definition of death, Albuquerque, New Mexico, 1976.

Shprock Public Health Service Indian Hospital, Shiprock New Mexico, 1975.

Nursing Services, Silver Springs, New Mexico, 1971-1972.

Workshop Presentation & Speeches Available on Request.

**CANDIDATE APPLICATION FORM
FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS
OF
THE CITY OF LA MARQUE**

City Council will review applicants interested in serving on a City Board and/or City Commission. Information disclosed on this application or any other attached documents may be disclosed in public meetings.

Please type or print information

Board Preference 1: PARK BOARD

Board Preference 2: EDC

Name: JOE COMPIAN

Home Address: 1020 DUDOUX ROAD

City: LA MARQUE Zip: 77568 La Marque Resident: ✓ yrs

Home Telephone: 409 939 8017 Home E-mail: jcompien@gmail.com

Profession: NON PROFIT MANAGEMENT

Special Knowledge or Experience applicable to City Board/Commission function: _____

Other Information (Civic Activities): CLEAN CITY COMMISSION

I verify that the information I have provided on this application to be true and correct. I also acknowledge that this information may be made available to the public.

Signature: Joe A Compien Date: 12/1/16

PLEASE RETURN COMPLETED APPLICATION TO THE CITY CLERK'S OFFICE, 1111 BAYOU RD, LA MARQUE, TEXAS 77568. APPLICATIONS WILL REMAIN ON FILE FOR TWO YEARS.

**CANDIDATE APPLICATION FORM
FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS
OF
THE CITY OF LA MARQUE**

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City Council will review applicants interested in serving on a City Board and/or City Commission. Information disclosed on this application or any other attached documents may be disclosed in public meetings.

Please type or print information

Board Preference 1: Clean City

Board Preference 2: Planning & Zoning

Name: Nancy Vidotto

Home Address: 622 Hollingsworth Ln

City: La Marque Zip: 77568 La Marque Resident: 2 1/2 yrs

Home Telephone: 979-822-4390 Home E-mail: navidotto@hotmail.com

Profession: Business Admin

Special Knowledge or Experience applicable to City Board/Commission function: accounting/business - attention to detail

Other Information (Civic Activities):

I verify that the information I have provided on this application to be true and correct.
I also acknowledge that this information may be made available to the public.

Signature: Nancy Vidotto Date: 1/6/17

PLEASE RETURN COMPLETED APPLICATION TO THE CITY CLERK'S OFFICE, 1111 BAYOU RD,
LA MARQUE, TEXAS 77568. APPLICATIONS WILL REMAIN ON FILE FOR TWO YEARS.



1111 Bayou
La Marque, Texas 77568
409.938.9202

**CITY OF LA MARQUE
CITY COUNCIL
REGULAR MEETING MINUTES
OF
DECEMBER 12, 2016**

Regular Meeting Minutes of the City of La Marque City Council held on Monday, November 14, 2016, beginning at 6:00 p.m. at 1109-B Bayou Road with the following members present:

(1) CALL TO ORDER

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

(2) ROLL CALL – MEMBERS OF COUNCIL

Bobby Hocking

Mayor

Keith Bell

Mayor Pro-Tem, Councilmember District A

Chris Lane

Councilmember, District B

Robert Michetich

Councilmember, District C

Clent Brown

Councilmember, District D

OTHER OFFICIALS PRESENT:

Carol Buttler

City Manager

Ellis Ortego

City Attorney

Robin Eldridge

City Clerk

(3) INVOCATION AND PLEDGE OF ALLEGIENCE

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

(4) PRESENTATIONS/PROCLAMATIONS

- a. Chief Jackson presented the first uniform Police Department patch that was worn from 1954 to 1966; 1966-1983; 1983-2016, then presented the new uniform Police Department patch, a fresh new look for 2016

(5) CITIZENS PARTICIPATION

1. David Pennington invited all to attend the “Wreaths across America” annual event that will be taking place at the La Marque Cemetery, the upcoming Saturday, December 17, 2016 beginning at 11:00 a.m. This year they will be placing 250 wreaths to honor the local veterans.
2. Margaret Little reported that her neighborhood had some serious sewer problems the previous week and she along with a few of her neighbors couldn’t get through to City Hall. “From what I understand, there is a new phone system, well it should be on the website or maybe the library sign. Today, I heard from someone on Evergreen, this is ridiculous, that we are having to go through this. I have lived here since 1970 and I have never had any problems. The reason for this, and I know this. They are not coming out and



1111 Bayou
La Marque, Texas 77568
409.938.9202

cleaning out these plugs. They make no effort to do this. I have a lot of raw sewage in my yard.” She said that if the City didn’t take care of it she didn’t know what else to do but report it to the Health Department and the State. The four streets that were having the sewer issues were Pecos, Colorado, Brazos and Goliad. “That is a two-man job, not a one-man job and they sent one man out to address the issue, and he was very frustrated. I would like to see a copy of that work-order to see what they put on there, because it wasn’t fixed.” She mentioned that according to the City Manager, the City is losing 56% of our water. “This another severe problem and nothing is being handled with the streets or the water lines. I hear there is another Fire Station coming up, that is ridiculous, we don’t have the money to maintain the infrastructure in this town, but we are going to build a brand new Fire Department across town. Another thing, people are upset about raises being given to administration, but the employees and the retirees aren’t. We never have enough money to get to that point. We are a little town, and if you are going to put up these things like these high salaries, maybe they should go somewhere else and get a job, because this has gotten out of hand too. Administration has been kicking this can down the road for a long time. It is like La Marque is in a sink-hole. You want to beautify everything around us, but La Marque is dying. We are not spending our money wisely.”

Mayor Hocking responded as a point of order, “The sewage matter, just for the record, during Hurricane Carla, there was 14 inches of rain, we had 12.7 inches in eleven hours, no City can handle that. However, Ms. Buttler, if you would please address the drainage situation.”

Ms. Little spoke from the audience, “The rain didn’t help, but the problem is that the City does not clean out the plugs, the lines, at least once a year. That is part of maintenance.”

Councilmember Bell clarified, and it was determined that the plugs are sewer lines, Ms. Little was speaking of.

Mayor Hocking continued, as appoint of order, “This Council gave the first across the board raise of 4% that the employees had been given in eleven years. This year, in this budget, we are looking again at giving, especially down the line employees, another across the board raise, so we appreciate those comments. This will be during the August budget hearings, and you are more than welcome to attend those to help us adjust those numbers. We have done a survey of the surrounding cities, and we want our people to be paid as well if not better, so we can attract great employees.”

3. Louis “Mac” McGaffey, “Well I am here tonight, for a different reason. I want to thank you Mayor for sending the volunteers that worked at the Bayou Fest and the Parks Board, a very nice Thank you note. The second thing, I want to thank the Mayor and the Council for sending all of the volunteers, a Christmas card. I felt it was a real card with feeling behind it and I just want to thank ya’ll.”
4. Richard Loftis, “I am here again about the drainage on Bellview and pretty much throughout this town.” He stated that he had met with the City Manager and



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Councilmember Bell a few weeks before and had shown them some of the problem areas and gave them solutions as to how to fix it, the way that they do it at the City of Kemah. But then said that nothing had been done about it. "It rained, I got calls from citizens on that street, I guess because I am more vocal about it and they asked me what was going to be done about it, and I have no answers for them. Every time you see me here, the last couple of times, it has been the exact same problem. It is frustrating that people are getting paid, out of my tax dollars, and the work ain't getting done." He said he is apprehensive about building a new house next to one he already owns, because of the services. "I am at the point where if I could pick up both of the houses that I own in the City of La Marque, and move them somewhere else, that is probably what I would be doing. I want to know when the drainage culverts on Bellview are going to get done."

It was said that the ditches were cleaned, but the mud that was left in the culverts was left and that this keeps them from draining. He was asked what they do in Kemah.

Mr. Loftis answered, "We take a cable and run it through the culverts, with tires tied to the end of it and push it through with a Gradall. This is only done when it is still wet, moist, and it comes right out. The only other solution, would be to dig up the driveways, which is more costly."

Mayor Pro-Tem Bell spoke to the City Manager and referred to the meeting that they had with Mr. Loftis, "I thought we let this resident know that there was going to be a time frame as to when we were going to clean those culverts, and I thought that the time frame was sooner rather than later."

City Manager Carol Buttler responded that she had received the message from Mr. Loftis and had answered him back, "As I responded to him earlier that day, was that water and sewer issues took priority over cleaning out the culvert. We did monitor Bellview during the high rains and we had some of the residents come to us and personally thank us for what we had done, so I know we made some progress. But, we are not finished. We did have some other things, especially with the rain, we had a lot of sewer issues and a lot of water issues."

Mayor Pro-Tem asked when the City was going to get the culverts cleaned, and whether the City would be trying the method that Ms. Loftis suggested.

Ms. Buttler said that it was a good suggestion and that she was going to ask when Mr. Rumburg would be scheduling that, they normally do ditches on Wednesdays.

(6) CONSENT AGENDA

- a. Workshop Minutes of City Council on November 14, 2016.
- b. Regular Minutes of City Council on November 14, 2016.

** Councilmember Lane made a motion to approve the consent agenda.

** Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY.**



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(7) CONTRACTS/AGREEMENTS

- a. Discussion/possible action regarding awarding Lansdowne Moody, a local Buyboard vendor for the purchase of a slope/boom mower, in the amount of \$88,088.00.

** Councilmember Bell made a motion to award Lansdowne Moody, a local Buyboard vendor for the purchase of a slope/boom mower, in the amount of \$88,088.00.

** Councilmember Lane seconded.

Councilmember Brown asked that the City start buying more American made equipment. Questioned the additional \$13,000 to be included in the price to get the ignition installed. A question arose of whether there were any slope-mowers made in America. The additional \$13,000 would only be included if the City had not ordered the equipment before the December 15th deadline.

Public Services Director addressed the issue on the price, and said that the item was on the BuyBoard list and it was less expensive than others.

Councilmember Michetich explained the Buyboard and why cities use it, "It has better prices, warranties and assures the entities that they will stand behind their products and that we are getting the best prices." Suggested that the City request American made, but with the understand that it may not always be available or with the better prices.

MOTION CARRIED UNANIMOUSLY.

- b. Discussion/possible action regarding awarding Texas Underground, a local BuyBoard vendor, for the purchase of a trailer jet machine, in the amount of \$49,975.15.

** Mayor Pro-Tem Bell made a motion to award Underground, a local BuyBoard vendor, for the purchase of a trailer jet machine, in the amount of \$49,975.15.

** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**

(8) OLD BUSINESS

Discussion/possible action regarding adopting Ordinance No. **O-2016-0020**, repealing Chapter 8, Animal Control, of the Code of Ordinances, City of La Marque, Texas, and in its place adopting a new Chapter 8 to regulate birds, livestock, animals, exotic animals, dogs, cats, kennels, public nuisances; providing ownership; and, providing enforcement. **THIS IS THE FIRST READING (Item tabled at City Council meeting of October 10, 2016)**

** Councilmember Lane made a motion to adopt Ordinance No. **O-2016-0020**, repealing Chapter 8, Animal Control, of the Code of Ordinances, City of La Marque, Texas, and in its place adopting a new Chapter 8 to regulate birds, livestock, animals, exotic animals, dogs, cats, kennels, public nuisances; providing ownership; and, providing enforcement.

** Councilmember Michetich seconded.



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Mayor Pro-Tem was concerned about the ordinance being complaint driven and suggested that it be more proactive than reactive. It was said that the reason being that there are so that have so many animals, and that staff has tried to reach out to those citizens to let them know of the upcoming ordinance to give them time to relocate some of their animals. AG exemptions were briefly discussed.

Mayor Hocking asked that the issues of the culverts on Bellview and the problems on Brazos be addressed within the next sixty days.

(9) NEW BUSINESS

- a. Discussion/possible action regarding adopting Resolution No. **R-2016-0018**, suspending the effective date of CenterPoint's proposed rate increase until the City has reviewed and evaluated the request.

** Councilmember Lane made a motion to adopt Resolution No. **R-2016-0018**, suspending the effective date of CenterPoint's proposed rate increase until the City has reviewed and evaluated the request.

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

- b. Discussion/possible action regarding adopting Resolution No. **R-2016-0019**, approving submittal of application for funding through the Community Development Block Grant (CDBG) program sponsored by the Texas Department of Agriculture, requesting grant funds totaling \$350,000 with a City match of approximately \$383,000 to provide enhancements to the City's water distribution system in select areas of the City.

** Councilmember Michetich made a motion to adopt Resolution No. **R-2016-0019**, submittal of application for funding through the Community Development Block Grant (CDBG) program sponsored by the Texas Department of Agriculture, requesting grant funds totaling \$350,000 with a City match of approximately \$383,000 to provide enhancements to the City's water distribution system in select areas of the City.

** Councilmember Bell seconded. **MOTION CARRIED UNANIMOUSLY.**
Public Services Les Rumburg explained what the grant monies would be used for: Wisteria, Honeysuckle, Bluebonnet from Cedar to Winding Way, based on the number of calls for service for water line breaks each week.

Mentioned was that select areas of town be selected until the whole city has been repaired

- c. Discussion/possible action regarding adopting Resolution No. **R-2016-0020**, approving procedures for cooperating with Boards and Commissions.

** Councilmember Michetich made a motion to adopt Resolution No. **R-2016-0020**, approving procedures for cooperating with Boards and Commissions.

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

Mayor Pro-Tem Bell made an amendment to the resolution to include what he offered at the



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previous meeting was that a member of Council become an ex-officio member on each of the Board and or Commissions. Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY.**

- d. Discussion/possible action regarding a recommendation from the City of La Marque Parks Board to approve a request to waive all fees for Highland Bayou “Mac McGaffey” Park on March 25, 2017, for a benefit function sponsored by the Friends of Sergeant Royce McQuaig and requiring a Special Event Permit.

** Councilmember Bell made a motion to waive all fees for Highland Bayou “Mac McGaffey” Park on March 25, 2017, for a benefit function sponsored by the Friends of Sergeant Royce McQuaig and requiring a Special Event Permit.

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

- e. Discussion/possible action regarding the recommendation of the Cemetery Board to Transfer Cemetery Plot 62, spaces 3-10 of the Southeast Quadrant from Edna Derrick to John W. and Stephanie A. Hamilton.

** Councilmember Bell made a motion to approve the recommendation of the Cemetery Board to Transfer Cemetery Plot 62, spaces 3-10 of the Southeast Quadrant from Edna Derrick to John W. and Stephanie A. Hamilton.

** Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY.**

- f. Discussion/possible action regarding appointments and/ or reappointments to various positions of the Boards and Commissions.

Mayor Hocking reappointed Harold Augustus to the Board of Adjustments; reappointed Trina Phillips to the Building Standards Commission; reappointed Deanie Barrett to the Economic Development Corporation, (which was actually an appointment of Council “A” District, originally); thanked Mr. Dickey Stanley as a faithful member for his dedicated volunteer services, and that he has chosen to pursue other things; appointed Hugh Cash to the Planning and Zoning Commission; David Holmen to the Clean City Commission; Deanie Barrett to the Clean City Commission;

Mayor Pro-Tem Bell; reappointed Deanie Barrett to the Economic Development Services; reappointed Billy Jefferson to the Building Standards Commission; reappointed Bo Hunter to the Parks Board; reappointed Russell Washington Sr., to the Planning & Zoning Commission

Councilmember Lane reappointed Kurt Koopman to the Cemetery Board; Kathy Goodwin to the Clean City Commission

Councilmember Michetich will wait on his appointment to the Cemetery Board

Councilmember Brown appointed John Berlitz to the Building Standards Commission; With the passing of Willie Alexander, Mr. Brown said he would wait to



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appoint someone at a later date to the Board of Adjustments.

- ** Councilmember Michetich made a motion to accept all of the appointments and reappointments
- ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**

(10) CITY MANAGER REPORT

- **Judicial**
- **Police**
- **Fire**
- **Library**
- **Financials**

(11) EXECUTIVE SESSION

There was no Executive Session

(12) REQUESTS AND ANNOUNCEMENTS

Councilmember Brown thanked all for showing up to for the Christmas parade. Wished all a Merry Christmas and a Happy New Year he is looking forward to his continued service to the City of La Marque.

Councilmember Michetich thanked all for attending the Christmas Parade as well. Also thanked Public Works for their work from this past rain, and has some pictures to share. The winds raised the water levels at least two feet higher than normal and said the water had no where else to go. Public Works did a great job unplugging those things, we still have a lot of work to do. Wished all a Merry Christmas and reminded all not to forget what this season is really all about.

Councilmember Lane echoed on what Brown and Michetich said. "I'd like to wish everyone a very Merry Christmas and happy holidays. This has been a very successful and productive year for the City, and 2017 promises to be a lot better. Thank you for coming out."

Mayor Pro-Tem Bell sent condolences out to the family of Brajean Powell , who was recently killed in a car accident. "This hits home for a lot of us. That young man worked at our day care, and that family is in our prayers." Then asked for the first meeting in January to include a workshop on the Public Services Department. "We need to look very closely at our operations. We need to see what is working, what is not working. Council needs the opportunity to speak to our constituents and bring change to that department if it is necessary. He invited Mr. Loftus specifically to come and give his expertise from the Kemah standpoint, and any other citizens that is frustrated with the water and sewer problems within the City. "I would like to wish all a Merry Christmas and Happy Holidays, Happy Hanukkah and Happy Kwanza to those who s celebrate and God Bless you."

Mayor Hocking concurred with the Public Works workshop. "We know that we need to revamp. We have allocated a million dollars to finding water leaks and our reports showed a number of leaks, and all but three of those leaks have been repaired. Some of those very



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substantial leaks. We approved the purchase of a new pump truck tonight, and that was the reason. We have a lot of work to do and we intend to do it, and we appreciate comments, and you all letting us know of specific concerns. "I want to thank the Emergency Management team, we spent all day Saturday into the night Saturday and I want to compliment the Fire Department, the Police Department, Charlene Warren, EMT's, and especially Public Works who as we were driving around in the rain, saw them waist deep in water, unplugging drains." Reported that he had received several emails also complementing them on their hard work. Wished all a Merry Christmas and a Happy New Year. Then wished Councilmember Brown a belated Happy 86th Birthday, who celebrated the day before. "I love this time of the year. I would encourage every family to find another family who may not be as merry as you, this year and reach out to them and provide what they need. Any day care can tell you who the single working mothers and dads are who may be struggling this Christmas. We have done this in our family. And it's not all about jumping up in the morning and opening gifts, it's about Jesus, his birth and the giving spirit."

(13) ADJOURNMENT

- ** Councilmember Bell made a motion to adjourn the Regular Meeting at 6:53 p.m.
- ** Councilmember Lane seconded the motion. **MEETING ADJOURNED.**

Bobby Hocking, Mayor

ATTEST:

Robin Eldridge, TRMC
City Clerk



CITY COUNCIL AGENDA FORM

Meeting Date: January 9, 2017

Prepared by: Carol Buttler

Department: Administration

Agenda item: 9g

Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding adoption of **Resolution No. R-2017-002**, requiring the preparation of a Parks Master Plan to seek all available grants for upgrades in all City parks, but specifically in Mahan and Highland Bayou "Mac McGaffey" Parks

☒

Attach for reference

1. Resolution

STAFF BRIEFING:

- Councilmember Michetich requested this item for discussion, consideration, and approval.
- This Resolution establishes a process to prepare a Parks Master Plan.
- The Parks Master Plan will provide the City a solid foundation to apply for grant funds for potential improvements to City parks.

