



**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 Chris Lane- District B

Councilmember Robert Michetich-District C

Councilmember Clent Brown- District D

OFFICIALLY POSTED ON THE
WEB:
DATE: **2.10.2017** TIME: **12:15 p.m.**

**ORDINANCE NO. O-2017-007
RESOLUTION NO. R-2017-005**

**CITY OF LA MARQUE
PUBLIC HEARING AND REGULAR CITY COUNCIL
AGENDA
of
February 13, 2017**

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, February 13, 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) 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.
- (5) 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. City Council Regular Minutes of January 9, 2017
 - b. Public Hearing Minutes of the CBDG January 9, 2017
 - c. City Council Workshop Minutes of December 1, 2016
 - d. Discussion/possible action regarding accepting the Quarterly Investment Reports for Third and Fourth Quarters of 2016.

(6) PUBLIC HEARING

- a. Conduct Public Hearing to hear public input regarding Ordinance No. **O-2017-001**, approving the new La Marque Cemetery Rules and Regulations as recommended by the La Marque Cemetery Board
- b. Conduct Public Hearing to hear public input regarding 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
- c. Conduct Public Hearing to hear public input regarding 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
- d. Conduct Public Hearing to hear public input regarding 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 RD; 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

(7) OLD BUSINESS

- a. Discussion/possible action regarding adoption of Ordinance No. **O-2017-001**, approving the new La Marque Cemetery Rules and Regulations as recommended by the La Marque Cemetery Board – Cemetery Board Chairman D. Pennington **THIS IS THE SECOND AND FINAL READING**
- b. 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 SECOND AND FINAL READING**

- c. 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 SECOND AND FINAL READING**
- d. 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 Director L. Rumburg **THIS IS THE SECOND AND FINAL READING**

(8) AWARD OF BIDS/CONTRACTS

- a. Discussion/possible action regarding award of Bid #LM 11-17 to Parrish & Parrish Tractor Services for annual Mowing and Clearing Services of various properties in the amount of \$56,292.00 – Code Compliance Supervisor K. Van Stavern
- b. Discussion/possible action regarding award of Bid #LM 12-17 to Inland Environments LTD, for the demolition of 12 substandard residential structures in the amount of \$56,125.00 – Code Compliance Supervisor K. Van Stavern
- c. Discussion/possible action regarding award to LJA Engineering the costs of engineering services necessary in the preparation of bid package for repairs/replacement of the sanitary sewer main line on Oak Street, from Cedar to Hathaway, under Highway 3, and terminating at the Hathaway Lift Station, in the amount of \$111,000 – Public Services Director L. Rumburg

(9) NEW BUSINESS

- a. Discussion/possible action regarding adopting Ordinance No. **O-2017-005** vacating, abandonment, and closing of road and alley rights-of-way located on realty described in Exhibit “A” – Mayor B. Hocking **THIS IS THE FIRST READING**
- b. Discussion/possible action regarding adopting Ordinance No. **O-2017-006**, providing for the annexation of Painted Meadows Section 5 subdivision, consisting of 27.312 acres of

land, and a section of Autry Road, as forwarded with favorable recommendation from Planning and Zoning Commission – Public Services Director L. Rumburg **THIS IS THE FIRST READING**

- c. Discussion/possible action regarding the approval of the Final Plat of Painted Meadows Section 5, a subdivision of 27.317 acres located in the J.R. Pace Survey, Abstract – 161 Galveston County, Texas, City of La Marque, Galveston County, Texas, and a variance to Code Section 41-107(e), for the dimensions of the lots to be reduced from 60’X120’ to 50’X110’ in size as recommended by the Planning and Zoning Commission – Public Services Director L. Rumburg
- d. Discussion/possible action regarding the approval of 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, and allowing a variance to Code Section 41-107 (e), for the dimension of the lots to be reduced from 60’X120’ to 50’X120’ in size – Public Services Director L. Rumburg
- e. Discussion/possible action to accept the Proposed Street Dedication Landing at Delany Cove, being 0.6 + Acres of Land out of the S.F. Austin League No. 4 survey, A-2 City of La Marque Galveston County, Texas being the continuation of Meadow Lake Village Drive, as recommended by Planning and Zoning Commission – Public Services Director L. Rumburg
- f. Discuss further issues with Delany Cove Development – Councilmember R. Michetich
- g. Discussion/possible action regarding adopting Ordinance No. **O-2017-007**, amending the City of La Marque 2016-2017 Budget for Year-end Encumbrances, personnel, and related Capital Outlays by increasing certain expenditures to individual budget accounts in certain funds as set forth in Exhibit “A” – Finance Director S. Kou **THIS IS THE FIRST READING**
- h. Discussion/possible action regarding adopting Resolution No. **R-2017-003**, awarding to Government Capital a financing agreement for the purpose of procuring “vehicles, water meters, and equipment” in the amount of \$662,330.88 – Finance Director S. Kou
- i. Discussion/possible action regarding award of one (1) Frazer Type 1 Modular Medic Unit to Mac Haik Dodge Chrysler Jeep through H-GAC in the amount of \$161,875.00 – Fire Chief G. Grimm
- j. Discussion/possible action regarding awarding the purchase of six (6) SCOTT Self Contained Breathing Apparatus to Municipal Emergency Services through H-GAC in the amount \$39,292.86 – Fire Chief G. Grimm
- k. Discussion/possible action regarding awarding to Crescent Electric, through the BuyBoard, the purchase of a replacement generator for the Police Department’s building in an amount up to \$56,000.00 – Police Chief K. Jackson

- l. Discussion/possible action regarding adopting Resolution No. **R-2017-004**, ratifying the City Manager's authorization for the La Marque Police Department to apply for a CJD grant to fund new body worn cameras and committing a 20% funding match of \$1,983.60 – Police Chief K. Jackson
- m. Discussion/possible action regarding adopting Resolution No. **R-2017-005**, authorizing City of La Marque to enter into an agreement to construct improvements to the sanitary sewer connection for property located at 3195 Main Street, La Marque and subsequently impose reimbursement of costs through a Special Assessment – Public Services Director L. Rumburg
- n. Discussion/possible action regarding award of purchase to Texas Underground, through the BuyBoard, for major repairs of the vacor truck blower component, including 20% for contingencies, in the amount of \$30,000.00 – Public Services Director L. Rumburg
- o. Discussion/possible action regarding approval of the upgrade of an existing but unfunded position within the Development Services Department to "Development Coordinator" effective March 14, 2017 – City Manager C. Buttler

(10) DEPARTMENTAL REPORTS

- a. Discussion / staff report regarding the status of Water and Sewer Utility projects, both in-process and proposed – Public Services Director L. Rumburg

(11) CITY MANAGER REPORT

- **Judicial**
- **Police**
- **Fire**
- **Library**
- **Public Services**
- **Financials**

(12) 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)

(13) 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.*

(14) ADJOURNMENT

CERTIFICATION:

I hereby certify that the above notice of meeting was posted at 1109-B Bayou Road, La Marque, Texas on or before February 10, 2017 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
JANUARY 9, 2017**

Regular Meeting Minutes of the City of La Marque City Council held on Monday, January 9, 2017, 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 led the invocation and the Pledge of Allegiance.

(4) PRESENTATIONS/PROCLAMATIONS

a. “Wreaths across America” Presentation and Awards

Chairman of the Cemetery Board David Pennington acknowledged some of the participants in the Wreath’s Across America Ceremony which took place on December. The American Heritage Girls Group, Troop 1202; Trail Life Texas, Troop 3211; Mr. Gideon Henry Jones, a World War II Veteran, and POW; VFW Post 5400; Bernardo de Galvez Chapter 1, Sons of the American Revolution; Bay Area Parrot Head Club; Rolling Thunder Texas Two; Southeast Texas Patriot Guard Riders

Mr. Pennington thanked the Public Works Department, and the La Marque Police Department for all of their work for this event, thanked Bim Crowder along with Crowder Funeral Home

b. Report - Cemetery Board

Chairman of the Cemetery Board David Pennington provided a presentation of the 2016 Annual report of the Cemetery Board.