HISTORY:

- The City of La Marque does not have a current Parks Master Plan.
- Without a Parks Master Plan the City has not been eligible to apply for state, federal and non-profit foundation grants.

TARGET IMPLEMENTATION:

SIGNIFICANT ACTION DATES:

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	



CITY COUNCIL AGENDA FORM

STAFF'S RECOMMENDATION: Motion to adopt **Resolution No. R-2017-002**, requiring the preparation of a Parks Master Plan to seek all available grants for upgrades in all City parks, but specifically in Mahan and Highland Bayou "Mac McGaffey" Parks

FISCAL IMPACT: Dependent on any matching funds required.

RESOLUTION NO. R-2017-002

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, REQUIRING THE PREPARATION OF A MASTER PLAN TO SEEK ALL AVAILABLE GRANTS FOR UPGRADES IN ALL CITY PARKS, BUT SPECIFICALLY IN MAHAN AND HIGHLAND BAYOU “MAC MCGAFFEY” PARKS. UPGRADES TO INCLUDE BUT NOT LIMITED TO ROAD ENHANCEMENTS, BANK STABILIZATION, ADDITIONAL LIGHTING, SANITATION, PAVILION ADDITIONS, PARKING, FIELD UPGRADES, ETC. A MASTER PLAN FOR GRANT SUBMISSION IS TO BE A JOINT EFFORT OF LA MARQUE CITIZENS, CITY COUNCIL, PARKS BOARD, AND CITY STAFF, AND MUST INCLUDE ESTIMATED COSTS TO BE COMPLETED BY MARCH 1, 2017.

WHEREAS, the City of La Marque owns and maintains several City parks throughout the community for use by all citizens and visitors, and

WHEREAS, two City parks have facilities to hold community festivals and to rent to the public for various events and recreation opportunities, and

WHEREAS, the banks of Highland Bayou running through Mahan and Highland Bayou “Mac McGaffey” Parks are eroding significantly, the roads, fields, lighting, and infrastructure are deteriorating, and the pavilions are inadequate to support multiple groups and events, and

WHEREAS, a Parks Master Plan is required to apply for most state and federal grant funding opportunities, and

WHEREAS, preparation of a Parks Master Plan requires participation from citizens, City Council, the Parks Board, and City staff, and

WHEREAS, if awarded grants, the City will have the ability to fund road enhancements, bank stabilization, additional lighting, sanitation, pavilion additions, parking, field upgrades, to improve the images of the parks making them more attractive and user friendly to citizens and visitors.

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

Section 1. La Marque citizens, City Council, Parks Board, and City staff will meet in January 2017 to begin preparing a Parks Master Plan for potential improvements.

Section 2. Cost estimates for potential parks improvements must be obtained prior to March 1, 2017.

Section 3. City Council will determine if funds are available to match any grant application submitted, if applicable.

Section 4. The City's Grant Administration Team will review requests and make a recommendation to City Council for consideration and approval.

PASSED, APPROVED AND ADOPTED by the City Council of the City of La Marque on this the _____ day of January, 2017.

CITY OF LA MARQUE, TEXAS

Bobby Hocking
Mayor

ATTEST:

Robin Eldridge
City Clerk

APPROVED AS TO FORM:

Ellis Ortego, City Attorney



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: January 9, 2017
SUBJECT: City Manager Report- **December 2016 Activity**

a. Judicial

- See report attached.

b. Police

• **Staffing Levels**

There are five (5) vacancies in the Telecommunications Section. We have three (3) full-time operational TCOs and two (2) part-time. Last week, the Police Department interviewed two (2) applicants and another eight (8) will be interviewed during the week of January 9th through the 13th. The applicants will be vetted as quickly as possible.

The police department sworn police personnel level has one (1) vacancy. A Civil Service entrance examination was administered on August 31st. The candidates from the exam will be processed until the vacancy is filled.

• **Training**

The following individuals attended training during the month of September:

- | | |
|---------------------|---|
| • Ofc. Smith | Interacting with Deaf and Hard of Hearing Drivers |
| • Ofc. Santos | Interacting with Deaf and Hard of Hearing Drivers |
| • Ofc. Smith | Canine Encounters |
| • Ofc. Jackson | Missing and Exploited Children |
| • Ofc. K. Hernandez | Basic Radar Operations |
| • Ofc. Perales | Interacting with Deaf and Hard of Hearing Drivers |
| • Ofc. K. Hernandez | Interacting with Deaf and Hard of Hearing Drivers |
| • Ofc. Cantu | Interacting with Deaf and Hard of Hearing Drivers |
| • TCO McNeal | Wireless Calls and Texting 911 |
| • Ofc. Jackson | Excited Delirium and Arrest Related Deaths |
| • Lead TCO Crawford | Wireless Calls and Texting 911 |
| • Ofc. Jackson | Interacting with Deaf and Hard of Hearing Drivers |
| • Ofc. Jackson | Sexual Harassment, Child Safety Check |
| • Ofc. Anders | Constitutional Use of Force |
| • Ofc. Guzman | Police Emergency Driving |

- Ofc. Santos Police Emergency Driving
- Ofc. K. Hernandez Standardized Field Sobriety Test Refresher Course

- **Operations**

In the month of December, the La Marque Police Department generated 1763 calls for service. Of those calls for service, 749 (approximately 42%) were “self-initiated.” Citizen calls to the police department accounted for 1014 of the total (approximately 58%) calls for service. There was an average response time of seven minutes (7:02) and an average time spent on calls of about thirty minutes (29:24).

On Tuesday December 20th the La Marque Police Department held our 2016 Blue Santa event. The La Marque Police Department solicited and received donations of toys from Toys 4 Tots and Abundant Life Christian Church. The Officer of the La Marque Police Department handed out presents to children in 10 families in La Marque.

- **Overtime Utilization**

The Police Department has three (3) functional Peace Officer vacancies (two Peace Officers are in training) and five Telecommunicator vacancies. Late calls, Holidays, priority investigations, court appearances, training and occasional staff shortages also contribute to overtime expenditures.

c. **Fire**

Personnel:

The LMFD is now at full authorized strength. All personnel are fully certified by the Texas Commission on Fire Protection as structural Fire Fighters and State Department of Health Services as Emergency Medical Technicians.

- **Operations:**

All apparatus are currently operational with the exception of Engine 2 which has been declared a “total loss” by TML following an accident on IH 45 which resulted in a fatality when a motorcycle struck the apparatus during an emergency response. A claim has been filed with the Driver’s insurance carrier who has accepted liability; however, liability coverage is limited to \$25,000.00. TML is subrogating the claim and attendant loss. 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. Three (3) Fire Fighters will commence EMT-Advanced training / certification as Galveston College on January 15, 2017, in conformance with their Conditions of Employment Contract, with completion anticipated in early summer. EMT-Paramedic training / certification will follow in the fall semester.

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 2017 YTD: \$27,863.92

Dec MTD: \$5,712.86

- **Other:**

- **Statistical information:**

- **Average Response Times: 5:37**

- **Engine Company Responses for Service:**

MTD: 125

YTD: 380

- **Medic Responses for Service:**

MTD: 205

YTD: 574

- **Mutual Aid Given and Received:**

MTD Given: 13

YTD Given: 37

MTD received: 22

YTD received: 59

Detailed statistical information enclosed

d. Library

- See report attached.

e. Public Services

- **Public Works Administrative Assistant** – For the month of November, compared to last year, there was an increase in calls for Water Leaks, Sewer Stops, Leak at the Meter, Low Pressure/No Water, Dress-Ups, Billing Department, Blue-Cart/Trash Pick-Up, Pot Holes, Street Repair, Culverts, Mowers/Mowing, Street Signs, Street Light Outage, Director, Animal Control, Locates, Community Service, Gas Company; compared to last year, there was a decrease in calls for Bulk Pick-Up, Code Compliance, Dirt Request, PW Utility Department Supervisors, City Manager, City Hall Administrative Assistant, Human Resource, Inspections, Customer at the Window, Recycling, and Miscellaneous Calls.
- **Parks** – For the month of November, compared to last year, there was a decrease in hours for Highland Bayou Park and Mahan Park.
- **Utility 12** – For the month of November, compared to last year there was an increase in hours for, Utility Patches, Traffic Sign Repair, Potholes Filled, Potholes Filled Man-Hours, Grading Ditch-Linear Feet Cut, Grading Ditch Man Hours, Check Drains & Ditches – Man Hours, Safety Meetings, Animal Services Man Hours, Crosswalks for Striping Man Hours, and Christmas Lights, Poles & Signs Man Hours; compared to last year there was a decrease in hours for Culverts- Linear Feet Set, Culverts-Man Hours, Trimming Tree Limbs-Man Hours, Driveway Tie In-Man Hours, Repaired Drive-Ways Man-Hours, and Sweeping-Man Hours.
- **City-Wide Street Project: Weather and Holidays have hampered the work. In addition, a part on the paver unit had to be ordered, further delaying the project. With proper weather conditions, Banana Street should be complete next week and the project can move to MLK. The last street to be completed will be Dalian. The County Road/Bridge Superintendent estimates completion, now by mid-January – with hoped-for conditions.**
- **Utility 22 - Water & Sewer Maintenance** – For the month of November, compared to last year there was an increase in, Water Leaks Repaired, Residential Water Taps, Meter Boxes & Lids Replaced, Water Turn On/Off – Citizens, Picking Up Trash, Sewer Lines Repaired, Service Lines Repaired, Clean-Out Tops Replaced, Clean-Outs Installed, Lines Locate, Water & Sewer, and Sewer Lines Cleaned (LF); compared to last year there was a decrease in Low Pressure Customer Side, Sewer Stoppages Resolved, and Dress-Ups.

Utility 22- SPECIAL PROJECTS: Disaster Recovery Grant 2.2- The final phase of this program is in a hold pattern while the Environmental Studies are completed. Once that occurs (possibly within the next 2 weeks), the General Land Office will formalize the project and allow the bidding of work. This project will expend close to \$900,000 towards much needed sewer line repairs affecting some of the oldest lines in town. Construction on this could begin in early Spring, 2017.

- **Utility 24 – Water & Waste Water** – For the month of November, compared to last year there was an increase in, Rainfall, Plant Man Hours, Distribution System-Total Surface Water, and Chemicals Used; compared to last year there was a decrease in Flow Totals, Total Well Water, Total Lift Station Pump Hours, Dead Ends Flushed, and Fire Hydrants Weed-Eat.

- **Utility 24 – Water & Waste Water Maintenance** – For the month of November, there was an overall decrease in Preventive & Corrective Maintenance.
- **Utility 24- SPECIAL PROJECTS: Energy Procurement (Siemens) Project – The Project Manager for Siemens has indicated they will begin mobilization for the Aeration Basin #1 cleaning, this week (01/06). Additional product should begin to be off-loaded at the site for future installation.**
- **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
- f. Animal Services**
- See report attached
- g. Financials**
- See report attached.

JUDICIAL DEPARTMENT



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

Judicial Monthly Report November
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	5640	2	4	2329	2,024	519	10,518	21,104	10,922	21,719
Active Cases	1,186	1	2	299	258	169	1,915	3,984	3,372	6,787
Inactive Cases	4,454	1	2	2,030	1766	350	8,603	17,120	7,550	14,706
New Cases Filed	378	0	1	92	82	65	618	1,027	558	1,097
Cases Reactivated	97	0	0	51	46	17	211	426	51	51
All Other Cases Added	0	0	0	0	0	0	0	0	0	0
Total Cases on Docket	1,661	1	3	442	386	251	2,744	5,437	3,981	7,935
Dispositions Prior to Trial:										
Uncontested Dispositions	223	0	0	70	60	11	364	681	645	909
Dismissed by Prosecution	26	0	0	7	5	12	50	102	26	75
Dispositions at Trial:										
Convictions:										
Guilty Plea or Nolo Contendere	18	0	0	2	2	7	29	51	5	22
By the Court	0	0	0	0	0	0	0	1	0	3
By the Jury	0	0	0	0	0	0	0	0	0	0
Acquittals:										
By the Court	0	0	0	0	0	0	0	0	355	355
By the Jury	0	0	0	0	0	0	0	0	3	3
Dismissed by Prosecution	1	0	0	0	1	1	3	6	5	7
Compliance Dismissals:										
After Driver Safety Course	45						45	76	26	50
After Deferred Disposition	72	0	0	21	13	0	106	138	21	55
After Proof of Financial Responsibility	2						2	6	7	12
	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	0	4	11	23	15	31
All Other Dispositions	44	0	0	12	9	7	72	75	500	500
Total Cases Disposed	438	0	0	112	91	42	683	1,160	1,610	2,024
Cases Placed on Inactive Status	145	0	0	83	60	23	311	614	215	383
Total Cases Pending End of Month:	5,580	2	5	2,309	2,015	542	10,453	20,971	9,865	20,787
Active Cases	1,078	1	3	247	235	186	1,750	3,663	2,156	5,528
Inactive Cases	4,502	1	2	2,062	1,780	356	8,703	17,308	7,714	15,264
Show Cause Hearings Held	22	0	0	3	4	0	29	57	13	13
Cases Appealed:										
After Trial	0	0	0	0	0	0	0	0	11	11
Without Trial	2	0	0	0	0	0	2	3	12	16



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

	This Month Current Yr	Current Fiscal yr to date	This Month Prior Yr	Prior Fiscal yr to date
Juvenile/Minor Activity:				
Transportation Code Cases Filed	2	3	0	2
Non-driving Alcoholic Beverage Code Cases Filed	0	1	1	2
Driving Under Influence of Alcohol Cases Filed	0	0	0	0
Drug Paraphernalia Cases Filed	0	0	1	1
Tobacco Cases Filed	1	1	1	1
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	2	2	0	0
All Other Non-traffic Fine-only Cases Filed	4	6	3	6
Additional Activity:				
Magistrate Warnings:				
Class C Misdemeanors	10	18	6	10
Class A and B Misdemeanors	3	5	5	11
Felonies	3	3	2	3
Arrest Warrants Issued:				
Class C Misdemeanors	340	579	98	196
Capias Pro Fine Issued:				
Class C Misdemeanors	181	231	114	115
Emergency Protection Orders Issued	0	0	0	0
Stolen Property Hearings Held	1	1	0	0
Cases Satisfied by Community Service:				
Partial Satisfaction	0	0	1	1
Full Satisfaction	4	11	6	12
Cases Satisfied by Jail Time Credit	96	184	46	121
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	\$51,207.16	\$107,898.36	\$43,771.30	\$87,689.27
Remitted to State	\$23,324.94	\$46,907.74	\$23,844.24	\$43,274.64
Total	\$74,532.10	\$154,806.10	\$67,615.54	\$130,963.91

POLICE DEPARTMENT

LA MARQUE POLICE DEPARTMENT
MONTHLY REPORTING STATISTICS

	CURRENT MONTH (DECEMBER 2016)	CURRENT MONTH PREVIOUS YEAR (DECEMBER 2015)	PREVIOUS MONTH (NOVEMBER 2016)	YEAR TO DATE (2016)	PREVIOUS YEAR TO DATE (2015)
<u>PART I CRIMES</u>					
HOMICIDE	1	1	0	4	4
RAPE	0	2	1	10	15
ROBBERY	1	1	2	20	26
ASSAULT (*INCLUDES SIMPLE)	42	29	28	493	547
BURGLARY	28	16	14	171	167
THEFT	70	61	74	622	581
MV THEFT	2	2	4	46	46
<u>PART II CRIMES</u>	189	221	236	2353	2843
<u>CALLS FOR SERVICE</u>	1763	2065	1673	22657	21772
<u>ACCIDENTS</u>	37	35	38	338	389
INJURIES	6	9	10	112	113
NON-INJURY	31	26	28	225	276
FATALITIES	1	1	1	4	3
ALCOHOL RELATED	1	3	5	20	8
<u>ADULT ARRESTS</u>	117	137	129	1548	2070
<u>JUVENILE DETENTIONS</u>	0	2	1	4	4
<u>TRAFFIC STOPS</u>	267	520	284	4293	4171
CITATIONS	189	389	202	3036	2911
VIOLATIONS	240	481	277	3768	3684
WARNINGS	78	131	82	1257	1260
<u>DISTURBANCES</u>	107	109	104	1265	1255

THIS MONTH THE POLICE DEPARTMENT ARRESTED 42 PEOPLE ON MUNICIPAL WARRANTS, SERVING 106 WARRANTS.

YEAR TO DATE, THE POLICE DEPARTMENT HAS ARRESTED 554 PEOPLE ON MUNICIPAL WARRANTS, SERVING 1363 WARRANTS.