(5) CITIZENS PARTICIPATION



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Walter Manual- "Coming today for the Public Service workshop, honestly it saddened me to see that La Marque has to stay a poor community in order to grow. With the low to moderate income grant requirements, it appears that we have to be a poor community in order to receive these requirements. Honestly, I tracked La Marque ISD for five years. It looks like the City of La Marque is playing that same tape back over in order to operate. Something has to be happening at the top management, and it may sit at your feet, I don't know. But, it looks like La Marque city is just operating on day to day basis, what we can get next to stay open." Then he further said that if the schools had to be taken over by Texas City, then that's what had to be done, because a whole generation had been robbed of a proper education. Said that the City cannot bring in more low to moderate income families if the plan was to help Texas City educate our children. "We would be doing to them a disservice because they have enough problems, with behavior, grades and attendance. We can't look at continuing funding La Marque based on grants, based on the average medium income. I think all of you should consider the infrastructure, it can't support the people we have now, and you have to quit kicking the can down the road. Fix the broken water pipe, do whatever it take to get that first, before you bring in more people. That is just complicating the matter. My heart is in La Marque, I was raised here. I want to be a supportive member of it. Brining in people just to generate funds, the big picture is you have to take care of the busted water pipes, the sewer and all that, if you are going to have people coming in and apartments, and communities."

Mayor Hocking stated, "Just a statement of fact, La Marque is not trying to draw low to moderate income families or build apartments, but I will be happy to talk to you later about that Walter."

Dr. Rick Hart, "I wanted to talk about a few thing going on Jeridona Street. One thing is the flooding, every time it rains, I live at the end of the dead end street, my backyard and the street floods. My wife and family and I have lived there since the house was built in 2006. My fence is ruined from the flooding. A few of the Councilmembers came out last year and looked at my situation, and I never heard anything back. The flooding has been exasperated by the new construction going on by Castle Rock Homes. It is a nightmare." He said that construction debris is filling the ditches and the culverts that are intended to go under the driveways are laying in the ditches. Said that the parking is a nightmare. (He brought pictures). They can't get out of the driveway and have been late to work because of the construction trucks blocking the roads. Said that in the case of an emergency, no emergency vehicles would be able to get down the street. The Code Enforcement Officer has been out to speak with the builders. He said that his trash has not been picked up in over a week, because the trucks can't get down the street. His carpet is ruined. They have said that someone would come and clean it. "I have written emails and have spoken to a few people from Castle Rock and they are on the surface real helpful, but nothing has been done yet." Mayor Hocking asked that the City Manager follow up on this.

Tracy Tipton, "I know that ya'll are trying to change the code when it comes to livestock inside the city limits. My parents own chickens, as well as turkeys at their house where we



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live. My children look forward every day to come home from school and picking up the eggs that the chickens have laid. I think it is something good for our children to learn. I graduated from La Marque in 2003. I joined the Navy, I left and I came back. I want my children to learn and see all of the things that I have gotten to growing up here. I know Texas City has FFA. For our children not to be able to see how to feed chickens, or goats. I grew up with a goat. Our kids need to know how to feed livestock and I think ya'll need to think about that when you make the decision, because our kids need to learn these things."

"Point of information, I have pulled that item from the agenda. We will have a public hearing because it was already posted." Mayor Hocking said, then added, "I grew up having chickens in La Marque, and as far as my one vote, and chickens are not in danger in the City of La Marque."

Burt Henderson, decided not to speak, as the problem has been taken care of.

Catherine Polk, "First of all, I do have a compliment, the man who is driving the blue truck is doing a terrific job. We no longer have trash cans falling over, he is trying his best to keep the lids down, so if it rains, we are not dumping water, before we can remove our trash can. The actual trash pickup however, when we received the notice with the water bill, it said that our trash would be picked up on Monday. But when I had the guys raking my leaves on Saturday in December, they showed up on Saturday. They were picking up bags and branches but, I already had six cans lined up out there, with leaves and twigs in them, and they sailed right on by and didn't bother with them. I ended with twenty six bags of leaves and those were picked up around Christmas, but they left the six cans and those were not picked up until two weeks later. But they did show up today, Monday. I can't understand why they will pick up bags of leaves, but they won't empty the cans. But if they would stick to their schedule, we would stick to their schedule, but they don't."

"Another point of information, "You do know that we are going out for bid for another solid waste provider." Mayor Hocking mentioned.

Don Richardson, "Recently, we had some large rains, ten to twelve inch rains, with the rain, it brought a lot of debris that literally filled the ditches. Not only the culverts, but the open ditches that are across the street from me are full of debris. I tried to get some of it up, but it is more than normal and would take a dump truck to get all this stuff out. The ditch is at the corner of Oak and Shady Lane, debris is literally piled up out onto the shoulders of the ditch. My other concern is a raw sewage odor. I don't know if it because the lift station is not working, or it is working and there are leaks in the sewer main. But, there is raw sewer odor coming out of the culverts underground. I came here about nine months ago when the new Police Chief was sworn in and no one has come out there to clean out the culverts or come out and address the sewer smell issue. There is also an open manhole right off of Oak. I wish we could get some involvement from the City." Mayor Hocking asked that the City Manager follow up with Public Works on this, the address is 830 Shady Lane.



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Tony Paloma, "I am here also about the drainage, I have pictures. A few weeks ago, I couldn't see the streets. All the way from Ms. Polk's house and on Shady Lane and in my yard and across the street, it looked like a lake. The deepest part of my culvert is twenty-six inches, to the top of my drive. It was twenty-eight when it rained, and it was in my garage. I have another problem at the back of my property. This is the second time in twenty-two years that it flooded my backyard. The culverts are not flowing. Send some maintenance people out there to clean them out." Mayor Hocking asked that the City Manager follow up on this.

Cindy Eddy, "I am here on behalf of my mom, she has a concern a house at 610 Studio Drive. She is concerned that there is a half-way house is located there, but was told when she came to City Hall that it was a senior facility. A for sale sign was on the house the next day. What started her concerns, was that a gentleman from that house came to her and asked her if he could do some work for her. On his resume, it showed that he was trained in horticulture by the TDCJS. To me, it prompted me to wonder if it was a half-way house. My concern was that it was said that the condition of the house was deplorable and that if it is labeled a senior facility and if it is that filthy, seniors coming from care facilities should not just be dropped off there. My concerns are for the safety of the neighborhood along with the safety of the seniors." Mayor Hocking asked that the City Manager follow up on this.

Clarence Caldwell, "I, along with some of my neighbors, have a few complaints of issues, with people popping firecrackers and riding their ATV's, in the area that we live (Prairie and Walker). They start on weekdays from the time that the kids get out of school and it may go onto ten o'clock at night. But on the weekends, it starts at 7:00 in the morning, and it may continue until 1:30 or 2:00 o'clock in the morning. On Christmas Day, this was reported to the Police Department. They said that they will look into it. The noise it getting to be too much." He said that they had the same problem a few years ago, with the same residence. Mayor Hocking clarified that this problem is being addressed with the City Manager and the Police Chief. Mr. Caldwell reported about the property behind him in need of mowing and cleaning up.

Dennis Mc Colgin reported that his front ditch retains water for weeks. He has had to get a pump and pump it out. He would like to see that his front ditch is maintained properly. Mayor asked that the City Manager follow up on this. (1415 Oak Street)

Ask () He has been to the Police Station several times and the picture of the past Chief is still on the wall from 2009.

Enrique Garza approached the podium, "Me and my wife work very hard to have a nice home in a nice neighborhood and we have restrictions in the neighborhood. We got a person that moved in across the street from me that has been there five or six months, and he is running an automobile garage out of his house. He has ten to twelve cars there every day. I just can't put up with that no more it's ridiculous." He said he can't come outside to



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pick up his newspaper without the man cussing at him, and that he wants to live peacefully with his neighbors. "According to the City Marshall, he is not running a garage. But, I have proof that he is. I have videos showing all of the activities, especially at night. He is there with a flashlight at 1:230 in the morning, I don't know anybody who fixes cars at 1:30 in the morning, there is something else going on there." Mayor Hocking said that all of the Police Department and City Staff is aware of the situation and are working to get something in place.

Mr. Garza continued, "He took me to court this morning, and the judge dismissed the case, because the name was wrong, but he filed again, because he said that I am very racial towards him. I am not, I retired from Union Carbide and eighty percent of the people that work there are black and I got along very well with them. It's just him. I need some help."

(6) CONSENT AGENDA

- 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
 - 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
- ** Mayor Pro-Tem Bell made a motion to approve the Consent Agenda.
- ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY**

(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

Mayor Hocking closed the Regular Meeting and opened the Public Hearing at 7:11 p.m. I have pulled this item, but since it was published, we will hold it.

A member of the audience asked what the changes were going to be.

City Manager Carol Buttler began, "This ordinance was already in place for at least ten or fifteen years. All staff wanted to do was ask for clarification, there were some definitions that were not clear. This distance from livestock to someone's home was one hundred feet to their actual residence, not to their property line. So, we asked that to be increased to three hundred feet. We also specified that we needed code compliance, not just animal



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control or the Police Department to respond to any issues for enforcement. Nothing major is being proposed. We just decided to repeal the ordinance and asked the City Attorney to re-write the ordinance, with the old and the new information. We clarified that an exotic animal is and what is considered livestock, and increased the fees from a resident and then provided for an additional enforcement feature. We had not been enforcing the ordinance proactively. As we received complaints from nearby residents, we would address those issues then. We had to have some ducks, chickens, goats and horses removed based on complaints in the adjacent vicinity.”

Mayor Pro-Tem Bell spoke, I don’t think that anyone wants to take away the child-hood experience of growing up in the place where you can learn, grow and engage in animals that leave child-hood memories. I think the issue is there are residents that are around us, and not everybody wants to have those child-hood experiences. When you have chickens and things like that there are public safety concerns with some types of animals. He said that he thinks there should be a way to have those child-hood experience but at the same time, make sure that the City is doing it in a manner that does not infringe on the rights nor the safety of those that live around us. Maybe there is something we can do to compromise.”

A gentleman spoke from his seat and said he had heard that there couldn’t be horses within the City limits, but this was clarified by Mayor Hocking to which he added that the current ordinance had been on the books for fifteen years and has apparently been working. “So, I am not understanding fully, why this was brought up before Council. I would further say that any ordinance change should be promulgated or initiated by this Council, not the staff, or the City Manager. If it doesn’t come from this Council, I don’t want to see it come across this desk again.”

James Osteen, began by going over some of the proposed changes of the new ordinance, including the portion about the types of animals and asked what “other creatures” would be. To which it was assumed to be mean rabbits, and ferrets to name a few. “Does this mean frogs, and turtles too, this is just a little ridiculous.” Then he read the definition of “running at large” and read the portion that included the prohibition of livestock anywhere within the City other than in the Agriculture District. “But, ya’ll are going to do us a favor by allowing them in an agriculture district, but there is no Agriculture District in the City, only in the south end of town, over the levy, and is all swamp. He then continued reading, “No pre-existing designation shall be allowed, that means you are not grandfathered, current owners of animals described in this ordinance not living within the Agriculture District will be given a sixty-day (60) grace period to provide time to relocate these animals to comply with this ordinance. I want you all to take this baby’s goat from her or chickens from her. I don’t think this came from our Councilmembers up here. I think it came from staff, and if you all plan to workshop it, I think you need to include some of the players out here and let us be a part of it.”

Mayor Pro-Tem Bell commented, “This doesn’t have to be a zero sum game. I think that we can achieve the liberty of our citizens to do as they please but at the same time, provide



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some level to those who feel uncomfortable with these types of exotic animals living next door to them. I think we can provide for both.”

Mr. Osteen then stated, “I was under the understanding that this was a second reading. Have ya’ll already had a reading on this? So ya’ll have been made aware of it already, why didn’t you pull it then? I know ya’ll have a hard job to do up there, because I have sat up there for a long time, but you need to think about the people that is paying the bills, and that live here. When you have all of your staff that lives out of town, this is not going to affect them that is an issue with me. You really need to start including your citizens. I really think that ordinances need to come from you five, not staff. I want to publically tell you Ms. Buttler, I think you do a good job. I know you are getting resistance from everybody, but I think you do a good job, and you have a hard job too. But let’s just get it all out there, where everybody knows what’s going on.”

Mr. Carlton re-approached and asked if a certain amount of property was needed for certain kinds of animals, to which it was answered, yes.

Jim Ausmus approached and said that he lived on the other side of the levy, “We live in the AG District, and we have ten horses, and a lot of my neighbors have horses and cattle. I don’t think anyone has complained about how we take care of business. It would be a shame if we changed this all around without the chance of us at least getting to talk about it. We don’t have anyone complaining in the area that I live in. I understand if there is a horse tied up in the front yard, but there is an ordinance that covers that. I would like for the others in our part of town to be able to sit down and talk about it since we all have time, money and effort tied up in livestock.”

Jimmy Klyng, spoke, “I have lived in La Marque all my life, seventy-eight years, and was on the Police Department twelve years here, and on City Council for eight years. I have never seen a recommendation of this sort by a member of staff and the members of the staff probably don’t even live in La Marque. I was amounted police office and rode on horse patrol and had to hide my horses around the back of my house. I had no complaints. We have wild guineas in my yard today. Guineas don’t bother me.” Then said that they did stop a person in a City truck from speeding on his street.

Jacob Armstrong approached and spoke, “My family have been here since 1935. I remember right where we are now, it was a dairy here. All this was dairy land and everybody had hogs, chickens, cows, and I realize that people have come in, but I am totally against this ordinance. I rent a small place from CenterPoint, I raise cattle. I just brings things in there at time, I don’t raise them there. I would hate to have to cease doing that because that’s therapy to me. “

Judy Henderson approached and spoke, “People that are talking about animals, would not know that I have chickens in my backyard. I have them fenced off, they are in pens. I clean it daily. No one could complain of a smell. My children play back there every day. If



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it was unhealthy, I wouldn't let them go out there. We put poison out all the way around the property around us to keep down rats and snakes."

Before I joined the navy, I went to school to be a Vet Tech. I wanted to know your definition of an exotic animal. Because every dog is part of the wolf family. What about a leopard, a cheetah, that's a cat."

Al Erickson, "I have a couple of acres in the AG District and I have some cattle over there. I have lived in La Marque for 85 plus years. There were guineas there when I got there. When they move from place to place mowing everybody's yards. I don't plan on getting rid of them because they aren't mine. They don't bother anyone. Those City trucks do a good job of exceeding the speed limit on my street."