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

	2012				2013				2014				2015				2016							
	January - December				January - December				January - December				January - December				January - December							
	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%	4	4	0%	2	2	50%	50%	
Rape	14	280%	8	57%	5	280%	5	100%	6	20%	1	17%	14	150%	5	35%	14	10	-29%	5	3	36%	30%	
Robbery	23	-18%	11	48%	26	-18%	9	35%	24	-8%	7	29%	26	8%	9	35%	26	20	-23%	9	8	35%	40%	
Aggravated Assault	32	10%	31	97%	41	10%	26	63%	45	10%	40	87%	50	9%	31	62%	50	89	78%	31	40	62%	45%	
La Marque Violent Crime Total	70	10%	51	73%	73	10%	41	56%	75	3%	48	63%	94	24%	43	45%	94	123	31%	43	53	46%	43%	
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%	167	171	2%	14	23	8%	13%	
Theft	477	7%	202	42%	747	7%	313	42%	721	-3%	428	59%	583	-19%	236	40%	583	622	7%	236	307	40%	49%	
Motor Vehicle Theft	43	30%	15	35%	51	30%	11	22%	45	-12%	23	51%	43	-4%	19	44%	43	46	7%	19	21	44%	46%	
Arson	9	900%	0	0%	5	900%	0	0%	1	-80%	0	0%	0	-100%	0	0%	0	2	200%	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%	793	841	6%	269	351	34%	42%	
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%		648		*		848		31%					
Texas Violent Crime Rate	408		0%		400		-2%		404		1%		*		*		*		*					
La Marque Property Crime Rate	4,976		5%		6,651		31%		6,706		2%		5465		*		5,796		6%					
Texas Property Crime Rate	3,359		-3%		3,254		-3%		2,988		-8%		*		*		*		*					
Calls For Service	24,036				24,371				22,456				21,722				22,657							
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				68							
Traffic Citations	3,237				3,514				3,598				3,684				3,768							
Drug Arrests	189				183				253				216				292							

*Data unavailable

GALVESTON COUNTY SHERIFF

Events by Nature Code by Agency

Agency: LMPD, Event date/Time range: 12/01/2016 00:00:00 - 12/31/2016 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	2	2	4	0%	0:00:58	0:09:59	0:37:31	2:53:54	0:43:29
	ALARM	0	7	101	108	6%	0:02:33	0:06:40	0:09:52	32:29:20	0:18:03
	ANIMAL ASTRAY	0	2	1	3	0%	0:01:48	0:05:26	0:04:26	0:20:33	0:06:51
	ANIMAL COMPLAINT DOMESTIC	0	2	26	28	2%	0:07:21	0:06:51	0:20:12	15:02:41	0:32:14
	ASSAULT	0	0	12	12	1%	0:09:12	0:08:28	0:30:50	9:42:06	0:48:31
	ASSIST CITIZEN	0	4	41	45	3%	0:08:28	0:07:07	0:19:07	25:15:03	0:33:40
	ASSIST EMS	0	0	6	6	0%	0:00:14	0:03:02	0:19:29	2:16:28	0:22:45
	ASSIST OTHER AGENCY	0	7	37	44	2%	0:04:02	0:06:43	0:24:14	24:15:46	0:33:05
	ATTEMPT TO SERVE WARRANT	0	1	2	3	0%	0:06:05	0:13:23	1:43:43	5:50:03	1:56:41
	AUTO PEDESTRIAN ACCIDENT	0	0	2	2	0%	0:03:34	0:03:28	1:00:54	2:15:51	1:07:56
	BAR CHECK	0	2	0	2	0%	0:00:00	0:04:18	0:11:55	0:32:27	0:16:14
	BURGLARY OF BUILDING	0	0	15	15	1%	0:09:00	0:10:17	0:33:51	13:07:01	0:52:28
	BURGLARY OF HABITATION	0	0	16	16	1%	0:07:48	0:09:24	0:21:42	10:26:58	0:39:11
	BURGLARY OF MOTOR VEHICLE	0	2	19	21	1%	0:04:01	0:09:51	0:14:32	9:24:37	0:26:53
	BUSINESS CHECK	0	268	6	274	16%	0:00:13	0:03:43	0:10:40	52:44:57	0:11:36
	CHILD CUSTODY	0	0	1	1	0%	0:44:13	0:08:18	0:33:22	1:25:53	1:25:53
	CIVIL MATTER OR STANDBY	0	0	18	18	1%	0:05:26	0:06:15	0:27:49	11:51:09	0:39:31
	CORRECTIONS TRANSPORT	0	4	0	4	0%	0:00:01	0:00:09	0:48:40	3:14:54	0:48:44
	CRIMINAL MISCHIEF	0	1	23	24	1%	0:08:03	0:08:38	0:18:37	13:48:02	0:34:30
	DEAD ON SCENE	0	0	2	2	0%	0:04:02	0:04:24	2:57:37	6:12:05	3:06:03
	DISORDERLY CONDUCT	0	0	1	1	0%	0:03:09	0:01:11	0:21:40	0:26:00	0:26:00
	DISTURBANCE	0	3	54	57	3%	0:01:57	0:04:08	0:24:20	28:21:35	0:29:51
	DRUNK OR INTOXICATED PERSON	0	2	11	13	1%	0:01:47	0:04:07	0:28:22	6:50:27	0:31:34
	DUP	0	1	0	1	0%	0:00:30	0:00:16	0:25:22	0:26:08	0:26:08

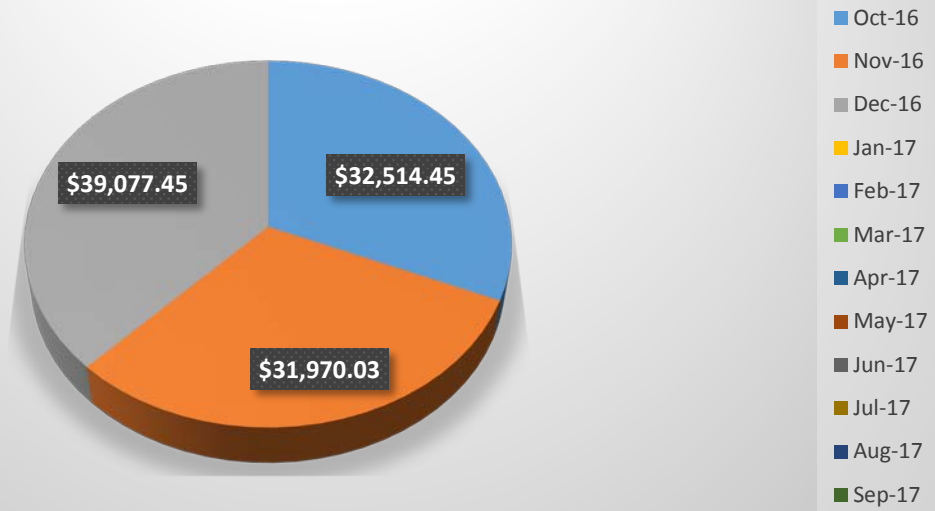
Agency Code	Nature Code	Rpt Only	Self Init	CFS	Total	% Total	Avg Disp Time	Avg Resp Time	Avg Scene Time	Total Call Time	Avg Call Time
	FIRE - NON SPECIFIC	0	1	1	2	0%	0:00:02	0:01:45	0:03:41	0:09:12	0:04:36
	FIREWORKS	0	2	17	19	1%	0:28:34	0:04:09	0:08:39	11:56:29	0:37:43
	FRAUD - FORGERY - CC ABUSE	0	0	13	13	1%	0:16:15	0:14:10	0:10:47	9:15:44	0:42:45
	FSGI ACCIDENT	0	0	9	9	1%	0:12:25	0:05:30	0:16:11	5:07:03	0:34:07
	GENERAL INFORMATION CALL	0	0	1	1	0%	0:01:21	0:00:02	0:03:37	0:05:00	0:05:00
	HARASSMENT - ALL TYPES	0	0	13	13	1%	0:07:58	0:05:25	0:56:46	13:48:17	1:03:43
	HAZMAT	0	0	1	1	0%	0:00:30	0:00:00	0:00:00	0:03:00	0:03:00
	JUVENILE PROBLEM	0	0	8	8	0%	0:11:36	0:07:55	0:07:10	3:33:27	0:26:41
	K-9 BULIDING SEARCH AOA	0	1	1	2	0%	0:01:05	0:03:14	0:24:55	0:55:15	0:27:38
	K-9 NARCOTICS SEARCH AOA	0	1	0	1	0%	0:00:00	0:00:00	0:00:00	0:07:28	0:07:28
	K-9 TRACK SUSPECT AOA	0	3	1	4	0%	0:00:39	0:04:45	1:20:10	5:41:42	1:25:26
	LINE DOWN	0	0	1	1	0%	0:01:27	0:08:32	0:00:10	0:10:09	0:10:09
	LITTERING AND ILLEGAL DUMPING	0	0	4	4	0%	0:01:36	0:24:13	0:14:51	2:24:22	0:36:06
	LOUD MUSIC OR NOISE	0	0	23	23	1%	0:07:27	0:06:16	0:08:55	8:29:58	0:22:10
	MENTAL HEALTH	0	0	13	13	1%	0:04:50	0:06:35	0:29:38	8:16:02	0:38:09
	MISCELLANEOUS	0	5	1	6	0%	0:01:01	0:24:37	0:18:27	2:16:22	0:22:44
	NARCOTICS CRIMES	1	0	6	7	0%	0:04:12	0:01:38	0:12:01	1:19:23	0:13:14
	OPEN DOOR	0	1	4	5	0%	0:06:30	0:02:33	0:11:01	1:28:45	0:17:45
	OVERDOSE	0	0	3	3	0%	0:01:07	0:04:31	0:24:02	1:29:00	0:29:40
	PERSON WITH WEAPON	0	0	4	4	0%	0:01:49	0:05:00	0:14:29	1:25:15	0:21:19
	PRISONER DETAIL	0	4	8	12	1%	0:03:34	0:19:22	0:37:39	10:03:43	0:50:19
	RECOVD CHILD/PERSON/RUNAWAY	0	1	1	2	0%	0:16:26	0:00:00	0:07:22	0:31:11	0:15:36
	RESIDENTIAL CHECK	0	81	2	83	5%	0:04:07	0:01:12	0:11:38	17:38:01	0:12:45
	RUNAWAY JUVENILE	0	0	4	4	0%	0:13:58	0:03:35	1:00:12	5:11:01	1:17:45
	SEX CRIME	0	0	2	2	0%	0:02:37	0:11:46	0:39:33	1:47:51	0:53:56
	SHOTS FIRED	0	2	8	10	1%	0:01:56	0:00:59	0:30:29	5:32:04	0:33:12
	STRANDED MOTORIST	0	6	9	15	1%	0:03:11	0:12:28	0:15:02	5:58:29	0:23:54

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
	STRUCTURE FIRE	0	0	2	2	0%	0:00:19	0:04:59	2:49:28	5:49:32	2:54:46
	SUICIDE ATTEMPTED OR COMPLETED	0	0	5	5	0%	0:02:32	0:05:20	0:46:21	4:31:07	0:54:13
	SUPPLEMENTAL INFO TO PREV CASE	0	20	33	53	3%	0:13:45	0:08:52	0:19:46	32:08:32	0:36:23
	THEFT / LOST PROPERTY	0	1	65	66	4%	0:07:17	0:10:01	0:25:15	45:33:05	0:41:25
	THREATS ALL CATEGORIES	0	0	13	13	1%	0:03:10	0:16:35	0:48:26	13:56:17	1:04:20
	TRAFFIC COMPLAINT	0	7	66	73	4%	0:04:11	0:07:29	0:09:16	23:16:35	0:19:08
	TRAFFIC STOP	0	267	0	267	15%	0:00:01	0:00:00	0:10:39	47:26:15	0:10:40
	UNCONSCIOUS PERSON	0	0	3	3	0%	0:00:07	0:01:38	0:26:45	1:25:33	0:28:31
	UNDESIRABLE PERSON	0	0	24	24	1%	0:06:25	0:04:51	0:13:06	9:44:58	0:24:22
	UNKNOWN REQUIRES EMS	0	0	1	1	0%	0:00:11	0:01:38	0:20:31	0:22:20	0:22:20
	VEHICLE FIRE	0	0	2	2	0%	0:00:16	0:01:49	0:06:38	0:17:26	0:08:43
	WARRANT ARREST ON VIEW	0	2	28	30	2%	0:03:00	0:12:23	0:29:52	22:08:41	0:44:17
	WELFARE CHECK	0	1	38	39	2%	0:09:13	0:06:35	0:19:56	22:29:01	0:34:35
	Subtotals for No Summary Code	1	714	834	1549	88%	0:05:30	0:06:48	0:29:23	633:07:33	0:38:25
	CHILD ABUSE NON SPECIFIC	0	0	2	2	0%	0:46:45	0:05:33	0:07:13	1:59:02	0:59:31
	Subtotals for CAC	0	0	2	2	0%	0:46:45	0:05:33	0:07:13	1:59:02	0:59:31
	DUP	0	0	1	1	0%	0:00:46	0:11:03	0:31:21	0:43:10	0:43:10
	MAJOR ACCIDENT	0	0	7	7	0%	0:02:22	0:05:49	1:20:19	10:19:29	1:28:30
	MINOR ACCIDENT	0	1	49	50	3%	0:03:29	0:08:21	0:34:14	36:13:34	0:43:28
	Subtotals for MVA	0	1	57	58	3%	0:02:12	0:08:24	0:48:38	47:16:13	0:58:23
	RECOVERED OR FOUND PROPERTY	0	0	8	8	0%	0:18:07	0:13:45	0:23:13	7:02:51	0:52:51
	TRESPASSING	0	0	4	4	0%	0:04:36	0:17:21	1:03:10	5:40:28	1:25:07
	UNAUTH USE OF MOTOR VEHICLE	0	0	7	7	0%	0:12:00	0:03:59	0:22:48	4:26:45	0:38:06
	Subtotals for PROP	0	0	19	19	1%	0:11:34	0:11:42	0:36:24	17:10:04	0:58:41

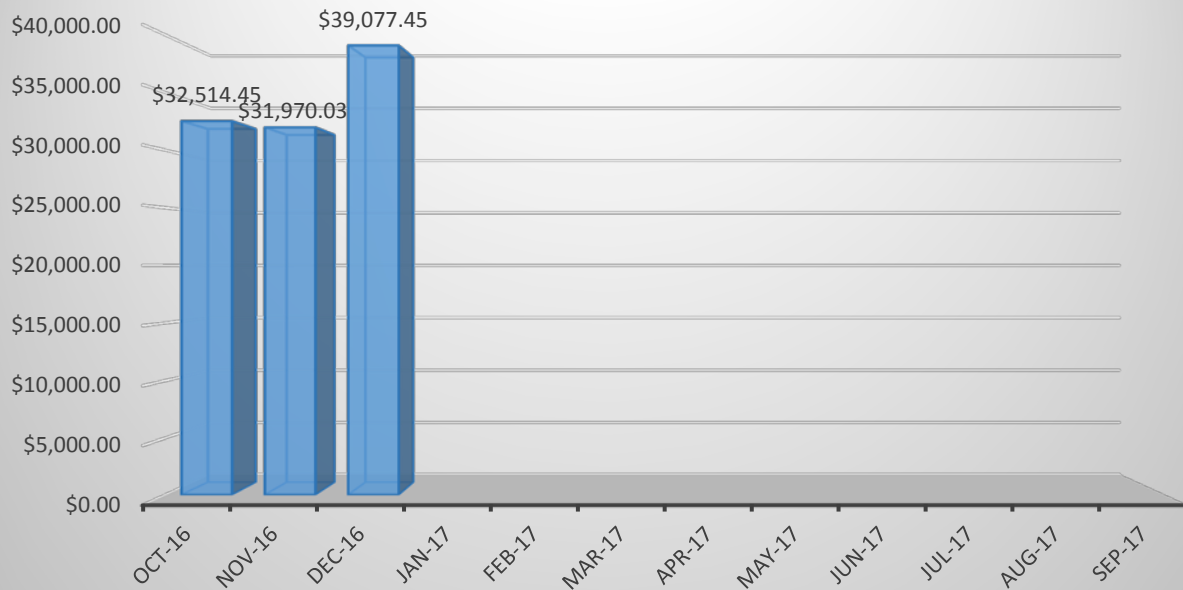
Agency Code	Nature Code	Rpt Only	Self Init	CFS	Total	% Total	Avg Disp Time	Avg Resp Time	Avg Scene Time	Total Call Time	Avg Call Time
	NARCOTICS CRIMES	0	0	2	2	0%	0:02:55	0:02:56	0:41:04	1:33:49	0:46:55
	SUSPICIOUS CIRCUMSTANCES	0	6	30	36	2%	0:04:55	0:07:03	0:12:15	13:32:11	0:22:34
	SUSPICIOUS PERSON	0	11	31	42	2%	0:02:57	0:04:30	0:08:18	9:53:08	0:14:07
	SUSPICIOUS VEHICLE	0	16	19	35	2%	0:02:45	0:05:38	0:12:12	9:51:58	0:16:55
	Subtotals for SUSP	0	33	82	115	7%	0:03:23	0:05:02	0:18:27	34:51:06	0:25:08
	CIVIL MATTER OR STANDBY	0	0	1	1	0%	0:07:37	0:14:46	0:23:05	0:45:28	0:45:28
	FAMILY DISTURBANCE	0	0	19	19	1%	0:02:27	0:04:33	0:23:33	9:24:44	0:29:43
	Subtotals for VICR	0	0	20	20	1%	0:05:02	0:09:40	0:23:19	10:10:12	0:37:36
	Subtotals for LMPD	1	748	1014	1763	100%	0:06:02	0:07:02	0:29:24	744:34:10	0:39:33

FIRE/EMS

NET COLLECTIONS



NET COLLECTIONS



MONTH	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17	Mar-17
COLLECTIONS	\$32,514.45	\$31,970.03	\$39,077.45			
Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	YTD Total
						\$103,561.93