Billy Gold, Triple-A Tractor, "I raise cattle for a living, as well as I do tractors. I agree with some type of ordinance. I don't agree with these changes. I have been in La Marque for seventy-four years. I bring cattle in to nurse and doctor then send them back to the bigger pastures. There are only a few more businesses in La Marque that depend on agriculture for a living. Implement those changes, and somewhere down the road, well we have this ordinance on the table, we are going to wipe La Marque clean of agriculture. We don't have enough businesses in this town as it is now. We don't have an FFA in La Marque. They got rid of that a long time. There are people who misuse animals, I agree. This area has more livestock in it than half of Texas."

Councilmember Michetich made a comment, "Both my daughter and granddaughter went through AG in school. If there is a changes, it cannot effect AG. What about the one acre guy that boards a horse. If he has an acre, he shouldn't be restricted from that. This area grew up like that."

Mayor Hocking made a comment, "If you read the history of our City, we were actually founded on the history of agriculture. The Bell family, were some of the first cowboys to come along here. They still ride, I see them going down the CenterPoint easement, almost every week. All of this was dairy-land, as the m gentleman stated earlier. That's how we got the name "Buttermilk Junction", so as far as I am concerned, I am not even interested in a workshop, I think the ordinance we have is working. If another Councilmember would like a workshop, I would be happy to attend, but, I just think with all due respect, we trusted our staff and our city management to bring us an ordinance, thinking that it was going to be useful in all aspects to all people, and we got burned, so fool me once, my fault, don't fool me twice. This was not a good idea"

City Manager said, "I will make sure to relay this to the Planning and Zoning Commission."

Further discussion concerning rodents within the City and that most livestock owners protect their animals from rodents as well as the restaurant owners within the City.



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Rodents are in the City with or without livestock. It was understood that rodents are apparent without livestock

Mayor Pro-Tem Bell added, "Part of the Ms. Buttlers' job responsibility is to identify any problems or any potential problems that we have in this municipality. I will agree that those issues should be brought forward in a report form so that we can talk about those things, and discuss those things before we move to an ordinance. It is part of her job to make sure that we are moving forward as a progressive City but also that the traditions of our City are also maintained. Lastly, I want everyone to understand, that the process worked. There was a proposed ordinance, we all came out, we talked about it, how these things are going to adversely affect us, our community, our home and this entire Council said, "You got it", lets squash the whole thing. That is part of or process, now if we can get those of us who love animals, to focus on the drainage and the sewer and the streets and all of these other problems, and you all can give us that same feedback with some of these other problems, then the process will continue to work, because now we have buy-in from you guys. Let's walk away from here thinking, "Wow, we voiced our opinion and they reversed course."

Mayor Hocking closed the Public Hearing and opened the Regular Meeting at 7:52 p.m.

(8) OLD BUSINESS

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

City Manager gave a review of the status report (Attached as Exhibit "A"), focusing on the progress that has been made since the last status report and mentioned that is should be competed annually at the January meeting. Some of the highlights included: identified house addresses city-wide; Crime Deterrent (Good Neighbor Program) and Community Policing – educating through the website, Channel 16 and utility bills; Code compliance training in February; Junked Vehicles (450 tagged, 412 complied, 5 removed for non-compliance and some are still pending; with purchase of slope mower, we will see an improvement of the mowing and clearing of ditches; Working with County to clean out their drainage ditches; making some progress on brush; Signage (new No Dumping Signs); Building Standards- heavy agendas, not so many long extensions to comply; Working with the County to remove their structures; there are eight people on a list to still receive help after IKE for volunteering demolition; the City has exceeded its 20 per year demolitions by demolishing 50 sub-standard structures since 2015; 71 residents took advantage of the Paint the Town Project; trying to get the revitalization area attractive enough so that builders can be brought in; 127 properties have bene cleared and mowed and will be considered for the mowing bid; at the Tax Foreclosure resale of properties, the bids were not considered competitive enough; working with Habitat for Humanity; Neighborhood Empowerment Zone (gathering information); SETH- scheduling a home buyers fair this year; also received a \$50,000 check from SETH; looking into contact has been made with TNMP for street lighting; working on the bidding process (Community Action Council) that would take applications, approval process, make recommendations, so that all the City will do is fund the program; new Magazine takes care of one of the goals in the Strategic



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Plan; color coated the goals and objectives; HUD grants and town hall meeting recommendations; most of the goals have been put in place with the exception of a few that were outlined in the strategic plan.

Mayor Pro-Tem recommended that staff gather all of the local builders and identify and make them part of the committee and assist them in their liability, legal or organizational structure as far as trying to have a committee of builders that could help rebuild this community.

(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.

** Councilmember Lane made a motion to adopt Resolution No. R-2017-001.

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

- 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.

** Councilmember Bell made a motion to adopt Ordinance No. O-2017-001.

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

** Councilmember Michetich made a motion to adopt Ordinance No. O-2017-002 as amended.

** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY. THIS IS THE FIRST READING.**

Derra Matina from Olson & Olson referred to a minor modification on Page 4, Section 29.31, it should read, “The Fire Marshall shall be designated by the Fire Chief within the uniformed classifications of the Fire Department.”

** Mayor Pro-Tem made a motion to amend the ordinance as delineated by Derra Matina
** Councilmember Michetich seconded.



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MOTION CARRIED UNANIMOUSLY. 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.
- ** Mayor Pro-Tem Bell made a motion to adopt Ordinance No. O-2017-003.
** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY. 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.
- ** Mayor Pro-Tem Bell made a motion to adopt Ordinance No. O-2017-004.
** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY. THIS IS THE FIRST READING.**
- f. Discussion/possible action regarding appointments and/ or reappointments to various positions of the Boards and Commissions.
- ** Councilmember Brown nominated Travis Perthius to the Planning and Zoning Commission.
He also nominated to reappoint Bim Crowder to the Cemetery Board; nominated Carlos Flores to be reappointed to the Clean City Commission; nominated Larry Walker to be reappointed to the Parks Board and nominated Helen Kee to be appointed to the Board of Adjustments.
- ** Councilmember Lane wished not to appoint or reappoint members at this time.
** Councilmember Michetich wished not to appoint or reappoint members at this time.
- ** Mayor Pro-Tem Bell made a motion to approve the nomination of appointments.
** Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY**



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- 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.

- ** Mayor Pro-Tem Bell made a motion to adopt Resolution No. R-2017-002.
** Councilmember Michetich seconded.

City Manager had one typo she wished to correct. On the second page of the resolution, it reads, “The City’s Grant Administration Team will review and make a recommendation to City Council for consideration, it should read that the City Manager will present to City Council for consideration.”

- ** Mayor Pro-Tem Bell made a motion to adopt Resolution No. R-2017-002 as amended.
** Councilmember Lane seconded.

Councilmember Michetich explained, “This is a great opportunity to improve some of our parks. It is a very specific grant that we are targeting, it has to do with restoration. We worded specifically for all parks, is because they front on Highland Bayou. It is a multi-million dollar program. It is not just restoration of habitat, but would include anything along these waterways. I think we have a good chance of receiving some funds if we have a Parks Master Plan. Anything and everything that we could possibly do, if we receive this grant money we could do all of this. We don’t want to let this opportunity pass us by.”

(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



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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.

Mayor Hocking closed the Regular Meeting and went into Executive Session at 8:26 p.m.

Mayor hocking reconvened the Regular meeting at 9:17 p.m.

There was no action taken from the Executive Session.

(12) REQUEST AND ANNOUNCEMENTS – There were none

(13) ADJOURNMENT

Councilmember Lane made a motion to adjourn the meeting at 9:17 p.m.

Mayor Pro-Tem Bell seconded. **MEETING ADJOURNED**

Bobby Hocking, Mayor

ATTEST:

Robin Eldridge, TRMC
City Clerk



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**CITY OF LA MARQUE
CITY COUNCIL
PUBLIC HEARING MINUTES
OF
January 9, 2017**

Minutes of the Public Hearing held by the City Council of the City of La Marque on Monday, January 9, 2017 at 6:00 p.m. in the Council Chambers, at 1109-B Bayou Road, La Marque Texas in regards to the following agenda:

A Public Hearing in regards to the submission of applications to the Texas Department of Agriculture for Texas Community Development Block Grant Program (TXCDBG) grant funds.

1. CALL TO ORDER

Mayor Hocking called the Public Hearing at 6:02 p.m.

2. ROLL CALL

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

AGENDA

1. Citizen participation plan
2. Development of local housing and community development needs
3. Amount of TXCDBG funds available
4. Explanation of eligible activities in the programs.
5. Use of past TXCDBG activities and funds.
6. Amount of grant funds available to benefit low-to-moderate income persons.
7. If applicable, minimizing displacement of persons by project activities.
8. Citizens' views, proposals, questions and comments.
9. Discussion of the application process.



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A member of the audience who didn't identify himself asked what the public hearing was about.

Patrick Wiltshire, a representative of the Public Management Group approached the podium and explained that the purpose of the Public Hearing was to go over some of the community development block grants, which are Federal funds administered to the State. To which then the State has a competition for the communities under 20,000 in population to submit applications to ask for grant funds for water and sewer projects. "Applications are due on February 9, 2017, and the City has identified a water project." Then answering another member of the audience who didn't approach the podium, "it is a water line improvement, water line upsizing in the northeastern portion of the City. It has been identified as an older portion of the City in desperate need of repair of water improvements." He was asked about the drainage, and Mr. Wiltshire answered, "No, it is not about drainage. For this program in this region, there are certain scoring factors that are put in place by both the State and the region. This is the Houston-Galveston Area Council (HGAC) region. HGAC has set water and sewer as the main priority, although CDBG funds can be used for streets and drainage, they do not score well through this program. The beneficiaries of the funds have to qualify as a low to moderate income persons. This is based on the census data that is provided from the Federal Government to the State, then the State identified as the regions that are eligible for the cities to apply." It was asked if the City as a whole qualified and he was told it was certain regions within the City, based on the census facts. "The program is structured to benefit persons, those persons as part of this program, have to be low to moderate income. In the areas that are the older areas of town, typically have the older infrastructure, and that is what we try to identify so that we can prioritize what we can apply for and qualify for based on the guidelines that we have. This is not for private property, it is for public property." It was asked if the City would have to match any of the awarded monies, to which Mr. Wiltshire replied that it depends on the project that is being applied for. "Generally this region has a 10 to 20% match, but, as we go through the development stages of the project, then we back into what is required to complete that project. The grant is for \$350,000.00. A larger project has been identified and the City will be putting in their match of \$383,000.00 that has been dedicated through bonds, and have been dedicated for water or sewer projects."

Public Services Director answered another question as to the area of which the grant application is rooted from to be the Bluebonnet, Wisteria Streets, between Cedar and Ross, which is about 5,600 feet.

Mayor Hocking closed the Public Hearing at 6:11 p.m.

Mayor Bobby Hocking

ATTEST:

Robin Eldridge, TRMC
City Clerk



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**CITY OF LA MARQUE
CITY COUNCIL
PUBLIC HEARING, SPECIAL MEETING
AND WORKSHOP MINUTES
OF
DECEMBER 1, 2016**

Public Hearing, Special Meeting, and Workshop Minutes of the City of La Marque City Council held on Thursday, December 1, 2016, beginning at 5:00 p.m. at 1109-B Bayou Road with the following members present:

(1) CALL MEETING TO ORDER

Mayor Hocking called the meeting to order at 5:00 p.m.

(2) ROLL CALL

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 ALLEGIANCE

Mayor Hocking led the invocation and he Pledge of Allegiance

(Mayor Hocking deviated from the order on the Agenda)

ADDENDUM TO CITY COUNCIL AGENDA (Posted 11.23.2016)

(6) OLD BUSINESS

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

Mayor Hocking said that the City had come to an agreement with the County for the picking up of animal carcasses within the City.

- ** Councilmember Michetich made a motion to authorize the Mayor to execute a new Interlocal Agreement with Galveston County to provide Animal Services for the City of La Marque.
- ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**

(4) PUBLIC HEARING

- a. Conduct Public Hearing to hear public input on a proposed “Draft” Request for Proposals provided by Burns McDonnell, a consultant for Solid Waste Contracts.

Mayor introduced Veronica Roof, a representative of Burns McDonnell, a consultant for Solid Waste Contracts.

Ms. Roof expressed that she would like to walk through the draft RFP and then asked that the vendors that were present to introduce themselves: Shanna Lopez, Waste Management; Tony Emilio, FCC Environmental Services; Melvin Moore, WCA; Evan Sharp, Waste Connections; Chris Forte, Texas Environmental Waste; Janell Marin, Ameri Waste; Dennis Decker, Decker Disposal Services and Recycling; Stave Carroll and Calvin Ray of Republic Services were those that approached the podium.

Ms. Roof began outlining the pages beginning on page one and the contents of the pages, spending more time reading the complete contents of Page 6, the evaluation criteria. Page 11, provides background information about the City and history of the number of residential service units and a summary of the current services. The next few pages outlined current services including recycling services, roll-off services, document shredding services, and electronic waste recycling days, and City-wide clean-up days. Under the recycling for City facilities, this was asked to be included at no charge, similar to the residents. Page 13, Sponsorships, outlined the current donation of \$20,000 towards Bayou Fest, along with in-kind services which include portable toilets, roll-off containers, receptacle throughout the event, which is valued at \$4000; City-wide shredding days, valued at \$2000.00, two events per year; electronic waste recycling days, two events per year, annual city-wide clean-up, which is a value of \$2000; green waste recycling which is providing residents with the ability to bring green waste directly to the land-fill at no-cost, and also Chamber of Commerce events.

Councilmember Michetich commented on Bayou Fest. “That is a huge thing for this area. We currently use the Hotel - Motel tax to fund this event. It is free to our citizens. This past year, was a records year for it. We see nothing but growth continuing, especially as La Marque grows. But we want to be able to continue to offer it free for these residents, at some point in time, we are going to have to look at how we are going to shuttle people in. I see this \$20,000, and excuse me if I am off base here, or step on someone’s toes, but maybe there is a way we could increase that. Maybe we set a minimum, it is not something that is locked in. I was thinking \$75,000 or \$100,000. It is expensive, and we get sponsors, but the more we can count on up-front, we can plan the event better.”

Councilmember Lane stated, “I would like some money dedicated for Bobby Beach, this historical baseball par that we have.” The City Attorney mentioned that this park was a private park. “Councilmember Lane continued, “I would like some money dedicated to Youth Activities within our City, \$20,000.”

Councilmember Brown said that he would like to see the shredding events to continue.

Ms. Roof asked to hear from some of the vendors to expand on what is typically included but also the impact. “These are things that they need to be successful to have a long-term partnership with the City, so getting their feedback on these additional services and their impact on their proposals.”

Shanna Lopez (Waste Management) approached the podium, “As far as the cash donation, we are a for profit company, so therefore, we understand that we want to give back to the City as well, that we service, but at the same time, we have to make it profitable. So, I think we can find, it may not be the \$100,000, but maybe we can find a middle ground and also be able to provide the services at a competitive price, whereas, if we are just giving stuff away, of course at the end of the day, our price is going to continue to rise. As far as in-kind services, definitely, port-o-lets, dumpsters, clean-ups, we could come up with some ideas that would work for the City.”