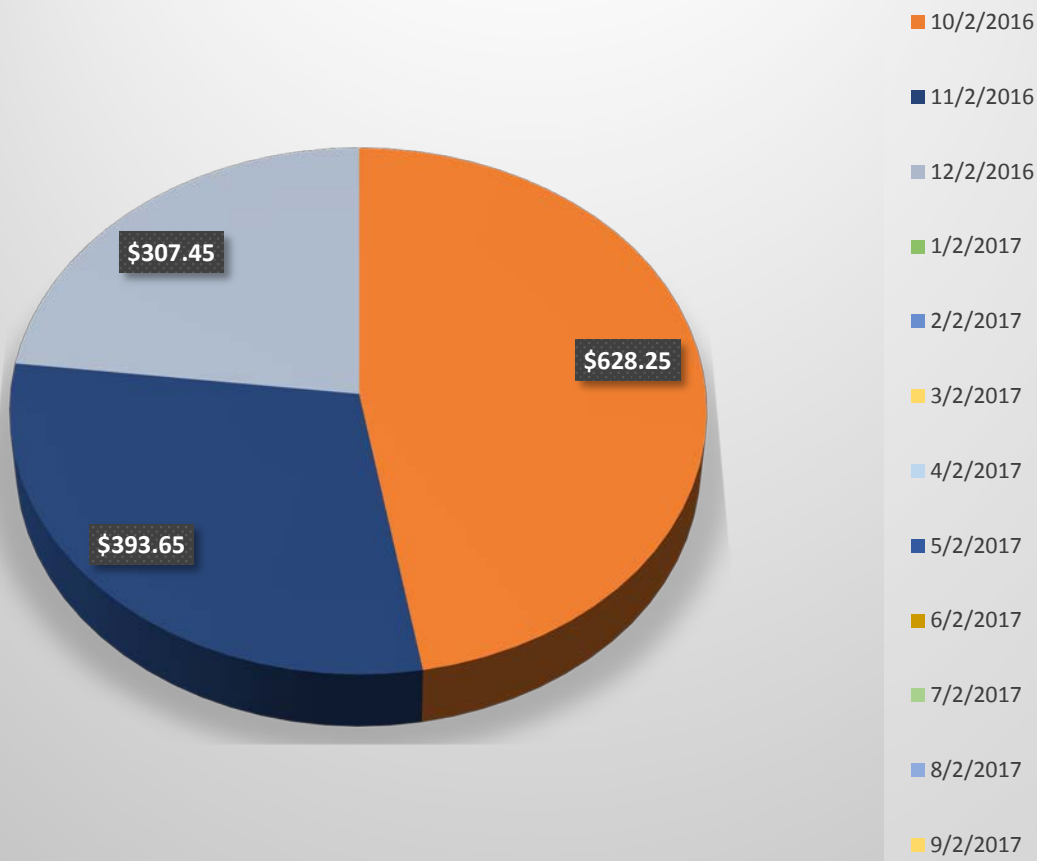
Collection Rate

19%

YTD FEES PAID TO INTERMEDIX

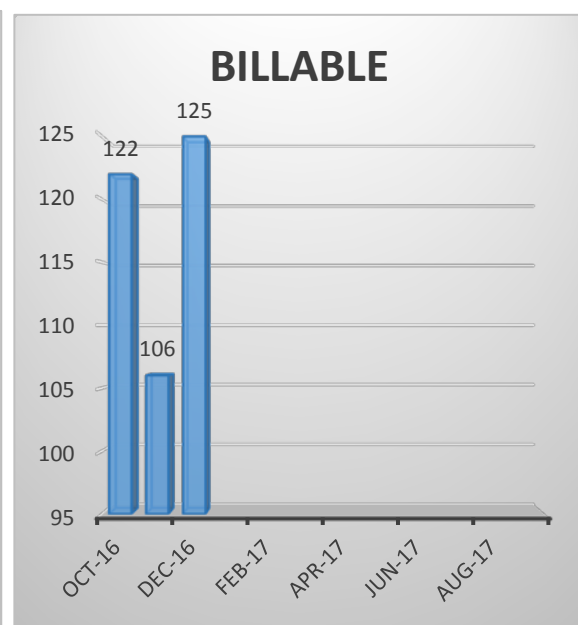
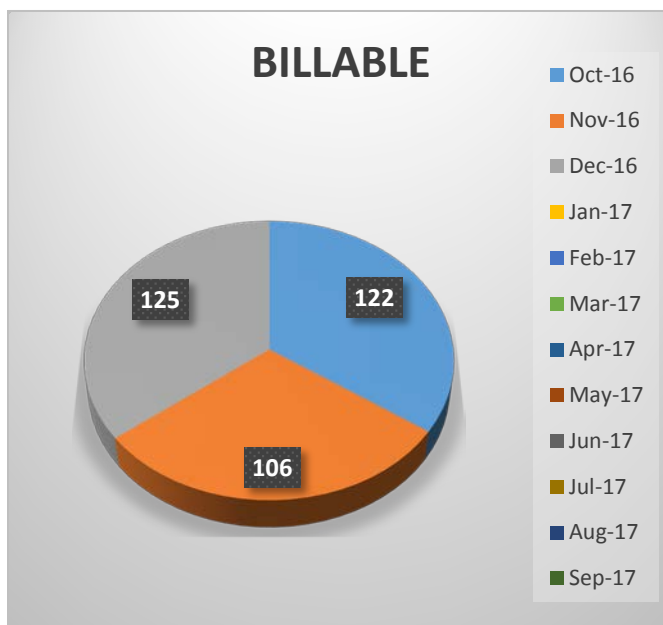
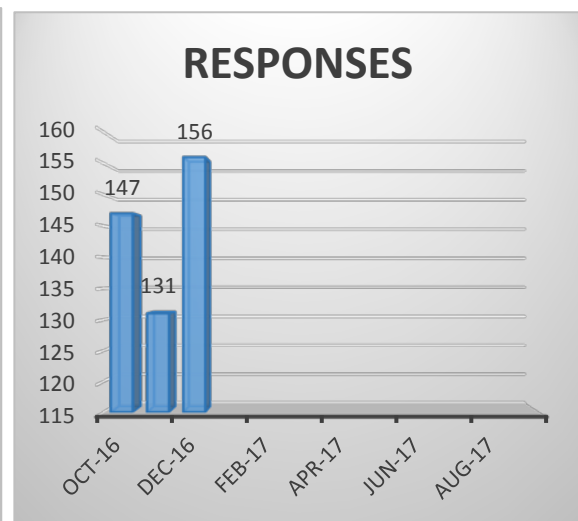
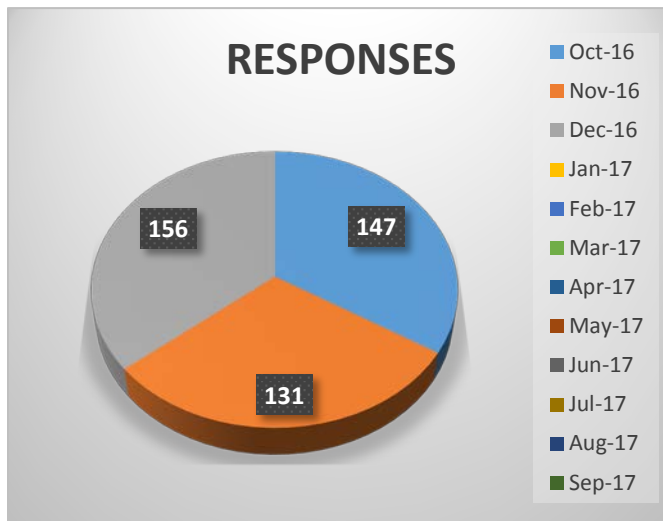
DATE	PAYMENT
10/2/2016	\$628.25
11/2/2016	\$393.65
12/2/2016	\$307.45
1/2/2017	
2/2/2017	
3/2/2017	
4/2/2017	
5/2/2017	
6/2/2017	
7/2/2017	
8/2/2017	
9/2/2017	
YTD TOTAL	\$1,329.35
AVERAGE PAYMENT	\$443.12

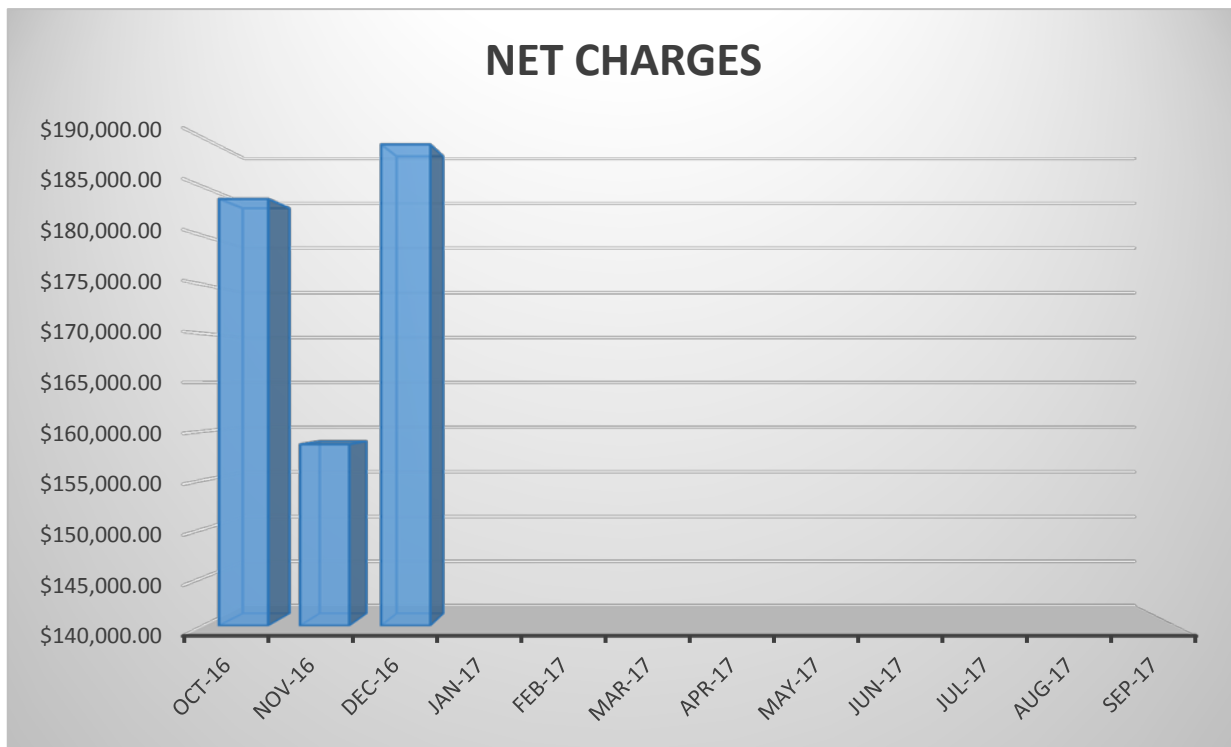
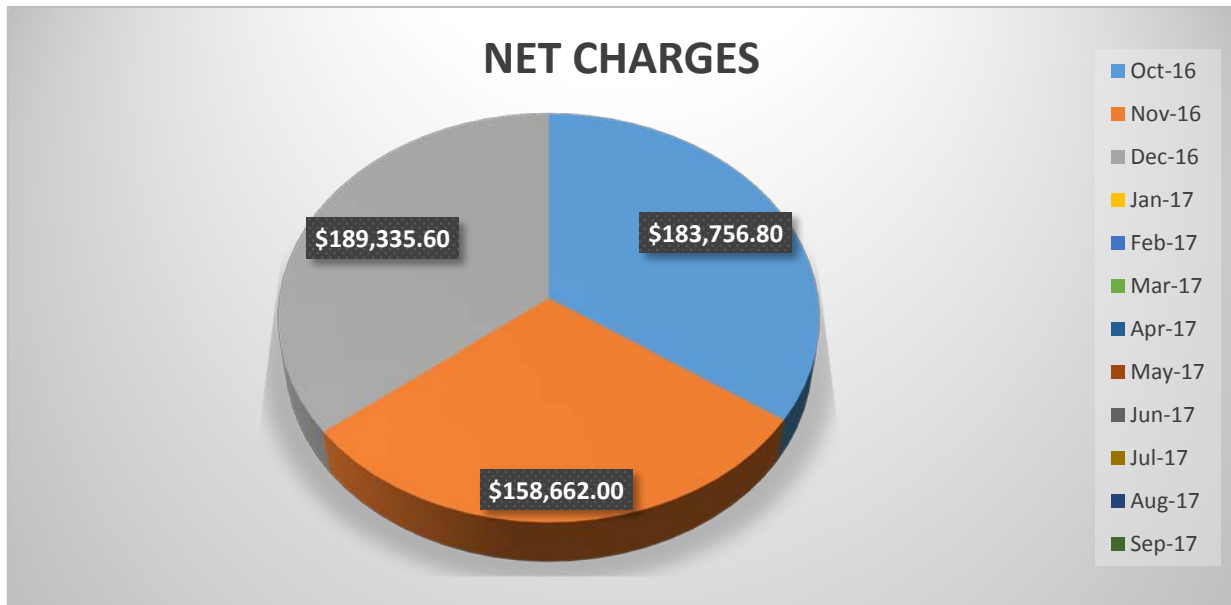
YTD FEES PAID TO INTERMEDIX



YTD RESPONSES - TOTAL CURRENT CHARGES - BILLAGE ACCOUNTS

MONTH	RESPONSES	NET CHARGES	BILLABLE
Oct-16	147	\$183,756.80	122
Nov-16	131	\$158,662.00	106
Dec-16	156	\$189,335.60	125
Jan-17			
Feb-17			
Mar-17			
Apr-17			
May-17			
Jun-17			
Jul-17			
Aug-17			
Sep-17			
YTD TOTALS	434	\$531,754.40	353





City of La Marque

Fire Department

Month: Dec 1st to Dec 31st
Year: 2016

	<i>Current Month: 12/01/16 to 12/31/16</i>	<i>Current Month/ Previous Year: 12/01/15 to 12/31/15</i>	<i>Previous month: 11/01/16 to 11/30/16</i>	<i>Fiscal Year to Date: 2016-2017</i>	<i>Previous Year to Date: 2015-2016</i>
<i>Fires-</i>	6	7	7	17	15
<i>Overpressures/ Explosions-</i>	0	0	0	0	0
<i>Rescue and EMS-</i>	200	189	172	564	527
<i>Haz-Mat-</i>	6	6	11	21	19
<i>Good Intent-</i>	14	13	13	39	42
<i>False Alarm-</i>	8	4	15	34	32
<i>Mutual Aid Received from(FIRE)-Texas City-</i>	2				
<i>Mutual Aid Given to (FIRE)- Texas City-</i>	1				
<i>Mutual Aid Received from(EMS)- Texas City-</i>	18				
<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>	3				
<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>	1				
<i>Mutual Aid Given to (EMS)-Galv. EMS</i>	0				
<i>Mutual Aid Rec. from(FIRE)Hitchcock</i>	1				
<i>Mutual Aid Given to (FIRE) – Hitchcock</i>	0				
<i>Mutual Aid Rec. (EMS) – Hitchcock</i>	0				
<i>Mutual Aid Given (EMS)-Hitchcock</i>	3				
<i>Mutual Aid Given to (EMS) – All Others</i>	3				
<i>Mutual Aid Received to (EMS) – All Others</i>	0				
<i>Mutual Aid Given (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 2016-2017

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>	147	131	156									
<i>Transports</i>	116	108	123									
<i>Aeromedical</i>	0	0	0									
<i>Dead On Scene</i>	6	1	3									
<i>Refusals</i>	25	22	30									

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	6									
<i>Location - To Hospital</i>	16	16	15									
<i>To Hospital - At Hospital</i>	8	8	7									
<i>At Hospital - In Service</i>	28	28	27									
<i>Location - At Hospital</i>	21	22	21									
<i>Dispatch - At Hospital</i>	26	28	27									
<i>Dispatch - In Service</i>	50	52	49									

La Marque Fire/Rescue

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%	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%	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%	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%	0 0%	0 0%
UTMBHosp	4 4%	9 10%	11 9%	6 6%	6 5%	3 3%	9 8%	10 8%	9 7%	5 4%	3 2%	4 3%	79 6%
HouMeStJohn	0 0%	0 0%	2 1%	0 0%	0 0%	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%	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%	0 0%	0 0%
CLRH	0 0%	0 0%	7 5%	2 2%	5 4%	4 4%	2 1%	4 3%	3 2%	1 0%	3 2%	1 0%	32 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%	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%	0 0%	0 0%
MainInd	91 95%	80 89%	100 82%	91 91%	92 89%	90 92%	94 89%	103 88%	102 88%	110 94%	101 94%	118 95%	1172 91%
Bellaire	0 0%	0 0%	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%	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%	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%	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%	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%	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%	0 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%	0 0%	0 0%
TOTAL	95 100 %	89 100 %	121 100 %	99 100 %	103 100 %	97 100 %	105 100 %	117 100 %	115 100 %	116 100 %	107 100 %	123 100 %	1287 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	147	131	156	1598
Transports	95 79%	89 83%	122 90%	99 80%	103 88%	98 79%	106 75%	119 74%	115 82%	116 78%	108 82%	123 78%	1293 80%
Aeromedical	0 0%	0 0%	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%	6 4%	1 0%	3 1%	35 2%
Unfounded	0 0%	0 0%	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%	25 17%	22 16%	30 19%	270 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%	37 25%	34 25%	39 25%	426 26%
1200-1759	43 36%	33 30%	47 34%	38 30%	40 34%	44 35%	44 31%	56 35%	50 35%	55 37%	43 32%	43 27%	536 33%
1800-2359	30 25%	24 22%	34 25%	32 26%	24 20%	31 25%	40 28%	44 27%	32 22%	40 27%	37 28%	52 33%	420 26%
0000-0559	19 15%	15 14%	17 12%	17 13%	22 18%	13 10%	19 13%	18 11%	22 15%	15 10%	17 12%	22 14%	216 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%	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%	6 4%	1 0%	3 1%	29 1%
9-12	0 0%	0 0%	4 2%	0 0%	2 1%	0 0%	2 1%	3 1%	0 0%	1 0%	2 1%	0 0%	14 0%
13-17	4 3%	2 1%	1 0%	2 1%	1 0%	1 0%	3 2%	4 2%	3 2%	4 2%	4 3%	1 0%	30 1%
18-25	12 10%	2 1%	5 3%	8 6%	6 5%	11 9%	12 8%	10 6%	13 9%	12 8%	8 6%	9 5%	108 6%
26-50	37 31%	34 32%	33 24%	26 21%	35 29%	25 21%	36 26%	57 35%	40 28%	37 25%	45 34%	42 27%	447 28%
51-75	38 32%	43 40%	52 38%	59 48%	51 43%	61 51%	54 39%	63 39%	61 43%	59 40%	53 40%	74 48%	668 42%
76-100	23 19%	23 21%	34 25%	24 19%	16 13%	19 15%	27 19%	19 11%	23 16%	27 18%	18 13%	23 15%	276 17%
>100	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	1 0%	0 0%	0 0%	0 0%	0 0%	1 0%	2 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%	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%	3 2%	2 1%	3 1%	34 2%
Allergic Rx	1 0%	0 0%	0 0%	1 0%	1 0%	2 1%	0 0%	0 0%	2 1%	1 0%	0 0%	1 0%	9 0%
Animal Bite	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	1 0%	0 0%	0 0%	0 0%	1 0%
Assault	3 2%	0 0%	1 0%	0 0%	2 1%	0 0%	4 2%	1 0%	4 2%	2 1%	2 1%	2 1%	21 1%
Auto Ped	0 0%	1 0%	2 1%	1 0%	1 0%	0 0%	0 0%	2 1%	2 1%	1 0%	1 0%	1 0%	12 0%
Back Pain	0 0%	0 0%	2 1%	1 0%	5 4%	2 1%	2 1%	0 0%	1 0%	2 1%	3 2%	3 1%	21 1%
Burns	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	3 2%	0 0%	0 0%	3 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%	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%	1 0%	1 0%	7 0%
Cardiac	8 6%	10 9%	16 11%	16 13%	13 11%	16 13%	15 10%	15 9%	14 10%	15 10%	18 13%	13 8%	169 10%
Childbirth	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	1 0%	0 0%	0 0%	1 0%
Choking	0 0%	1 0%	2 1%	0 0%	1 0%	0 0%	0 0%	0 0%	1 0%	0 0%	0 0%	0 0%	5 0%
DOS	1 0%	3 2%	0 0%	2 1%	1 0%	2 1%	3 2%	4 2%	4 2%	3 2%	0 0%	1 0%	24 1%
Diabetic	3 2%	6 5%	4 2%	7 5%	6 5%	2 1%	3 2%	3 1%	3 2%	3 2%	5 3%	5 3%	50 3%
Drowning	0 0%	0 0%	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%	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%	0 0%	0 0%
Falls	11 8%	10 9%	8 5%	8 6%	7 5%	10 8%	9 6%	7 4%	6 4%	12 8%	2 1%	15 9%	105 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%	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%	0 0%	1 0%	6 0%
Headache	0 0%	0 0%	0 0%	0 0%	0 0%	1 0%	1 0%	1 0%	2 1%	1 0%	0 0%	0 0%	6 0%
Heat/Cold	0 0%	0 0%	0 0%	0 0%	0 0%	0 0%	2 1%	1 0%	0 0%	0 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%	1 0%	1 0%	9 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%	0 0%	0 0%
MVA	11 8%	8 7%	8 5%	10 8%	13 11%	16 13%	18 12%	34 21%	15 10%	7 4%	14 10%	7 4%	161 10%
Medical	26 21%	30 28%	36 26%	21 17%	17 14%	38 30%	33 23%	32 20%	36 25%	35 23%	29 22%	29 18%	362 22%
Other	6 4%	4 3%	8 5%	3 2%	4 3%	2 1%	7 4%	4 2%	3 2%	4 2%	5 3%	12 7%	62 3%
Overdose	0 0%	1 0%	1 0%	2 1%	2 1%	2 1%	0 0%	3 1%	4 2%	2 1%	0 0%	3 1%	20 1%

Person Down	0 0%	0 0%	0 0%	2 1%	0 0%	0 0%	1 0%	0 0%	0 0%	0 0%	0 0%	2 1%	5 0%
Psych	1 0%	3 2%	1 0%	0 0%	0 0%	1 0%	3 2%	0 0%	0 0%	2 1%	2 1%	1 0%	14 0%
Respiratory	20 16%	10 9%	14 10%	16 13%	26 22%	10 8%	17 12%	15 9%	14 10%	23 15%	16 12%	22 14%	203 12%
Seizures	7 5%	6 5%	9 6%	9 7%	4 3%	3 2%	4 2%	7 4%	11 7%	9 6%	11 8%	11 7%	91 5%
Service Call	0 0%	0 0%	0 0%	1 0%	0 0%	0 0%	1 0%	0 0%	1 0%	0 0%	0 0%	0 0%	3 0%
Stroke	2 1%	1 0%	3 2%	5 4%	3 2%	3 2%	5 3%	4 2%	5 3%	3 2%	3 2%	6 3%	43 2%
Trauma	3 2%	3 2%	2 1%	5 4%	3 2%	5 4%	3 2%	8 5%	5 3%	10 6%	4 3%	4 2%	55 3%
Unconscious	3 2%	7 6%	10 7%	9 7%	3 2%	6 4%	5 3%	11 6%	3 2%	5 3%	11 8%	12 7%	85 5%
Unknown	0 0%	0 0%	1 0%	0 0%	0 0%	0 0%	0 0%	0 0%	1 0%	0 0%	1 0%	0 0%	3 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	5	6	6	5
Location - To Hospital	15	18	15	17	15	17	15	15	15	16	16	15	16
To Hospital - At Hospital	8	9	9	9	9	8	8	8	9	8	8	7	8
At Hospital - In Service	28	32	33	31	28	24	28	28	26	28	28	27	28
Location - At Hospital	21	26	24	24	24	22	23	22	23	21	22	21	23
Dispatch - At Hospital	27	31	30	30	29	28	29	27	28	26	28	27	28
Dispatch - In Service	51	58	60	55	54	50	50	48	50	50	52	49	52

LAMARQUE

Incident Type Report (Summary)

Alarm Date Between {12/01/2016} And {12/31/2016}

Incident Type	Count	Pct of Incidents	Total Est Loss	Pct of Losses
1 Fire				
111 Building fire	1	0.39%	\$0	0.00%
112 Fires in structure other than in a building	1	0.39%	\$20,000	97.56%
113 Cooking fire, confined to container	1	0.39%	\$500	2.43%
118 Trash or rubbish fire, contained	1	0.39%	\$0	0.00%
131 Passenger vehicle fire	1	0.39%	\$0	0.00%
150 Outside rubbish fire, Other	1	0.39%	\$0	0.00%
	6	2.39%	\$20,500	100.00%
3 Rescue & Emergency Medical Service Incident				
311 Medical assist, assist EMS crew	5	1.99%	\$0	0.00%
320 Emergency medical service, other	23	9.16%	\$0	0.00%
321 EMS call, excluding vehicle accident with	163	64.94%	\$0	0.00%
322 Motor vehicle accident with injuries	6	2.39%	\$0	0.00%
323 Motor vehicle/pedestrian accident (MV Ped)	1	0.39%	\$0	0.00%
324 Motor Vehicle Accident with no injuries	2	0.79%	\$0	0.00%
	200	79.68%	\$0	0.00%
4 Hazardous Condition (No Fire)				
410 Combustible/flammable gas/liquid condition,	1	0.39%	\$0	0.00%
412 Gas leak (natural gas or LPG)	2	0.79%	\$0	0.00%
440 Electrical wiring/equipment problem, Other	1	0.39%	\$0	0.00%
444 Power line down	2	0.79%	\$0	0.00%
	6	2.39%	\$0	0.00%
5 Service Call				
510 Person in distress, Other	1	0.39%	\$0	0.00%
550 Public service assistance, Other	3	1.19%	\$0	0.00%
551 Assist police or other governmental agency	3	1.19%	\$0	0.00%
552 Police matter	1	0.39%	\$0	0.00%
553 Public service	2	0.79%	\$0	0.00%
554 Assist invalid	6	2.39%	\$0	0.00%
561 Unauthorized burning	1	0.39%	\$0	0.00%
	17	6.77%	\$0	0.00%
6 Good Intent Call				
600 Good intent call, Other	5	1.99%	\$0	0.00%
611 Dispatched & cancelled en route	7	2.78%	\$0	0.00%

LAMARQUE

Incident Type Report (Summary)

Alarm Date Between {12/01/2016} And {12/31/2016}

Incident Type	Count	Pct of Incidents	Total Est Loss	Pct of Losses
6 Good Intent Call				
622 No Incident found on arrival at dispatch	1	0.39%	\$0	0.00%
651 Smoke scare, odor of smoke	1	0.39%	\$0	0.00%
	<u>14</u>	<u>5.57%</u>	<u>\$0</u>	<u>0.00%</u>
7 False Alarm & False Call				
700 False alarm or false call, Other	1	0.39%	\$0	0.00%
715 Local alarm system, malicious false alarm	1	0.39%	\$0	0.00%
735 Alarm system sounded due to malfunction	1	0.39%	\$0	0.00%
740 Unintentional transmission of alarm, Other	1	0.39%	\$0	0.00%
743 Smoke detector activation, no fire -	1	0.39%	\$0	0.00%
745 Alarm system activation, no fire -	3	1.19%	\$0	0.00%
	<u>8</u>	<u>3.18%</u>	<u>\$0</u>	<u>0.00%</u>

Total Incident Count: 251

Total Est Loss:

\$20,500

LAMARQUE

Unit Response Time Analysis

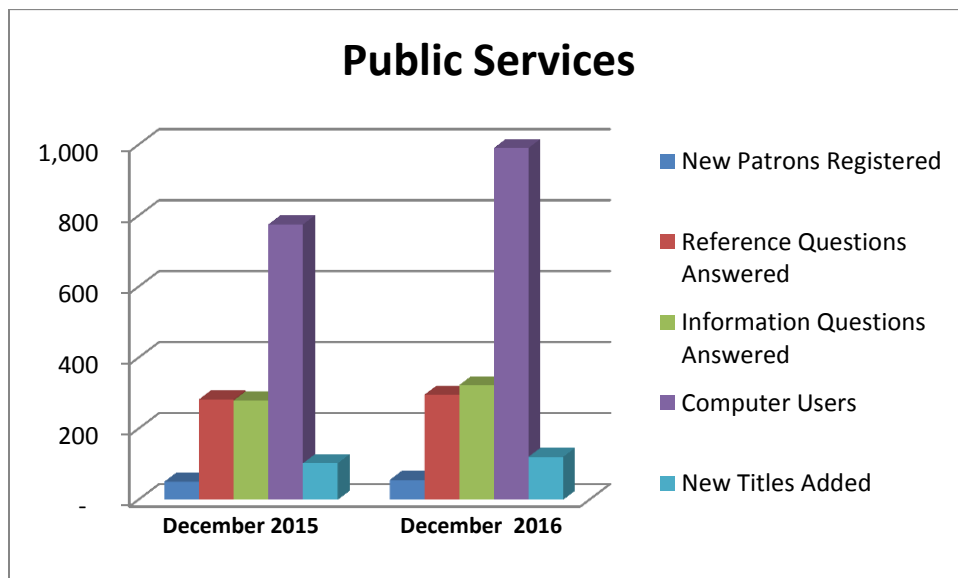
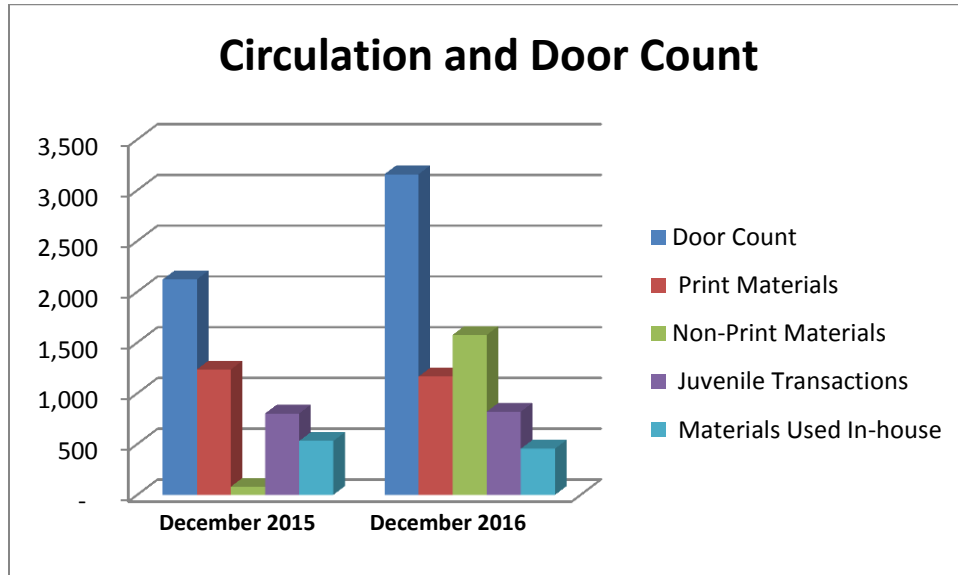
Alarm Date Between {12/01/2016} And {12/31/2016}

Response		Count	Percentage
Hrs	Mins		
	< 01	20	6.0%
	01	13	3.9%
	02	27	8.1%
	03	42	12.7%
	04	37	11.2%
	05	46	13.9%
	06	32	9.6%
	07	31	9.3%
	08	17	5.1%
	09	24	7.2%
	10	18	5.4%
	11	3	0.9%
	12	6	1.8%
	13	5	1.5%
	14	5	1.5%
	15	1	0.3%
	16	2	0.6%
	22	1	0.3%

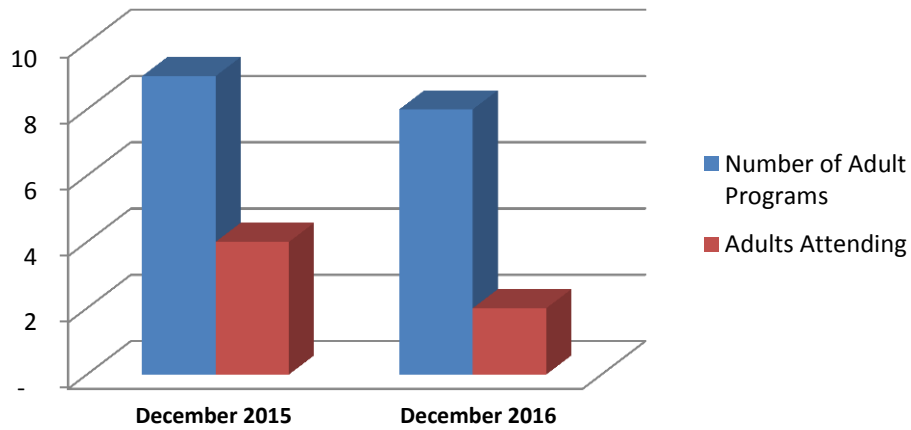
Overall Average Response Time: 00:05:37

LIBRARY DEPARTMENT

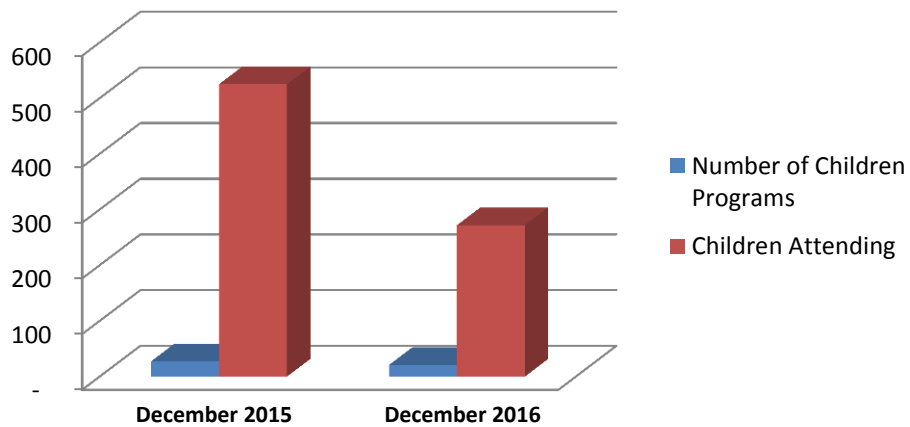
La Marque Public Library
Monthly Statistics
December 2015 vs December 2016 Comparisons



Adult Programs

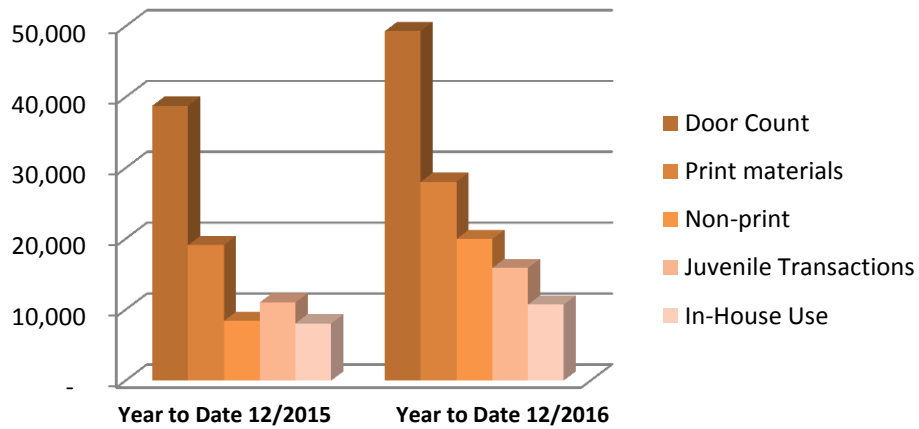


Youth Programs

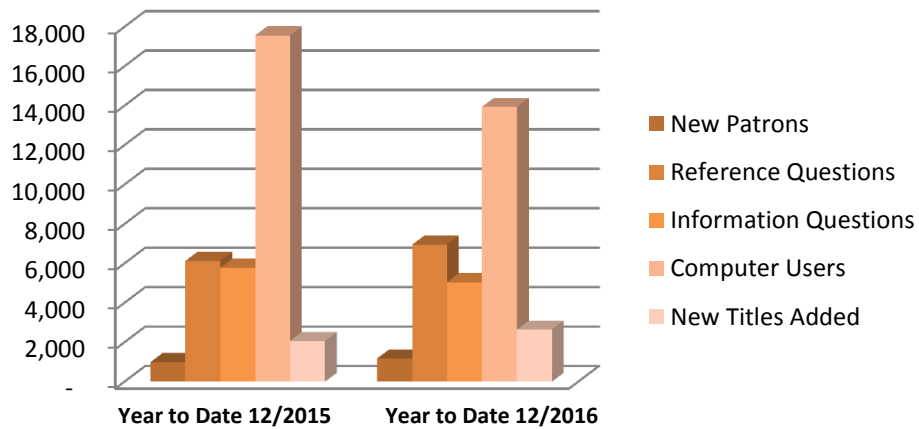


**La Marque Public Library
Year to Date Comparisons**

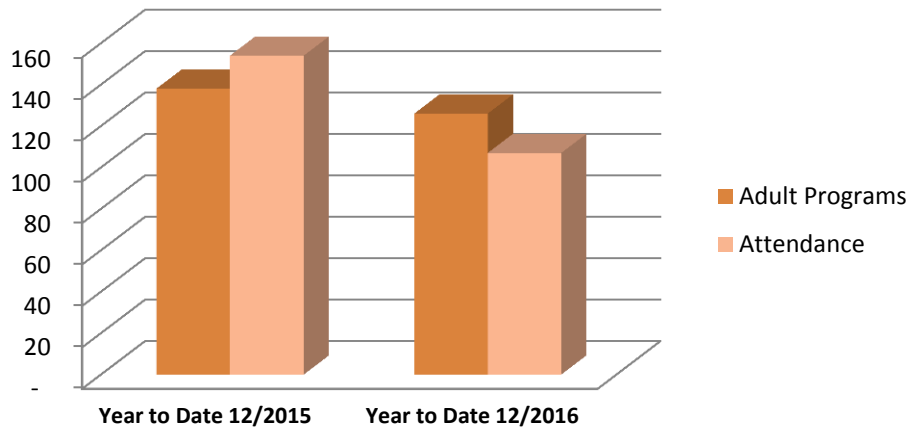
Circulation and Door Count



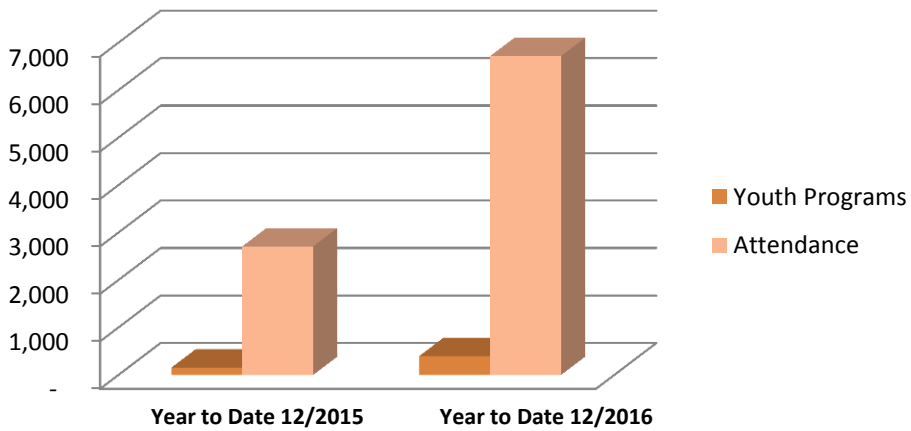
Public Services



Adult Programs



Youth Programs



La Marque Public Library

Report for November 23rd – December 29th



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)

The library is open 39 hours a week.

There were **3,158** visitors this month.

Customers saved **\$40,137** by checking out items at La Marque Public Library.

Staff added **121** new items to the collection this month.

The library issued **56** new cards.

Circulation Statistics

Print and eBooks	1,165
Audiobooks	15
DVDs	1,561
Total Circulation	2,741
Interlibrary Loans	18

Computer Use

Total logins	991
Total computer time	676 hours
Online catalog searches	922

Customers typically use library computers for job searches, completing applications, writing resumes, checking email, doing homework and accessing personal documents such as bank statements, tax and legal forms and proof of insurance.

Reference

Reference questions	296
Information questions	323

Volunteers

Hours worked	24
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Volunteers helped clean dvds, shelved and straightened returned books and assisted with program preparation and clean up.

Programming

• Adult programs	8
• Attendance	2
• Children's programs	21
• Attendance	272

Meetings Attended

- 12-02-2016 – Amy attended the monthly meeting of Leadership Mainland.
- 12-21-2016 – Terri attended the Galveston County Youth Librarians meeting at Rosenberg Library in Galveston.

Report updated 12/30/2016 by Tom Hansen

Library Happenings

- Santa Storytime was a big hit with Santa and the kids having a great time. Participants listened to holiday stories, crafted a recycled-book ornament, enjoyed cookies and hot chocolate and had a photo opportunity with Santa Claus.
- ***Finding Dory*** was an unusually popular selection for this month's Family Movie Night.
- A group of regular library customers and avid gamers joined us for Family Game on December 29.