Evan Sharp (Waste Connections) approached the podium, “We currently serve about sixteen cities in Brazoria County and basically, in all of them we do something like this. Our goal is to create a partnership, a long term partnership with the City. Unfortunately, a trash man doesn’t always get the greatest reputation. People set their stuff out on the curb, and expect it to be gone. We like to do things like this in the community and stay involved and stay in front of our people, so absolutely, we would love to partner with you all.”

Melvin Moore (WCA) approached the podium. “WCA is intricately involved, with the City of Missouri City, Snowfest is coming up and I will be there in a booth, passing out goodies to the children and the following day have out fleet in their parade, handing out candy. Sponsorship is another way of leveraging and building the partnership and letting the community know that we care more about your trash, we care about your Juneteenth events and Mardi Gras and other events through the years. It is not just providing the services, but going beyond the services and supporting the community in many ways.”

Dennis Decker (Decker Disposal Services and Recycling) approached and reiterated on what Waste Management said, “We are all in it to make money. We are profit seeking companies, but we all want to be part of the community also. So, in a sense, we look at these events as a form of advertisement, but, bottom line is, whatever our expenses are we, are also looking at recouping our expenses as best we can. I would like Council to realize that and work with the various providers and see what the best offering would be.”

Ms. Roof continued, “Based on that one consideration in the RFP, by Mr. Michetich, is to state a minimum, but allow them the opportunity to go above and beyond. Another option would be to make a general annual contribution to the City so it could go to the Festival or for used interests and not designated. Based on the feedback from the vendors, and...”

Mayor Pro-Tem Bell stated that he didn’t like the idea of having a minimum number, then allowing them to surpass that. “The perception then becomes that their ability to provide resources other than their services. We don’t want to appear as we are available to the highest bidder. If this Council agrees that there would be some manifestation of corporate sponsorship in a good corporate neighbor relationship delineated in financial obligations, which sounds like this is common in industry.”

The discussion continued about placing a dollar amount and decided to continue with the RFP and then hear from the other vendors on their thoughts.

Ms. Roof continued on page 14, Contract Term: After a brief discussion, it was the consensus of City Council to a seven year contract term. Having an Exclusive Franchise in paragraph 2, was briefly discussed including residential, commercial hand collects, commercial roll-offs, and commercial dumpsters, but excludes C & D roll-offs. Residential Services were discussed in detail, including options on service levels for one and two pickups, with the consensus being to stay at twice a week with once a week not to be considered in the RFP. Every week versus every other week with 95 gallon cart sizes for recycle and the same size for both trash and recycle carts was discussed.

Ms. Lopez commented that every week for recycling was the norm in the industry. This would possibly increase the price for collection. Recycling in this type and size of city was discussed and the need to educate the residents, along with the participation level.

Steve Carroll of Republic Waste approached the bench and reminded all that the current recycling program is free to the residents and is non-mandatory and the difference in the cart sizes from the trash and recycle carts, which are color coated and agreed upon earlier in the contract.

It was recommended to go with the larger (bins) - 95 gallon for recycling, which will allow for an every other week collection.

Mayor Hocking spoke, "Our first goal is to actually have the trash picked up in a timely fashion, and secondly, to continue to have better service and at no additional cost to our citizens."

Mayor Pro-Tem brought up "One of the ways that Council would deem good corporate sponsors and good corporate relations would be to receive those innovative ideas to get to a higher percentage in recycling. We want an investment from a company that goes beyond a financial and service based relationship. We want them to actually care about this city that will educate, inform, and inspire and be dedicated to that."

Ms. Roof said that she would capture that in the proposal.

The next section was for the Bulky Waste collection: It was clarified that yard trimmings would be placed in the cart or into the bulky waste criteria.

Mr. Decker approached and first wanted to know how bulky waste is being defined.

Councilmember Michetich commented, "The carts are not always large enough to fit everything, so anything outside of that cart that is bagged, we would expect that to be picked up and some people would say that it is considered bulky waste. We have to get away from tied and bundled. I see palm leaves cut, as bulky waste, and old chair, no a tree would be heavy trash."

Mayor Hocking commented, "I think it would be desirable, to have a grapple truck to continuously service La Marque. We want no brush on the road, ever. If it is not breathing, pick it up."

Mr. Decker continued, “We don’t have a grapple truck, but are looking at one of our contracts for instituting that. We service our customers twice a week, and the second pickup is for bulky waste, with yard debris requiring containerized or bundled. (Included also as bulky waste is furniture, mattresses and appliances). From a contracting standpoint, we don’t want our people grabbing or reaching around, this raises the frequency of workers comp claims. From a speed standpoint, if you’ve got a bundle, you just grab it and throw it in. But, we will look at the RFP and we will look at the time required to services the community and how many trucks you will need?” It was determined that they have a semi-automated arm.

Steve Carroll, said that they no longer require bundling. Currently, two brush trucks four days a week are in the City.

Councilmember Michetich wanted to make sure that included in the RFP, would be that if something has to be left by one truck, because of the size or amount of debris, that that driver send someone out immediately to pick it up.

What is your approach, is a question within the RFP, so there will be exceptions and those that will offer above and beyond certain services within the RFP. Bulky waste being picked up every week with no prices given for once a week included in the RFP was discussed.

Mayor Hocking opened the Public Hearing to run concurrent with the Regular Meeting at 6:13 p.m., so that the citizens in attendance could make comments.

Geraldine Sam spoke, “As you all are talking about sponsorship and investing in our citizens and educating the citizens on recycling, I was hoping that in those sponsorships you all could consider funds for the Clean City Commission so that they could provide coloring books in the schools so that the children can learn more about recycling. I like the carts. It does make the City look cleaner.” The replacing of the carts back on the curb instead of in the street, and getting pick up the brush and trash on the designated days, and requesting recycling to be picked up once a week was also her concerns or comments. Another area was bundling, she said she was not going to do any bundling. She feels that she should be reimbursed if her trash is not picked up the designated days. Senior citizens discounts was another area she wanted to keep.

Ms. Roof added, “As far as five years versus seven years, a vendor will only base their pricing off the number of years that are guaranteed. They want to make sure they can cover their costs, and be a successful in the term that they are guaranteed.” It was discussed that the contract could be terminated after any time, but the longer the term, the better the deal, cost-wise.

Autry Jenson, a La Marque citizen said that he would like to see the recycling program be increased to once a week. Problems for the lower percentages may come from the fact that not a lot of residents know that the city has a recycling program. “I had to go into City Hall, no one specifically told me when I bought my house that there was recycling in the City. I would like to ask that they give out recycling bins to all new residents, whether they use them are not, they will have them if they decide to do so.” It was said that with the new contract everyone would be receiving a new cart for trash and one for recycling.

Mayor Hocking asked to hear from some of the vendors as it refers to recycling, and their views to every week or every other week, pick up. It was said that with better services, would mean more fiscal responsibilities. The consideration to have a base line to go from for recycling services and comparisons on number of times was briefly discussed.

Councilmember Bell brought up the fact that while the vendor tries to get the contract, they may be stretching the manpower, and equipment that will eventually allow stress on operations, by trying to give as much services for free. He stressed that he wants to know the exact costs, no hidden costs added onto the backend.

Mr. Decker approached the podium, and stated, "Yes, it is less expensive to run every other week, on recycling than it is weekly. What is going to be written in the RPF and not having to do the entire City in the same day, is the option I would like to have. I think with the larger cans, it does not require weekly recycling." It was said that a person could request a second recycling can. He then suggested a yearly calendar that would go on the lid that has all the recycling days on it. He mentioned his company did not own a land field, and does have to pay to take recycling to the land fields he uses.