MONTH-TO-YEAR
La Marque Public Library

	MONTHLY TOTALS			YEAR TO DATE TOTALS		
Description	December 2015	December 2016	%Change 2015 vs 2016	December 2015 Previous Year	December 2016 This year	% Change 2015 vs 2016
DOOR COUNT	2,122	3,158	49%	38,796	49,325	27%
CIRCULATION						
Print Materials	1,236	1,165	-6%	19,125	28,047	47%
Non-Print Materials	82	1,576	1822%	8,416	19,977	137%
Juvenile Transactions	802	820	2%	11,028	15,887	44%
Materials Used In-house	531	455	-14%	8,078	10,730	33%
PUBLIC SERVICES						
New Patrons Registered	51	56	10%	998	1,187	19%
Reference Questions Answered	283	296	5%	6,131	6,953	13%
Information Questions Answered	280	323	15%	5,784	5,052	-13%
Computer Users	776	991	28%	17,568	13,944	-21%
New Titles Added	103	121	17%	2,069	2,649	28%
PROGRAM ATTENDANCE						
Number of Adult Programs	9	8	-11%	138	126	-9%
Adults Attending	4	2	-50%	154	107	-31%
Number of Teen Programs	0	1	0%	3	2	-33%
Teens Attending	0	4		0	21	
Number of Children Programs	27	21	-22%	158	401	154%
Children Attending	525	272	-48%	2,711	6,719	148%
Volunteer Hours	11	24	118%	206	395	92%
Inter-Library Loan Requests	21	18	-14%	279	418	50%

PUBLIC SERVICES

PUBLIC WORKS ADMINISTRATION
ACTIVITY REPORT
Venisha Henderson

2016/November	WEEK 1	WEEK 2	WEEK 3	WEEK 4	MONTHLY	NOV
	11/1-11/7	11/8-11/15	11/16-11/23	11/24-11/30	TOTALS	2015
Calls / Customers						
Water Leaks	9	9	9	4	31	21
Sewer Stops	8	17	14	9	48	45
Leak at Meter	1	3	1	2	7	0
Low Pressure / No Water	1	3	3	1	8	0
Dress-Ups	1	2	2	1	6	0
Billing Department	21	20	24	19	84	72
Blue Cart / Trash Pick Up	14	4	5	7	30	24
Bulk Pick Up	2	3	2	1	8	25
Co-Compliance	0	0	0	0	0	3
Pot Holes	4	2	1	3	10	8
Street Repair	1	2	2	0	5	1
Driveway Repair	0	0	1	0	1	1
Dirt Request	0	0	0	1	1	6
Culverts	1	0	3	0	4	3
Mowers / Mowing	0	4	1	0	5	4
Street Signs	3	0	1	0	4	3
Traffic Lights	0	0	0	0	0	0
Street Light Outage	4	1	3	0	8	2
Street Light Request	0	0	0	0	0	0
Director	2	6	7	7	22	15
PW/Utility Dept Supervisors	3	1	4	5	13	17
City Manager	0	0	0	0	0	1
City Hall Admin Assist.	0	0	0	0	0	1
Human Resource	0	0	0	0	0	1
MONTHLY TOTALS					295	253

PUBLIC WORKS ADMINISTRATION
ACTIVITY REPORT
Venisha Henderson

2016/November	WEEK 1	WEEK 2	WEEK 3	WEEK 4	MONTHLY	Nov
	11/1-11/7	11/8-11/15	11/16-11/23	11/24-11/30	TOTALS	2015
Calls / Customers						
City Clerk	0	0	0	0	0	0
Inspections	0	0	1	0	1	9
Animal Control	2	1	3	1	7	0
Mosquito Spray	0	0	0	0	0	0
Locates	5	6	1	1	13	0
LM's	0	0	0	0	0	0
Customer at Window	4	4	5	5	18	20
Recycling	0	0	0	0	0	7
Community Service	2	3	2	4	11	4
Gas Company	0	2	0	0	2	1
Miscellaneous Calls	10	6	2	4	22	32
MONTHLY TOTALS					74	73

CITY OF LA MARQUE
PARKS DEPARTMENT MONTHLY REPORT
Amanda Hobby

2016 /November

SCHEDULED WORK

COMPLETED WORK

PARK MAINTENANCE	WK 1	WK 2	WK 3	WK 4	WK 5	Monthly	2015	DESCRIPTION OF WORK
	11/01-11/04	11/07-11/11	11/14-11/18	11/21-11/25	11/28-11/30	Totals	TOTALS	
Bayou City Park	0	0	0	0	0	0	7	
Bird Sanctuary	0	0	0	0	0	0	31	
Highland Bayou Park- Man Hours	2.25	4	7.25	0.5	1.75	15.75	18	Cleaned/Mantained Restrooms;empty trash
Jaycee Park	0	0	0	0	0	0	4	
Lagana Park	0	0	0	0	0	0	9	
Martin Luther King Jr. Park	0	0	0	0	0	0	8	
Mahan Park- Man Hours	2.25	3	5.75	0.5	1.75	13.25	33	Cleaned/Mantained Restrooms;empty trash
Westlawn Park	0	0	0	0	0	0	5	
GENERAL MAINTENANCE								DESCRIPTION OF WORK
City Hall	0	0	0	0	0	0	7	
Library / Walter Feigle Park	0	0	0	0	0	0	23	
Police Department	0	0	0	0	0	0	7	
La Marque Cemetery	0	0	0	0	0	0	31	
La Marque Sign @ Hwy 3	0	0	0	0	0	0	3	
Kirsten esplanade	0	0	0	0	0	0	7	
Lake Rd. / Grebb / Charity	0	0	0	0	0	0	11	
LM property / Aid & Guidance	0	0	0	0	0	0	7	
Bus Stops	0	0	0	0	0	0	6	
WEEKEND DUTIES								DESCRIPTION OF WORK
Highland Bayou Park	0	0	0	0	0	0	0	
Weekly Total Hours	4.5	7	13	1	3.5	29	217	
Comments:								

**RIGHT-OF- WAY MAINTENANCE
ACTIVITY REPORT
Amanda Hobby**

2016/November

	WEEK 1	WEEK 2	WEEK 3	WEEK 4	WEEK 5	MONTHLY	November
	11/1-11/4	11/07-11/11	11/14-11/18	11/21-11/25	11/28-11/30	TOTALS	2015
STREETS							
Utility Patch - Man Hours	3	16.25	0	0	0	19.25	5
Culverts-Linear Feet Set	0	0	0	0	0	0	60
Man Hours	0	0	0	0	0	0	64
Trimming Tree Limbs-Man Hours	0	0	0	0	0	0	16
Driveway Tie In-Man Hours	0	0	0	0	0	0	13
Traffic Sign Repair - Man Hours	0	3	0	0	10.5	13.5	8
Potholes Filled	33	0	0	0	0	33	28
Man Hours	8	0	0	0	0	8	6
Repaired Driveways	0	0	0	0	0	0	48
Man Hours	0	0	0	0	0	0	19
Grading Ditch - Linear Feet Cut	198	0	0	0	0	198	20
Man Hours	42	0	0	0	0	42	16
Weed Eat/Mowing Man Hours	21	57.25	41	13	6.5	138.75	24
Sweeping - Man Hours	0	9	0	2	6.5	17.5	40
Grate Repair - Man Hours	0	0	0	0	0	0	0
Dress-up - Man Hours	0	0	0	0	0	0	0
Check Drains & Ditches- Man Hours	0	33	0	0	18	51	26
Safety Meetings	1	0	1	0	1	3	0
Misc.- Man Hours (Animal Services)	2	0	0.75	0	1.5	4.25	0
Misc.- Crosswalks for Striping Man Hours	0	0	12	6	0	18	0
Misc.- X-Mas Lights, Poles & Signs Man Hours	0	0	34	0	4.5	38.5	0
Total Man Hours						350.75	288

WATER & SEWER MAINTENANCE DIVISION
ACTIVITY REPORT
Rodney Gamble

2016/November
Utility 22

2016/November Utility 22	WEEK 1	WEEK 2	WEEK 3	WEEK 4	MONTHLY	Nov
	11/1-11/7	11/8-11/15	11/16-11/23	11/24-11/30	TOTALS	2015
WATER						
Water leaks repaired	10	9	8	8	35	19
Residential Water Taps	1	2	1	0	4	0
Commercial Water Taps	0	0	0	0	0	0
Remote Read Meters Installed	0	0	0	0	0	0
Low Pressure City Side	0	0	0	0	0	0
Low Pressure Customer Side	1	0	0	0	1	3
Meter Boxes & Lids Replaced	1	1	1	0	3	0
Water Turned On/Off - Citizens	2	2	0	1	5	2
Rusty Water Inquires	0	0	0	0	0	0
Bad Taste/Smelly Water	0	0	0	0	0	0
		TOTAL WORK ORDERS			48	24
Fire Hydrants						
Fire Hydrants Installed	0	0	0	0	0	0
Fire Hydrants Repaired	0	0	0	0	0	0
Fire Hydrants Serviced	0	0	0	0	0	0
SPECIAL PROJECTS						
Storm Drains Repaired	0	0	0	0	0	0
Pick Up Trash	2	1	1	1	5	0

1 of 2

WATER & SEWER MAINTENANCE DIVISION
ACTIVITY REPORT
Rodney Gamble

2016/November
Utility 22

WEEK 1	WEEK 2	WEEK 3	WEEK 4	MONTHLY	Nov
11/1-11/7	11/8-11/15	11/16-11/23	11/24-11/30	TOTALS	2015

SEWER

Sewer Stoppages Resolved	14	19	20	7	60	64
Sewer Lines Repaired	6	4	3	2	15	0
Service Lines Repaired	2	3	4	0	9	0
Residential Sewer Taps	0	0	0	0	0	0
Commercial Sewer Taps	0	0	0	0	0	0
Clean-Out Tops Replaced	2	0	0	0	2	0
Clean-Outs Installed	1	0	0	0	1	0
Sewer Lines Installed	0	0	0	0	0	0
Manhole Repaired	0	0	0	0	0	0
Manhole Installed	0	0	0	0	0	0
Lines Locate, Water & Sewer	6	3	21	3	33	11

Miscellaneous

Dress-Ups	3	0	0	0	3	6
Saw Cuts	0	0	0	0	0	0
Valves Replaced	0	0	0	0	0	0

TOTAL WORK ORDERS	123	81
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Projects by LF

Feet of Water Mains Installed	0	0	0	0	0	0
Sewer Lines Cleaned (LF)	0	0	100 LF	0	100 LF	0
Feet of Sewer Line T.V.'d (LF)	0	0	0	0	0	0
Feet of Sewer Main Replaced (LF)	0	0	0	0	0	0
Smoke Testing Done (LF)	0	0	0	0	0	0

WATER & WASTE WATER
ACTIVITY REPORT
Supervisor Jason Hubbell

2016 / November	WEEK 1	WEEK 2	WEEK 3	WEEK 4	WEEK 5	MONTHLY	Nov.
Utility 24	11/01-11/05	11/06-11/12	11/13-11/19	11/20-11/26	11/27-11/30	TOTALS	2015
WWTP							
Rain Fall	0	1.8	1.5	0.5	0	3.8	2.7
Flow Total MG/D	6.281	10.539	10.752	9.484	5.244	42.3	82.319
Lb. of CL2 used	555	1025	1400	1000	485	4465	4,690
Lb. of SO2 used	325	533	667	529	240	2294	2,617
Plant Man Hours	33	84	72	39	56	284	266
Bio Solids Removed/Tons							0
Raw TSS Avg. mg/1						140.9	103.8
Raw BOD tes/Avg.						146	95
Raw Total Cu Avg.mg/l						0.0425	0.0293
Raw NH3-3 Avg. mg/l						28.56	15.6
Effluent CBOD test/Avg.						2.3	2.1
Effluent TSS Avg. mg/1						4.5	2.6
Effluent NH-3N Avg.mg/L						0.382	4.41
Effluent Total CU mg/L						0.0034	13
Entero. Avg. MPN/100 MI						8	0.0045
Route Wells & Lift Stations							
Distribution System-Total Surface Water MG/D	13.792	18.955	18.981	18.888	10.607	81.223	74.535
Total Well Water MGD	0	0	0	0	0	0	16.004
Lb. of CL2 used	69	71	80	79	38	337	146
Lb. of Ammonia Used	17	17	20	19	9	82	27
Total # of CL2 Residual Samples	55	77	77	77	44	330	330
Number of Water Bacteriology Samples	0	15	0	0	0	15	15

WATER & WASTE WATER
ACTIVITY REPORT
Supervisor Jason Hubbell

2016 / November	WEEK 1	WEEK 2	WEEK 3	WEEK 4	WEEK 5	MONTHLY	Nov.
Utility 24	11/01-11/05	11/06-11/12	11/13-11/19	11/20-11/26	11/27-11/30	TOTALS	2015
Collection System - Total Lift Station Pump Hours	370.2	636.5	663.4	704.5	344.1	2718.7	3771
Man Hours Wells Station	22.5	31.5	31.5	31.5	18	135	135
Safety Meetings	0	1	0	0	0	1	1
Dead ends Flushed	12	21	20	14	10	77	103
Fire Hydrants Weed-eated	14	20	22	13	11	80	95

CL2 = CHLORINE

MGD = MILLION GALLON DAY

SO2 = HYDROGEN SULFIDE

BOD = BIOCHEMICAL OXYGEN DEMAND

CU = COPPER

NH-3N = AMMONIA

MAINTENANCE DIVISION
ACTIVITY REPORT
Jason Hubbell

2016 / November	WEEK 1	WEEK 2	WEEK 3	WEEK 4	WEEK 5	MONTHLY	Nov
Utility 24	11/01-11/05	11/06-11/12	11/13-11/19	11/20-11/26	11/27-11/30	TOTALS	2015
PREVENTATIVE MAINTENANCE							
Lift Pumps	0	0	0	0	0	0	5
Valves	0	0	0	0	0	0	0
Electric Motors	0	0	0	0	0	0	1
Electric Panels	1	0	0	0	0	1	3
Vent Fans	0	0	0	0	0	0	0
Blowers	0	0	0	0	0	0	1
Belts	0	0	1	0	0	1	3
Floats	3	0	1	0	0	4	6
Well Sites	0	0	0	2	0	2	1
Clean Up @ Well Sites	0	0	1	2	0	3	3
Troubleshoot Problems	1	0	1	2	0	4	6
CORRECTIVE MAINTENANCE							
Replaced Belts	2	0	0	1	0	3	3
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	1
Replaced Pumps	0	0	0	1	0	1	0
Replace wear Parts	0	0	0	0	0	0	1
Replace Valves	0	0	0	0	0	0	0
Replace Floats	0	3	0	1	0	4	3
Replace Gauges	0	0	1	0	0	1	1
Replace Electrical Parts	0	1	2	1	0	4	4
Change Oil in Pumps	2	1	0	2	1	6	5
Clean Up Lift Stations	0	1	1	2	1	5	1
					Total	39	48

SPECIAL PROJECTS

ANIMAL SERVICES

Galveston County Health District



Animal Services Division
Animal Resource Center - Monthly Report by Jurisdiction

City: La Marque
Month: November 2016
Completed By: Marissa Warsham

ANIMALS:**Incoming Animals: 59**

Incoming Field	35
Incoming Shelter	24

Outgoing Animals-Disposition Method: 55

Adoptions	Foster	Rescued by Group	Redeemed by Citizen	Escaped	Euthanized	Disposal Request by Owner	Quarantine Return	Died in Care
12	4	8	8	0	22	1	0	0

Includes 2
Owner
Request Euth

Euthanasia Breakdown (Does not include the Owner Request Euthanasias)

	Dog	Cat	Other
Aggressive	2		
Behavior Issue		2	
Health Condition	1		
Illness	3	3	
Injured	2	1	1
Time/Space			
Feral Cat		5	
TOTALS	8	11	1

Euthanasia Totals	
Dogs	8
Cats	11
Other	1
Grand Total	20

CALLS: 90**Average Response Time** 0:54 (hours)

	Assist Law Enforcement	Bite Case	Contained by Citizen/Trap	Other	Owner Surrender	Sick/Injured	Stray	Transport	Trap Pick Up/Drop Off	Unrestrained/Property	Welfare Check/Neglect	Wildlife Assist
Animal Not Found							13					
Animal Picked Up		1	6			4	17					9
Citation/Notice Issued							17				4	
Conference w/Owner/Complainant											1	
Dead on Arrival												
Escaped During Transfer												
Incident Closed	1	1				1	2	1				
Other												
Return to Owner												
Trap Set Up/Pick up							2		1			
Unable to Capture							5					
Unable to Make Contact											2	
Unfounded Incident												
Unresolved												
Veterinarian Appointment												
Warning(s)							2					
TOTALS	1	2	6	0	0	5	58	1	1	0	7	9

ADDITIONAL INFORMATION:

Quarantined	1
Citations Issued	25
Notices Issued	13
Registration	4

Galveston County Health District



Animal Services Division
Animal Resource Center - Monthly Report by Jurisdiction

November 2016

Jurisdiction	Incoming Animals		Outgoing Animals-Disposition Method										
	Incoming Field	Incoming Shelter	Adoptions	Foster	Rescued by Group	Redeemed by Citizen	Escaped	Euthanized	Euthanasia Request by Owner	Disposal Request by Owner	Quarantine Return	Died in Care	Dead on Arrival
Bayou Vista	1	2	0	0	1	1	0	0	1	0	0	0	0
Clear Lake Shores	0	0	0	0	0	0	0	0	0	0	0	0	0
Dickinson	0	0	0	0	0	0	0	0	0	0	0	0	0
Hitchcock	13	5	7	0	1	7	0	5	1	0	0	0	0
Kemah	3	3	0	0	0	1	0	3	0	0	0	0	0
La Marque	35	24	12	4	8	8	0	20	2	1	0	0	0
Santa Fe	0	0	0	0	0	0	0	0	0	0	0	0	0
Texas City	102	90	64	12	15	23	0	81	2	1	0	3	0
Tiki Island	0	0	0	0	0	0	0	0	0	0	0	0	0
Unincorporated	45	31	26	4	8	12	0	46	0	0	0	1	0
Totals	199	155	109	20	33	52	0	155	6	2	0	4	0

Euthanasia Breakdown

Jurisdiction	Aggressive			Behavior Issue			Health Condition			Illness			Injured			Time/Space			Feral Cat
	Dog	Cat	Other	Dog	Cat	Other	Dog	Cat	Other	Dog	Cat	Other	Dog	Cat	Other	Dog	Cat	Other	
Bayou Vista																			
Clear Lake Shores																			
Dickinson																			
Hitchcock	1			1	1														2
Kemah							1			1									1
La Marque	2				2		1			3	3		2	1	1				5
Santa Fe																			
Texas City	2	1		9	9		1	11		7	25		1	2		1			12
Tiki Island																			
Unincorporated	8	4		3	2		3	3		3	7		1						11
Totals	13	5	0	13	14	0	6	14	0	13	36	0	4	3	1	1	0	0	31

Euthanasia Totals	
Dogs	50
Cats	103
Other	1
Grand Total	154

Calls/Reasons For Calls

Jurisdiction	Calls Received	Avg Response Time	Assist Law Enforcement	Bite Reports	Contained by Citizen or Trap	Other	Owner Surrender	Sick or Injured	Stray	Transport	Trap Drop off/Pick up	Unrestrain/Property	Welfare Check or Neglect
Bayou Vista	1	0:50	0	0	0	0	0	0	1	0	0	0	0
Hitchcock	30	1:05	0	1	0	0	0	1	21	0	0	0	7
Kemah	8	0:51	0	0	4	0	0	1	3	0	0	0	0
La Marque	90	0:54	1	2	6	0	0	5	58	1	1	0	7
Unincorporated	64	0:37	2	4	16	0	0	4	0	6	1	1	20
Totals	193	0:43	3	7	26	0	0	11	83	7	2	1	34

Additional Information

Jurisdiction	Citations Issued	Notices Issued	Registration
Bayou Vista	0	0	0
Hitchcock	0	3	1
Kemah	0	0	0
La Marque	25	13	4
Texas City	0	0	13
Unincorporated	54	21	12
Totals	79	37	30

Notes:

Physical Count of animals at ARC on 11/30/16: 214

FINANCE DEPARTMENT



City of La Marque
Budget vs Actual
November 2016

General Fund		November	November	Year To Date	Benchmark	Year To Date	Change
Revenues:	Budget	FY 2017	FY 2016	FY 2017	17%	FY 2016	%
Property Taxes	3,209,750	243,910.28	180,002.85	292,616.21	9%	196,301.21	49%
Sales Tax	3,732,155	8.54	8.41	8.54	0%	8.41	2%
Franchise Fees	864,000	73,951.05	1,985.44	108.32	0%	2,088.84	-95%
Other Taxes	102,000	21.45	536.55	116.55	0%	1,144.65	-90%
Licenses and Permits	327,300	33,461.50	26,877.50	321,601.20	98%	49,783.45	546%
Fines and Forfeits	799,100	46,744.93	43,184.25	101,572.24	13%	87,887.98	16%
Charges for Services	95,950	15,445.88	7,672.12	35,595.28	37%	19,147.11	86%
Fire and Ambulance Services	365,500	33,665.48	30,779.93	67,215.16	18%	57,099.20	18%
Investment Earnings	10,000	2,829.70	494.73	5,705.45	57%	1,043.62	447%
Miscellaneous Revenues	1,000	2,526.93	32.10	2,534.21	253%	200.15	1166%
Reimbursements	62,000	-	3,083.33	-	0%	6,166.66	-100%
Intergovernmental	79,050	-	5,000.00	-	0%	5,000.00	-100%
General Fund - Total Revenues	9,647,805	\$ 452,565.74	\$ 299,657.21	\$ 827,073.16	9%	\$ 425,871.28	49%
Expenditures:	Budget	November	November	Year To Date	Benchmark	Year To Date	Change
General Government Division		FY 2017	FY 2016	FY 2017	17%	FY 2016	%
Administration	467,877	35,659.14	19,925.14	56,905.32	12%	33,581.23	69%
Finance	461,111	34,572.30	32,882.63	54,929.91	12%	52,447.70	5%
Inspection	646,035	27,194.68	12,564.93	54,574.52	8%	17,645.63	209%
Judicial	382,809	18,418.74	22,593.67	38,701.11	10%	39,502.05	-2%
City Clerk	160,509	10,277.12	7,016.67	15,561.91	10%	11,363.68	37%
Library	260,931	19,490.02	16,775.53	32,945.75	13%	29,009.26	14%
Information Technology	153,765	11,003.88	12,355.92	19,981.67	13%	16,894.53	18%
Fund Expenditures	918,946	9,322.88	145,670.12	160,225.24	17%	153,036.18	5%
	3,451,984	\$ 165,938.76	\$ 269,784.61	\$ 433,825.43	13%	\$ 353,480.26	19%
Public Safety Division	Budget	November	November	Year To Date	Benchmark	Year To Date	Change
		FY 2017	FY 2016	FY 2017	17%	FY 2016	%
Police	3,664,292	259,848.79	233,150.97	426,720.81	12%	407,985.03	5%
Animal Control	97,827	-	-	-	0%	-	#DIV/0!
Emergency Management	89,585	253.09	-	307.35	0%	-	#DIV/0!
Fire/EMS	2,177,073	155,274.87	146,180.01	266,377.76	12%	234,623.20	14%
Fire Marshal	0	-	111.98	-	#DIV/0!	199.43	
Subtotal of PSD Expenditures	6,028,777	\$ 415,376.75	\$ 379,442.96	\$ 693,405.92	12%	642,807.66	7%
Public Works Division	Budget	November	November	Year To Date	Benchmark	Year To Date	Change
		FY 2017	FY 2016	FY 2017	17%	FY 2016	%
Parks	0	-	417.02	-	#DIV/0!	1,107.11	-100%
Shop/Service	0	-	245.86	-	#DIV/0!	421.23	-100%



**City of La Marque
Budget vs Actual
November 2016**

PW Admin	0	-	-	-	#DIV/0!	-	#DIV/0!
Street	817,148	43,094.93	50,123.54	82,532.71	10%	82,703.43	0%
Subtotal of PWD Expenditures	817,148	\$ 43,094.93	\$ 50,786.42	\$ 82,532.71	10%	\$ 84,231.77	-2%
General Fund - Total Expenditures	10,297,909	\$ 624,410.44	\$ 700,013.99	\$ 1,209,764.06	12%	\$ 1,080,519.69	11%
Revenues over Expenditures	(650,104)	\$ (171,844.70)	\$ (400,356.78)	\$ (382,690.90)		\$ (654,648.41)	
Beginning Unassigned Fund Balance:				4,331,516.49			
Ending Fund Balance:				3,948,825.59			

*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
November 2016

Utility Fund		November	November	Year To Date	Benchmark	Year To Date	Change
Revenues:		FY 2017	FY 2016	FY 2017	17%	FY 2016	%
Budget							
Operating Revenue	3,793,727	340,562.49	343,838.19	721,589.81	19%	673,069.84	7%
Other Revenue	1,000,500	15,555.76	54,426.58	29,023.66	3%	63,957.17	-55%
Utility Fund - Total Revenues	4,794,227	\$ 356,118.25	\$ 398,264.77	\$ 750,613.47	16%	\$ 737,027.01	2%
Expenditures:		November	November	Year To Date	Benchmark	Year To Date	Change
Budget		FY 2017	FY 2016	FY 2017	17%	FY 2016	%
UB/Accounting	271,274	23,294.15	14,171.12	32,938.63	12%	25,337.78	30%
Utility Line Maint	1,189,221	33,450.34	38,863.84	60,050.22	5%	60,128.87	0%
Water & Sewer Operations	2,606,338	165,218.28	133,959.37	195,200.63	7%	162,423.41	20%
Debt Service	399,667	-	45,221.74	-	0%	45,221.74	-100%
Storm Water	18,825	-	76.94	-	0%	76.94	-100%
Fund Expenditures	913,952	10,540.78	97,768.20	117,320.71	13%	106,375.96	10%
Utility Fund - Total Expenditures	5,399,277	\$ 232,503.55	\$ 330,061.21	\$ 405,510.19	8%	\$ 399,564.70	1%
Capital Project-Hwy 3 @ Cedar						133,964.24	
Revenues over Expenses	(605,050)	123,614.70	68,203.56	345,103.28		203,498.07	
Cash and Cash Equivalent Balance as of 11/30/16:				4,812,176.71			

*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
November 2016

Debt Service		Budget	November FY 2017	November FY 2016	Year To Date FY 2017	Benchmark 17%	Year To Date FY 2016	Change %
Revenues:								
Property Taxes		616,455	44,533.63	32,289.26	53,364.06	9%	34,472.43	55%
Other Revenue		1,000	441.26	88.94	889.70	89%	175.94	406%
Debt Service Fund - Total Revenues		617,455	\$ 44,974.89	\$ 32,378.20	\$ 54,253.76	9%	\$ 34,648.37	36%
Expenditures:								
Debts		592,454	-	-	-	0%	-	#DIV/0!
Others (transfers)		0	-	-	-	#DIV/0!	-	#DIV/0!
Debt Service Fund - Total Expenditures		592,454	\$ -	\$ -	\$ -	0%	\$ -	#DIV/0!
Revenues over Expenditures		25,001	44,974.89	32,378.20	54,253.76		34,648.37	
Beginning Balance:					691,577.70			
Ending Balance:					745,831.46			

*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
November 2016

HOT Fund		November	November	Year To Date	Benchmark	Year To Date	Change
Revenues:		FY 2017	FY 2016	FY 2017	17%	FY 2016	%
	Budget						
Occupancy Tax Collected	100,000	(13,426.26)	2,274.38	3,754.30	4%	3,986.52	-6%
Other Revenue	500	392.46	77.94	791.30	158%	154.17	413%
HOT Fund - Total Revenues	100,500	(13,033.80)	2,352.32	4,545.60	5%	4,140.69	9%
Expenditures:		FY 2017	FY 2016	FY 2017	17%	FY 2016	%
	Budget						
Interconnect Transit System	40,000	2,421.67	-	2,421.67	6.05%	-	#DIV/0!
PROFESSIONAL FEES	50,000	-	-	-	0.00%	-	#DIV/0!
Promotional within CLM	3,000	-	-	-	0.00%	-	#DIV/0!
BAYOU FEST	109,079	4,411.89	2,615.46	13,344.87	12.23%	20,970.46	-36%
CHRISTMAS EVENT	57,737	900.00	-	900.00	1.56%	-	#DIV/0!
MWL-SPONSORSHIP	15,000	-	-	15,000.00	100.00%	-	#DIV/0!
COLM PROMOTIONS	0	2,505.00	-	2,505.00	#DIV/0!	-	#DIV/0!
CITY PROMOTION - TC-LM C OF C	25,000	-	-	-	0.00%	-	#DIV/0!
Transfer Out - General Fund							
	299,816	\$ 10,238.56	\$ 2,615.46	\$ 34,171.54	11.40%	\$ 20,970.46	39%
	(199,316)	(23,272.36)	(263.14)	(29,625.94)		(16,829.77)	
Beginning Fund Balance:				690,078.74			
Ending Fund Balance:				660,452.80			

*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 11/30/16

Funds	Amounts
General Fund	4,575,191.66
Utility Fund	4,812,176.71
Utility Restricted Investment	268,542.74
Westside Construction Fund	28,088.75
Equipment Replacement Fund	45,970.55
Library Fund	3,711.22
PD Child Outreach Program	6,228.39
Hotel Motel Fund	595,686.69
Drug Seizure Fund	5,716.84
Home Program Grant	38,552.46
Debt Service Fund	758,221.32
Utility Debt Service Fund	0.00
PID Funds	8,794.51
EDC	4,915,951.54
Equipment Maintenance Fund	33,435.13
CDBG Grant	0.00
CDBG Disaster	0.00
2005 CO Capital Projects	497,823.84
2007 CO Capital Projects	671,999.33
2016 CO Capital Projects	9,184,996.56
Section 8 Housing Grant	136,044.45
Sanitation	531,544.96
Disasters Fund	300.00
Parks Fund	34,779.45
Court Technology	39,210.30
Court Security	76,178.99
Child Safety	43,128.31
LEOSE Training Fund	17,320.86
Health Reimbursement Account	(1,294.00)
Clean City Fund	45,736.32
PEG	93,495.66
Donations Fund	103,504.46
Cemetery Fund	2,615.35
Fire Reserve	83,935.37
Library Grants Fund	2,200.84
Capital Improvements	13,930.00
Risk Management Fund	64,369.87
	27,738,089.43

*Note-Cash and investments excluded amounts held in GCWA



FINANCIAL HIGHLIGHTS

November 30, 2016

GENERAL FUND

REVENUES (Overall increased by 49%)

- Property taxes increased by 49%. This is due to timing of tax payments.
- Sales tax collections-October and November collections are the result of August and September sales and therefore they are being accrued as part of previous year's revenues. October collection is shown on the sales tax chart with trends.
- Gulf Greyhound Parks admission fees decreased from \$1,145 to \$117 in comparison to last year.
- Licenses and permits revenues increased from \$49,783 to \$321,601.
 - Pipeline permits-the City received \$264,015 from HSC current year.
 - Building permits continued to increase from \$35,023 to \$49,797.
 - Plan review fees increased from \$3,815 to \$12,518.
- Fines and forfeitures increased \$13,684 (16%).
- Fire and ambulance service revenues increased by 18%.
 - Ambulance services increased from \$55,400 to \$66,414.
- Interest revenue increased from \$1,044 to \$5,705.

EXPENDITURES (Overall increased by 11%)

Highlights contributing increase include the following:

- Administration increased by 69% mainly due to personnel related expenditure.
- Development Services increased from \$17,646 to \$54,575 mainly due to personnel related cost and an annual payment for software system used by permits, inspection, and code compliance staff. This payment applies to full year each year.



FINANCIAL HIGHLIGHTS

November 30, 2016

UTILITY FUND

Revenues overall increased by 2%.

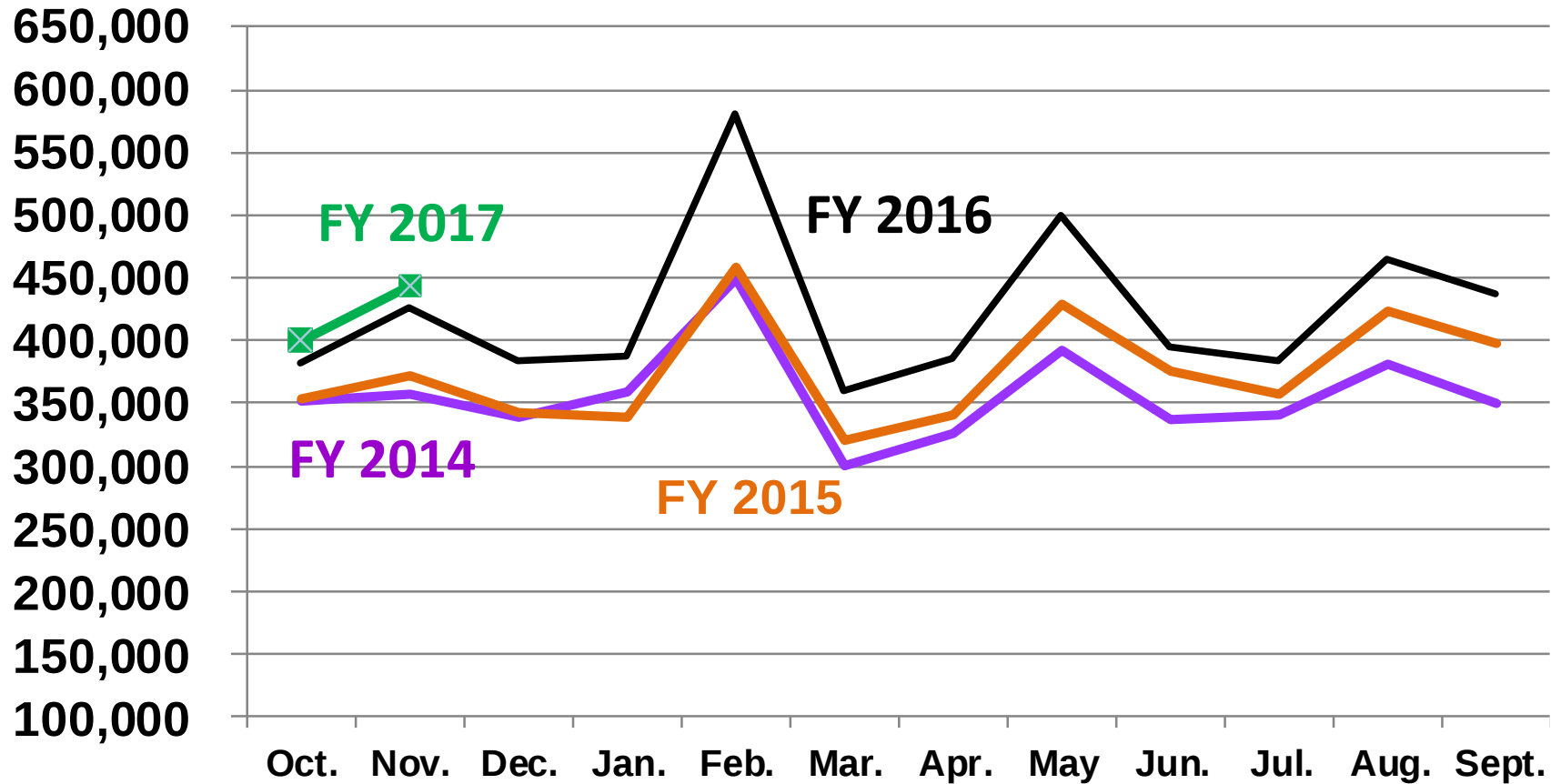
- Investment interest increased from \$953 to \$6,131.

Expenses overall increased by 1%:

- Fund expenditure-The City normally pays for windstorm and general liability once a year at the beginning of each fiscal year. Total payment for general liability and worker's comp was \$234,000. Windstorm payment was \$125,000.



SALES TAX REVENUES





SALES TAX COLLECTIONS

	2013-14	2014-15	2015-16	2016-17	Variance	% Change
Oct	352,526	353,446	382,100	399,923	17,823	5
Nov	357,165	372,772	427,185	443,698	16,513	4
Dec	339,503	341,659	383,466			
Jan	359,397	339,457	386,841			
Feb	448,418	458,158	581,276			
Mar	299,908	321,205	359,310			
Apr	325,346	340,790	385,191			
May	392,219	429,148	499,495			
Jun	336,816	376,517	395,553			
Jul	340,341	357,680	384,375			
Aug	380,637	423,549	464,888			
Sept	<u>349,540</u>	<u>398,631</u>	<u>437,586</u>			
Total	<u>\$4,281,816</u>	<u>\$4,513,052</u>	<u>\$5,087,267</u>	<u>843,621</u>	<u>\$34,336</u>	<u>4</u>

LA MARQUE ECONOMIC DEVELOPMENT CORPORATION
COMBINED BALANCE SHEET
FISCAL YEAR 2016-17
Month Ending November 30, 2016

	<u>EDC</u>
<u>ASSETS:</u>	
Cash	417,791
Sub-Total	<u>417,791</u>
Investments:	
Investments - General	3,855,818
Investments - Restricted/Revitalization	408,568
Certificate of Deposit - ACU	100,000
Certificate of Deposit - Amoco	100,092
Certificate of Deposit - Texas First	200,801
Money Market -Texas First	35,815
Sub-Total	<u>4,701,094</u>
Prepays	503
Receivables	258
Land & Improvements	4,136,065
Accumulated Amortized-Depreciation	
Capitalized Interest & Cost	
Total Assets	<u>9,255,711</u>
<u>LIABILITIES / EQUITY:</u>	
Liabilities:	
Accrued T.M.R.S.	2,635
Taxes	1,663
Fort Dearborn Life	19
Health Insurance	1,665
Dental Insurance	64
Vision Insurance	7
Worker's Comp. Payable	-505
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	22,068
Total Liabilities	<u>73,248</u>
Equity:	
Reserved for Capital Assets	933,904
Reserved for Revitalization	93,980
Unreserved:	8,154,579
Total Equity	<u>9,182,463</u>
Total Liabilities / Equity	<u>9,255,711</u>

Prepared By:
Suzy Kou

Approved By:

LA MARQUE ECONOMIC DEVELOPMENT CORPORATION
COMBINED INCOME STATEMENT
FISCAL YEAR 2016-17
FOR THE PERIOD ENDED NOVEMBER 30, 2016

	BUDGET	YEAR TO DATE	%
<u>REVENUES:</u>			
1/2 Cent Sales Tax	\$ 1,000,000		-
Insurance Proceeds	-	-	-
Interest / Investments	5,000	3,342	67
Interest - Revitalization	-	648	-
Sale of Assets	-		-
Miscellaneous Income	-	-	-
Revitalization - Assets Exchange	-		-
Revitalization - Rental	36,000	14,433	40
Revitalization - ROW Permits	-	105,770	-
Miscellaneous Donations	-	-	-
Reserve for Sams	-	-	-
TOTAL REVENUES:	1,041,000	124,193	\$ 12

OPERATING EXPENSES:

City Supported:

Operating Supplies	8,000	68	1
Postage	-		-
Janitorial Supplies		181	#DIV/0!
General Insurance	5,000		-
Communications	10,000		-
Utilities	2,750	114	4
Accounting Services	35,000		-
Clerical Services	2,000		-
Total City Supported	62,750	363	1

General Operating:

Uniforms, Maint & Safety Gear	-	-	-
R & M - Facilities	10,000		-
R & M - Equipment		-	-
Professional Fees	100,000	7,866	8
Executive Director and staff	240,963	25,191	10
Advertising & Promotion	25,000	125	1
Travel - Education & Training	15,000	(75)	(1)
Dues, Memberships, & Subscriptions	10,000	35	0
Grants	269,759	35,000	13
Public Improvements	10,000	-	-
Revitalization Projects			-
Blight Reduction Pilot Program	25,000	-	-
Mowing - Landscaping / Maintenance	15,000	1,575	11
Total General Operating	720,722	69,718	10

Prepared By:
Suzy Kou

Approved By:

LA MARQUE ECONOMIC DEVELOPMENT CORPORATION
COMBINED INCOME STATEMENT
FISCAL YEAR 2016-17
FOR THE PERIOD ENDED NOVEMBER 30, 2016

Capital Expenditures:

Buildings, Furniture & Fixtures, Land	-	-
Land	269,759	-
Total Capital Expenditures	269,759	-

TOTAL EXPENSES:	1,053,231	70,080	7
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REVENUES OVER(UNDER) EXPENSES:	\$ (12,231)	\$ 54,113
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LA MARQUE ECONOMIC DEVELOPMENT CORPORATION
CURRENT PERIOD EXPENDITURE DETAIL
November 30, 2016

<u>Account</u>	<u>Description</u>	<u>Amount</u>	<u>Account Total</u>
19-2010-00-00	Operating Supplies	<u>67.50</u>	67.50
19-2019-00-00	Postage	<u> </u>	0.00
19-2070-00-00	Janitorial supplies & maintenance	<u>181.43</u>	181.43
19-3010-00-00	Repair & Maintenance - Facilities	<u> </u>	0.00
19-3020-00-00	Mowing/Landscaping/Maintenance	<u>1,575.00</u>	1,575.00
19-4030-00-00	General Insurance	<u> </u>	0.00
19-4040-00-00	Professional Fees	<u>7,866.37</u>	7,866.37
	Executive Director and Public Relations staff		
19-1010-01-00	Salary	17,354.73	
19-1020-01-00	Longevity	486.00	
19-1060-01-00	Payroll Taxes	1,577.56	
19-1065-01-00	Retirement (TMRS)	2,807.76	
19-1070-01-00	Group Health Ins.	1,622.46	
19-1075-01-00	Worker's Compensation	57.07	
19-2031-01-00	Car Allowance	<u>1,285.70</u>	25,191.28
19-4050-00-00	Advertising & Promotional	<u>125.00</u>	125.00
19-4051-00-00	Accounting Services	<u> </u>	0.00
19-4052-00-00	Clerical Services	<u> </u>	0.00
19-4060-00-00	Travel - Education & Training	<u>-75.00</u>	-75.00
19-4071-00-00	Dues, Memberships, & Subscriptions	<u>35.00</u>	35.00
19-5010-00-00	Communications	<u> </u>	0.00
19-5020-00-00	Utilities	<u>113.65</u>	113.65
19-6000-00-00	Grants	<u>35,000.00</u>	35,000.00
19-6001-00-00	Public Improvements	<u> </u>	0.00
19-7020-00-00	Buildings, Furniture & Fixtures	<u> </u>	0.00
19-7070-00-00	Land	<u> </u>	0.00
TOTAL EXPENDITURES FOR THE CURRENT PERIOD			<u>70,080.23</u>



**CITY OF LA MARQUE
PARKS FUND
November 2016**

DONATIONS

	Total Donations Received	Parks			Clean City		
		Correct Allocation	Actual Payment	Over / (Under) Payment	Correct Allocation	Actual Payments	Over / (Under) Payment
October 2016	788.00	394.00	394.00	0.00	394.00	394.00	0.00
November 2016	812.00	406.00	406.00	0.00	406.00	406.00	0.00
December 2016		0.00	0.00	0.00	0.00	0.00	0.00
January 2017		0.00	0.00	0.00	0.00	0.00	0.00
February 2017		0.00	0.00	0.00	0.00	0.00	0.00
March 2017		0.00	0.00	0.00	0.00	0.00	0.00
April 2017		0.00	0.00	0.00	0.00	0.00	0.00
May 2017		0.00	0.00	0.00	0.00	0.00	0.00
June 2017		0.00	0.00	0.00	0.00	0.00	0.00
July 2017		0.00	0.00	0.00	0.00	0.00	0.00
August 2017		0.00	0.00	0.00	0.00	0.00	0.00
September 2017		0.00	0.00	0.00	0.00	0.00	0.00
	\$ 1,600.00	\$ 800.00	\$ 800.00	0.00	\$ 800.00	\$ 800.00	0.00

BEGINNING CASH & INVESTMENT BALANCE 10/31/2016

\$50,010.93

REVENUES

Donations	406.00
Interest on Investments-Oct 2016	31.51
Interest on Investments-Nov 2016	31.01
Total Revenues	\$468.52

EXPENSES

<u>Date/ Vendor</u>	<u>Description</u>	
11/3/16	Bank sand for Highland Bayou	294.00
11/16/16	Installation of Citywide playground equipment	15,000.00
	Total Expenses	\$15,294.00

ENDING CASH & INVESTMENT BALANCE 11/30/2016

\$35,185.45

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 Crawfish Bash Foundation



**CITY OF LA MARQUE
CLEAN CITY FUND
NOVEMBER 2016**

DONATIONS

	Total Donations Received	Parks			Clean City		
		Correct Allocation	Actual Payment	Over / (Under) Payment	Correct Allocation	Actual Payments	Over / (Under) Payment
October 2016	788.00	394.00	394.00	0.00	394.00	394.00	0.00
November 2016	812.00	406.00	406.00	0.00	406.00	406.00	0.00
December 2016		0.00	0.00	0.00	0.00	0.00	0.00
January 2017		0.00	0.00	0.00	0.00	0.00	0.00
February 2017		0.00	0.00	0.00	0.00	0.00	0.00
March 2017		0.00	0.00	0.00	0.00	0.00	0.00
April 2017		0.00	0.00	0.00	0.00	0.00	0.00
May 2017		0.00	0.00	0.00	0.00	0.00	0.00
June 2017		0.00	0.00	0.00	0.00	0.00	0.00
July 2017		0.00	0.00	0.00	0.00	0.00	0.00
August 2017		0.00	0.00	0.00	0.00	0.00	0.00
September 2017		0.00	0.00	0.00	0.00	0.00	0.00
	\$ 1,600.00	\$ 800.00	\$ 800.00	0.00	\$ 800.00	\$ 800.00	0.00

BEGINNING CASH & INVESTMENT BALANCE 10/31/2016

\$45,567.85

REVENUES

Donations	406.00
Interest on Investments-Oct 2016	24.43
Interest on Investments-Nov 2016	24.04
Lowe's rebates	205.00
Total Revenues	\$659.47

EXPENSES

<u>Date/ Vendor</u>	<u>Description</u>	
10/27/16 - Roy Robison	Driver - Community service supervisor	85.00
	Total Expenses	\$85.00

ENDING CASH & INVESTMENT BALANCE 11/30/2016

\$46,142.32

Financial Report prepared prior to Sept. closeout-Possible carryover in donations from prior periods



City of La Marque

Balance Sheet

CEMETERY FUND

November 30, 2016

Assets

Current assets:	Fiscal Year 2016	Fiscal Year 2017
Cash	2,574.77	(418.67)
Investments	23,016.50	3,034.02
Inventories	-	-
Accounts receivable	-	-
Pre-paid expenses	-	-
Other	-	-
Total current assets	25,591.27	2,615.35

Total assets	25,591.27	2,615.35
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Liabilities and Fund Balance

Current liabilities:	Fiscal Year 2016	Fiscal Year 2017
Accounts payable		-
Other	-	-
Total current liabilities	-	-

Fund Balance:	Fiscal Year 2016	Fiscal Year 2017
Available Fund Balance	23,686.93	3,811.50
Current Year Revenue/Expenses	1,904.34	(1,196.15)
Total Fund Balance	25,591.27	2,615.35

Total liabilities and Fund Balance	25,591.27	2,615.35
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CITY OF LA MARQUE CEMETERY FUND

Fiscal Year 2016-17

Budget vs Actual Revenues and Expenditures November 2016

Accounts	Descriptions	Budget 2016-17	Current Month	Current Year to Date Actuals	Budget Balance
Revenues					
89-3605-00-00	Interest on Investments	0.00	1.91	3.85	(3.85)
89-9001-00-00	General Fund	24,400.00	0.00	0.00	24,400.00
	Total Revenues	24,400.00	1.91	3.85	24,396.15
Expenditures					
89-4048-00-00	Wreath Across America	400.00	0.00	0.00	400.00
89-4049-00-00	Cemetery Board Expenditure	24,000.00	1,200.00	1,200.00	22,800.00
	Total Expenditures	24,400.00	1,200.00	1,200.00	23,200.00
Revenues over (under) Expenditures		0.00	(1,198.09)	(1,196.15)	1,196.15

praptrp2 City of La Marque
 Pay Type - 0 Overtime
 Fund Number - 1 GENERAL FUND

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 Pay Type History Report

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Page 1

Department Number - 2 FINANCE/ACCOUNTING/TAX Program Number - FINANCE/ACCOUNTING/TAX

Employee Number	Employee Name	Check Date	Check Number	Units	Pay Rate 1	Ovr Amt	Amount	Account Compressed
20126	MYSTY NAUCK	11/10/16	69705	5.00		N	148.12	
20126	MYSTY NAUCK	11/25/16	69926	6.00			177.74	
Total for Employee				11.00			325.86	
20124	ROBERT WEIDENBACH	11/10/16	69703	10.25			268.77	
Total for Employee				10.25			268.77	
Total for Program - FINANCE/ACCOUNTING/TAX				21.25			594.63	
Total for Department - 2 FINANCE/ACCOUNTING/TAX				21.25			594.63	
40128	SHEILA MAYA	11/25/16	69933	2.45			42.26	
Total for Employee				2.45			42.26	
Total for Program - JUDICIAL				2.45			42.26	
Total for Department - 4 JUDICIAL				2.45			42.26	
50193	TROY ANDERS	11/25/16	69960	3.00			107.42	
Total for Employee				3.00			107.42	
50186	EVELYN ARREDONDO	11/25/16	69954	6.00			238.03	
Total for Employee				6.00			238.03	
50148	TINA CRAWFORD	11/10/16	69722	4.00			128.71	
Total for Employee				4.00			128.71	
50202	MATTHEW CYPERT	11/10/16	69743	6.25			213.79	
Total for Employee				6.25			213.79	
50160	FORREST GANDY	11/25/16	69948	8.00			408.08	
Total for Employee				8.00			408.08	
50176	JESSE GUZMAN	11/10/16	69732	1.00			37.98	
50176	JESSE GUZMAN	11/25/16	69953	8.25			314.30	
Total for Employee				9.25			352.28	
50187	JOSHUA HUMAN	11/10/16	69734	2.75			127.38	
50187	JOSHUA HUMAN	11/25/16	69955	15.50			717.96	
Total for Employee				18.25			845.34	
50174	CONAN KING	11/25/16	69952	6.00			254.49	
Total for Employee				6.00			254.49	

praptrp2 City of La Marque
 Pay Type - 0 Overtime
 Fund Number - 1 GENERAL FUND

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 Pay Type History Report

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Department Number - 5 POLICE Program Number - POLICE

Employee Number	Employee Name	Check Date	Check Number	Units	Pay Rate 1	Ovr Amt	Amount	Account Compressed
50205	KELLIE LADD	11/25/16	69967	1.00			28.69	
Total for Employee				1.00			28.69	
50208	FETURILLA MCNEAL	11/10/16	69747	2.00			44.40	
50208	FETURILLA MCNEAL	11/25/16	69968	17.00			377.40	
Total for Employee				19.00			421.80	
50188	DANIEL O'CONNOR	11/10/16	69735	.75			26.01	
50188	DANIEL O'CONNOR	11/25/16	69956	14.00			485.54	
Total for Employee				14.75			511.55	
50154	TIWANNA PORTER	11/25/16	69946	1.00			29.25	
Total for Employee				1.00			29.25	
50165	SHELBY SAMUELSON	11/10/16	69730	2.00			97.67	
50165	SHELBY SAMUELSON	11/25/16	69951	9.25			451.74	
Total for Employee				11.25			549.41	
50196	JOSE SANTOS	11/10/16	69740	12.00			441.68	
50196	JOSE SANTOS	11/25/16	69961	20.00			720.60	
Total for Employee				32.00			1,162.28	
50197	BRITTANY SMITH	11/25/16	69962	6.00			209.78	
Total for Employee				6.00			209.78	
Total for Program - POLICE				145.75			5,460.90	
Total for Department - 5 POLICE				145.75			5,460.90	
60075	CURTIS BARBER	11/10/16	69750	4.00			145.79	
60075	CURTIS BARBER	11/25/16	69971	6.00			218.68	
Total for Employee				10.00			364.47	
60092	MICHAEL BILLIOTT	11/25/16	69974	6.00			186.54	
Total for Employee				6.00			186.54	
60009	JOHN BRASHER	11/10/16	69749	24.00			900.47	
60009	JOHN BRASHER	11/25/16	69970	9.00			333.79	
Total for Employee				33.00			1,234.26	
60117	MICHAEL CARLSON	11/25/16	69979	7.00		N	329.25	
Total for Employee				7.00			329.25	
60124	JASON CROCKOM	11/10/16	69761	15.00			389.34	
60124	JASON CROCKOM	11/25/16	69982	3.00			77.87	

praptrp2 City of La Marque
Pay Type - O Overtime
Fund Number - 1 GENERAL FUND

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Pay Type History Report

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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
Total for Employee				18.00			467.21	
60129	BRIDGETT ENLOE	11/10/16	69766	12.00			317.34	
60129	BRIDGETT ENLOE	11/25/16	69987	58.00	23.190	Y	1,345.02	
Total for Employee				70.00			1,662.36	
60077	JOSE GONZALEZ	11/10/16	69751	48.00			1,878.34	
60077	JOSE GONZALEZ	11/25/16	69972	39.50			1,545.71	
Total for Employee				87.50			3,424.05	
60115	ZACHERY HON	11/25/16	69978	9.00			282.50	
Total for Employee				9.00			282.50	
60125	RICHARD LAFOUR	11/25/16	69983	3.00			69.54	
Total for Employee				3.00			69.54	
60123	JAMES MATTHEWS	11/10/16	69760	15.00			347.69	
60123	JAMES MATTHEWS	11/25/16	69981	28.00			649.03	
Total for Employee				43.00			996.72	
60112	DAVID MERRYMAN	11/10/16	69755	6.00			328.13	
60112	DAVID MERRYMAN	11/25/16	69976	6.00			328.13	
Total for Employee				12.00			656.26	
60097	WILLIAM REED	11/25/16	69975	17.00			733.71	
Total for Employee				17.00			733.71	
60127	ASHLEY ROBINSON	11/10/16	69764	2.00			49.63	
60127	ASHLEY ROBINSON	11/25/16	69985	3.00			74.44	
Total for Employee				5.00			124.07	
160037	KARI WELCH	11/25/16	69989	9.00			285.20	
Total for Employee				9.00			285.20	
60119	TONY WRIGHT	11/25/16	69980	9.00			325.62	
Total for Employee				9.00			325.62	
60086	IRA YARDLEY	11/25/16	69973	9.00			260.06	
Total for Employee				9.00			260.06	
Total for Program - FIRE				347.50			11,401.82	
Total for Department - 6 FIRE				347.50			11,401.82	
120157	JARED WILSON	11/10/16	69781	1.00			16.49	
Total for Employee				1.00			16.49	

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Pay Type - O Overtime
Fund Number - 1 GENERAL FUND

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Pay Type History Report

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Department Number - 12 PUBLIC SERVICES

Program Number - PUBLIC SERVICES

Employee Number	Employee Name	Check Date	Check Number	Units	Pay Rate 1	Ovr Amt	Amount	Account Compressed
Total for Program - PUBLIC SERVICES				1.00			16.49	
Total for Department - 12 PUBLIC SERVICES				1.00			16.49	
130012	BRANDON HAYNES	11/10/16	69786	5.00			105.00	
130012	BRANDON HAYNES	11/25/16	70006	8.00			168.00	
Total for Employee				13.00			273.00	
130011	KYLE HUNTER	11/10/16	69785	5.50			229.13	
Total for Employee				5.50			229.13	
Total for Program - IT				18.50			502.13	
Total for Department - 13 IT				18.50			502.13	
Total for Fund - 1 GENERAL FUND				536.45			18,018.23	
220135	ERNEST DICKEY	11/10/16	69794	2.00			35.86	
220135	ERNEST DICKEY	11/25/16	70014	2.00			35.86	
Total for Employee				4.00			71.72	
220140	LEONARD FAULK	11/10/16	69796	1.00			16.49	
Total for Employee				1.00			16.49	
220138	BRODERICK FRANK	11/10/16	69795	2.00			35.86	
Total for Employee				2.00			35.86	
220102	RODNEY GAMBLE	11/10/16	69791	1.00			24.90	
Total for Employee				1.00			24.90	
220143	RYAN JONES	11/10/16	69799	1.00			16.49	
220143	RYAN JONES	11/25/16	70019	.50			8.24	
Total for Employee				1.50			24.73	
220141	JASON MOSES	11/10/16	69797	6.00			98.91	
Total for Employee				6.00			98.91	
220142	APOLINAR RESENDEZ	11/10/16	69798	1.00			16.49	
Total for Employee				1.00			16.49	
Total for Program - UTILITY LINE MAINTENANCE				16.50			289.10	
Total for Department - 22 UTILITY LINE MAINTENANCE				16.50			289.10	

praptrp2 City of La Marque
Pay Type - 0 Overtime
Fund Number - 2 UTILITY FUND

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Pay Type History Report

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Department Number - 24 WATER AND WASTEWATER OPER Program Number - WATER AND SEWER OPERATIONS

Employee Number	Employee Name	Check Date	Check Number	Units	Pay Rate 1	Ovr Amt	Amount	Account Compressed
240131	PAUL BERNARD	11/25/16	70027	5.00			105.00	
Total for Employee				5.00			105.00	
220134	RONDALL COLEMON	11/10/16	69802	6.00			107.78	
Total for Employee				6.00			107.78	
240123	VALENTIN GARCIA	11/10/16	69805	2.00			41.52	
Total for Employee				2.00			41.52	
120152	SHANE IRISH	11/10/16	69801	6.50			116.77	
Total for Employee				6.50			116.77	
240101	RONALD REED	11/25/16	70023	8.00			206.24	
Total for Employee				8.00			206.24	
Total for Program - WATER AND WASTEWATER OPER				27.50			577.31	
Total for Department - 24 WATER AND WASTEWATER OPER				27.50			577.31	
Total for Fund - 2 UTILITY FUND				44.00			866.41	
Total for Pay Type - 0 Overtime				580.45			18,884.64	
Grand Totals -				580.45			18,884.64	

praptrp2 City of La Marque
Pay Type - MO Mid Overtime
Fund Number - 1 GENERAL FUND

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Pay Type History Report

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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	11/10/16	69737	25.00			915.90	
50191	DASHIELL CANTU	11/25/16	69958	3.00			109.45	
Total for Employee				28.00			1,025.35	
50148	TINA CRAWFORD	11/10/16	69722	13.00			418.29	
50148	TINA CRAWFORD	11/25/16	69943	18.00			580.12	
Total for Employee				31.00			998.41	
50197	BRITTANY SMITH	11/10/16	69741	5.00			175.28	
Total for Employee				5.00			175.28	
Total for Program - POLICE				64.00			2,199.04	
Total for Department - 5 POLICE				64.00			2,199.04	
Total for Fund - 1 GENERAL FUND				64.00			2,199.04	
Total for Pay Type - MO Mid Overtime				64.00			2,199.04	
Grand Totals -				64.00			2,199.04	