Tony Emilio, FCC Environmental Services recommended to allow the contractors to propose their service days of the week and their routes. Not mandating that it done the same days of their week that it is currently done. "This allows us to be flexible and the ability to give you the best service levels in the best days of the week, which could possibly save the City some money as well."

Page 14, paragraph 3, Cost of Service- Yard Trimming Program; HHW (Household Hazardous Waste) and Electronics and it was asked if this was considered to be bulky waste. The many add-on services, was said to be complicated. It was suggested to include these items and ask for a cost if it is additional to simplify the process of having all of the waste picked up regardless of what it is.

The collection of TV's, paints and other electronics are not allowed in the current contract. It was said that the City is in the process of coordinating with Texas City with a grant that they received, so we may offer this to the citizens. It was agreed to take out the programs and add in the RFP as to have the vendors explain how they would handle tires, and the HHW and other. Driveway services would also remain in the RFP, with a description of how they would identify those addresses as it is currently at no extra charge.

Paragraph 4, is the Commercial Services- offering recycling service as well. Paragraph 5, Roll-off services, and will be getting additional information on this item. City Services- donations and additional and to maintain this level of services; clarification of bulky waste (that which does not fit into the cart, including yard waste); Program Recyclable materials-maintain what is currently accepted and will ask to see if there is any other materials that could be added at no cost- Residential set-out limits maintain current which is not weight limitations on bulk and no bundling.

Melvin Moore, FCC said that in the communities his company services, they do have set-out limits, "This goes back to the workmen's comp issue. You don't want items that are too heavy for two people to lift. You have to place some limits to protect the employees." Their limit is at 3 cu. Yards, with a 50 lbs. limitation, per lift.

Mr. Sharp approached again, “A lot of people don’t know what two to four yards is, so we say that it is about a pickup bed full. The problem with no limitations, is that we would be in c your community from sunrise to sunset.” No weight limitations, since they pick up those piles with a brush truck. “To ensure that the City is clean we would designate two guys, one with a brush truck and the other with a rear-load truck five days a week, with those two communicating back and forth. I think that’s the only way to do it, along with the regular truck routes to keep La Marque clean.”

Janell Marin of Ameriwaste began “For clarification for all of us, earlier Mr. Carroll made the comment, that they currently provide two brush trucks four days a week.” Then she asked Mr. Carroll about limits on what is currently being collected. She then said that the company she represented, stage a few clean up twice a year to which people do bring old boats, car parts, T.V.’s because those things they won’t even allow them to bring to the landfill. Mr. Carrol responded that in the current contract there are two brush trucks twice a week, and this was said to be very rare.

Mayor Pro-Tem clarified that the current level of service was unsustainable without some level of increase. “When a City requires a certain level of service, someone has to pay, it may not be residents, but it may be the commercial residents. Ms. Marin continued, “There has to be give and take, I am hearing, you have unlimited recycling, basically free brush and heavy trash pickup, all of this comes at a cost. We all have to have some type of a profit. In order to maintain a relatively lower residential price, someone has to pay the price. Landfills do not take electronics or hazardous wastes. There are special disposal costs. Just remember the more that you want from the vendors there is a price somewhere.”

It was agreed that five yards would be the set-out limits for residents in the RFP.

Further discussion continued on the days of the week that a proposed vendor could provide services. (Monday through Saturday), it was agreed the same as current Monday through Fridays, with no Saturdays, but would be reviewed during the process of viewing the RFP’s.

Mr. Decker commented, “One of the advantages of having a Saturday pickup is to get the most of out of your equipment. On my routes, I run also Wednesday and Saturdays.” Then asked that each vendor be allowed to put the days into their own proposals, which was agreed upon.

Ms. Roof continued, “Holidays to be mutually agreed upon each year and “side-door” collection for those residents that qualify would also be part of the RFP for no additional cost. Public Information Outreach-ask that the contractor be responsible for the non-assessable, for instance a recyclable that was 90% trash. “We want them to leave a notice stating the reason why it was not collected and inform the resident of how to properly recycle. The use of stickers on carts, magnets, anything that will help promote recycling would help. The handing out of the recycling materials to each new water bill customer was added.

Carts- to use the City’s logo as one option, and be the property of the City, but it was agreed upon that the vendors supply their own carts with their own logos not the City’s. The removal of the CNG was removed from the proposed RFP.

Customer Service- the proposer would be responsible for receiving customer service requests, but keeping the City involved on a daily basis.

Billing- the City would continue to bill residential customers, but the vendor would bill commercial services, which is more typical. After further discussion, this would be put on held, with the City Manager placing a question mark.

Mayor Hocking recessed the Public Hearing for a break at 7:31. p.m.

Mayor Hocking reconvened the Public Hearing at 7:45 p.m.

No changes to the proposed RFP under the Procurement Cost Reimbursement, Franchise Fee of Performance Bond and Insurance (from pages 18 to the Customer Service Description on page 20)

Ms. Lopez spoke, “We don’t typically have someone staffed at the City, but someone at our office that handle cities and they handle multiple cities. City staff would have one way to contact this person if there is an issue. Our Lewisville Office is where the Customer Service Reps are housed. We do have some at the Pasadena Office as well.”

The question arose if a temporary person would be available if need be for the transitional time, which it was said that there are a few cities that have a person built into the contract.

Mr. Decker spoke, “If we are doing our job, I don’t think a person sitting in an office, would be necessary. I think that person would get pretty bored. I do think that it is necessary that a supervisor be available for a specific City and visit City Hall at lease every day during the transitional period.”

Further discussion centered around the amount of supervisors and response times for complaints, handling of complaints which would be determined by a number of factors. The direct role that route manager plays in the immediate complaint process was discussed.

Ms. Roof gave some time frames that would be in the RFP referring to missed collections and the time frames for those to be addressed. She then provided a review of the remaining forms within the proposed RFP.

A timeline was asked about. With the target being early January for the release of the RFP and a proposal meeting a few weeks after that and the submission of the RFP by mid- February for the contract in April 2017.

Final comments relating to Bayou Fest and contributions continuing and also youth activities within the City. “We are not out for the highest bidder, we want the trash picked up.” Mayor Hocking stated.

Further discussion included an amount that would help support the community, which was \$50,000.00 towards Bayou Fest with \$25,000.00 going toward youth organizations within the community. Some successful events to provide exposure and monetary gains to the chosen contractor were discussed briefly.

(5) NEW BUSINESS

- a. Discussion/possible action regarding “Draft” Request for Proposals provided by Burns McDonnell, a consultant for Solid Waste Contracts, and provide direction to City Manager. (Direction was provided during the public hearing portion of this meeting)
- (6) **OLD BUSINESS – (This item was discussed earlier in the meeting)**
- (7) **ADJOURNMENT**
Mayor Pro-Tem Bell made a motion to adjourn the meeting at 8:28 p.m.
Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**

Bobby Hocking, Mayor

ATTEST:

Robin Eldridge, TRMC
City Clerk



CITY COUNCIL AGENDA FORM

Meeting Date: February 13, 2017
Prepared by: Suzy Kou
Department: Finance

Agenda item: 5d
Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding accepting the quarterly investment reports for Third and Fourth Quarters of 2016.

☒ X

1. Investment Report-Third Quarter 2016
2. Investment Report-Fourth Quarter 2016

STAFF BRIEFING:

- Per Public Funds Investment Act, we are required to submit quarterly investment reports to Council for acknowledgement purposes.

HISTORY:

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	

STAFF'S RECOMMENDATION: Motion to accept the quarterly investment reports for third and fourth quarter 2016 as presented.

FISCAL IMPACT: N/A



City of La Marque, Texas

Quarter **09/30/2016**

Detailed Holdings

TexPool Rate: 0.3799

Logic Rate: 0.7248

DWS 0.3200

Fund	Description	CUSIP	Coupon	Settlement Date	Maturity Date	Par Value	Purch Price	Purch Cost	Book Value	Mkt Price	Mkt Value	Days to Mat	YTM
General Fund	Logic		0.7248			3,848,456.96	100.000	3,848,456.96	3,848,456.96	100.000	3,848,456.96	1	0.7248
General Fund	TexPool		0.3799			123,427.97	100.000	123,427.97	123,427.97	100.000	123,427.97	1	0.3799
General Fund	DWS		0.3200			269,443.95	101.000	269,443.95	269,443.95	100.000	269,443.95	1	0.3200
Utility Fund	Logic		0.7248			4,379,259.46	100.000	4,379,259.46	4,379,259.46	100.000	4,379,259.46	1	0.7248
Utility Fund	TexPool		0.3799			140,451.90	100.000	140,451.90	140,451.90	100.000	140,451.90	1	0.3799
Utility Fund	DWS		0.3200			150,811.05	100.000	150,811.05	150,811.05	100.000	150,811.05	1	0.3200
Utility Fund	Logic		0.7248			74,930.08	100.000	74,930.08	74,930.08	100.000	74,930.08	1	0.7248
Utility Fund	TexPool		0.3799			2,403.16	100.000	2,403.16	2,403.16	100.000	2,403.16	1	0.3799
Utility Fund	DWS		0.3200			5,263.70	100.000	5,263.70	5,263.70	100.000	5,263.70	1	0.3200
Replacement Fund	Logic		0.7248			452,130.97	100.000	452,130.97	452,130.97	100.000	452,130.97	1	0.7248
Replacement Fund	TexPool		0.3799			14,500.77	100.000	14,500.77	14,500.77	100.000	14,500.77	1	0.3799
Replacement Fund	DWS		0.3200			31,655.28	100.000	31,655.28	31,655.28	100.000	31,655.28	1	0.3200
Hotel Motel Fund	Logic		0.7248			565,214.35	100.000	565,214.35	565,214.35	100.000	565,214.35	1	0.7248
Hotel Motel Fund	TexPool		0.3799			18,127.59	100.000	18,127.59	18,127.59	100.000	18,127.59	1	0.3799
Hotel Motel Fund	DWS		0.3200			39,572.64	100.000	39,572.64	39,572.64	100.000	39,572.64	1	0.3200
Debt Service	Logic		0.7248			635,502.93	100.000	635,502.93	635,502.93	100.000	635,502.93	1	0.7248
Debt Service	TexPool		0.3799			20,381.89	100.000	20,381.89	20,381.89	100.000	20,381.89	1	0.3799
Debt Service	DWS		0.3200			44,493.78	100.000	44,493.78	44,493.78	100.000	44,493.78	1	0.3200
LM EDC Operating	Logic		0.7248			2,835,164.52	100.000	2,835,164.52	2,835,164.52	100.000	2,835,164.52	1	0.7248
LM EDC Operating	TexPool		0.3799			1,424,669.30	100.000	1,424,669.30	1,424,669.30	100.000	1,424,669.30	1	0.3799
LM EDC Operating	DWS		0.3200			667.65	100.000	667.65	667.65	100.000	667.65	1	0.3200
LM EDC Operating	Money Market		0.1500			35,801.68	100.000	35,801.68	35,801.68	100.000	35,801.68	1	0.1500
LM EDC Operating	Texas First	5177	0.2000	11/27/2015	11/27/2016	200,801.22	100.000	200,801.22	200,801.22	100.000	200,801.22	58	0.2000
LM EDC Operating	Amoco CD		0.6000	08/30/2016	08/30/2017	100,086.31	100.000	100,086.31	100,086.31	100.000	100,086.31	335	1.0500
LM EDC Operating	ACU CD		0.6000	08/31/2016	08/31/2017	100,000.00	100.000	100,000.00	100,000.00	100.000	100,000.00	335	1.0500
1998 TWDB Sewer Rehab	DWS		0.3200			155,796.24	100.000	155,796.24	155,796.24	100.000	155,796.24	1	0.3200
2005 CO	TexPool		0.3799			492,013.36	100.000	492,013.36	492,013.36	100.000	492,013.36	1	0.3799
2007 CO	TexPool		0.3799			623,781.94	100.000	623,781.94	623,781.94	100.000	623,781.94	1	0.3799
2016 CO	Logic		0.7248			8,919,000.17	100.000	8,919,000.17	8,919,000.17	100.000	8,919,000.17	1	0.7248
Special Revenue Funds	DWS		0.3200			33,184.35	100.000	33,184.35	33,184.35	100.000	33,184.35	1	0.3200
Special Revenue Funds	TexPool		0.3799			15,201.23	100.000	15,201.23	15,201.23	100.000	15,201.23	1	0.3799
Special Revenue Funds	Logic		0.7248			473,970.90	100.000	473,970.90	473,970.90	100.000	473,970.90	1	0.7248
Library Memorial	Logic		0.7248			3,681.14	100.000	3,681.14	3,681.14	100.000	3,681.14	1	0.7248
Drug Seizure	Logic		0.7248			194,889.18	100.000	194,889.18	194,889.18	100.000	194,889.18	1	0.7248
						26,424,737.63		26,424,737.63	26,424,737.63		26,424,737.63	4	0.6738

I certified that the Quarterly Investment Report represents the investment position of City of La Marque as of September 30, 2016 to the best of my knowledge and all investments under the City's control have been and are in compliance with the Texas Public Funds Investment Act and the City's Investment Policy as adopted by City Council.

Investment Officer, CPFIM



City of La Marque, Texas

Quarter ended 9/30/16
Summary Data

Type Breakdown:	Book Value	Percent	Wtd Avg Mat	Wtd Avg Yield
LGIP	25,257,159.79	95.58%	1	0.686
MMKT	766,690.31	2.90%	1	0.312
CD	400,887.53	1.52%	196	0.624
	26,424,737.63	100.00%	4	0.674

Issuer Breakdown:	Book Value	Percent	Wtd Avg Mat	Wtd Avg Yield
Texas First	200,801.22	0.76%	58	0.200
ACU CD	100,000.00	0.38%	335	1.050
Amoco CD	100,086.31	0.38%	335	1.050
Money Market	35,801.68	0.14%	1	0.150
DWS	730,888.63	2.77%	1	0.320
Logic	22,382,200.67	84.70%	1	0.725
TexPool	2,874,959.12	10.88%	1	0.380
	26,424,737.63	100.00%	4	0.674

Fund Breakdown:	Book Value	Percent	Wtd Avg Mat	Wtd Avg Yield
General Fund	4,241,328.88	16.05%	1	0.689
Utility Fund	4,670,522.42	17.67%	1	0.701
Utility Fund (Restricted)	82,596.94	0.31%	1	0.689
Replacement Fund	498,287.02	1.89%	1	0.689
Capital Projects Fund	10,190,591.71	38.56%	1	0.681
Hotel Motel Fund	622,914.58	2.36%	1	0.689
Debt Service Fund	700,378.61	2.65%	1	0.689
LM EDC	4,697,190.68	17.78%	18	0.607
Special Revenue Fund	522,356.47	1.98%	1	0.689
Fiduciary Fund	198,570.32	0.75%	1	0.725
	26,424,737.63	100.00%	4	0.674

Maturity Breakdown:	Book Value	Percent
Less Than 90 Days	26,224,651.32	99.24%
90 to 180 Days	-	0.00%
181 to 365 Days	200,086.31	0.76%
More Than 365 Days	-	0.00%
	26,424,737.63	100.00%



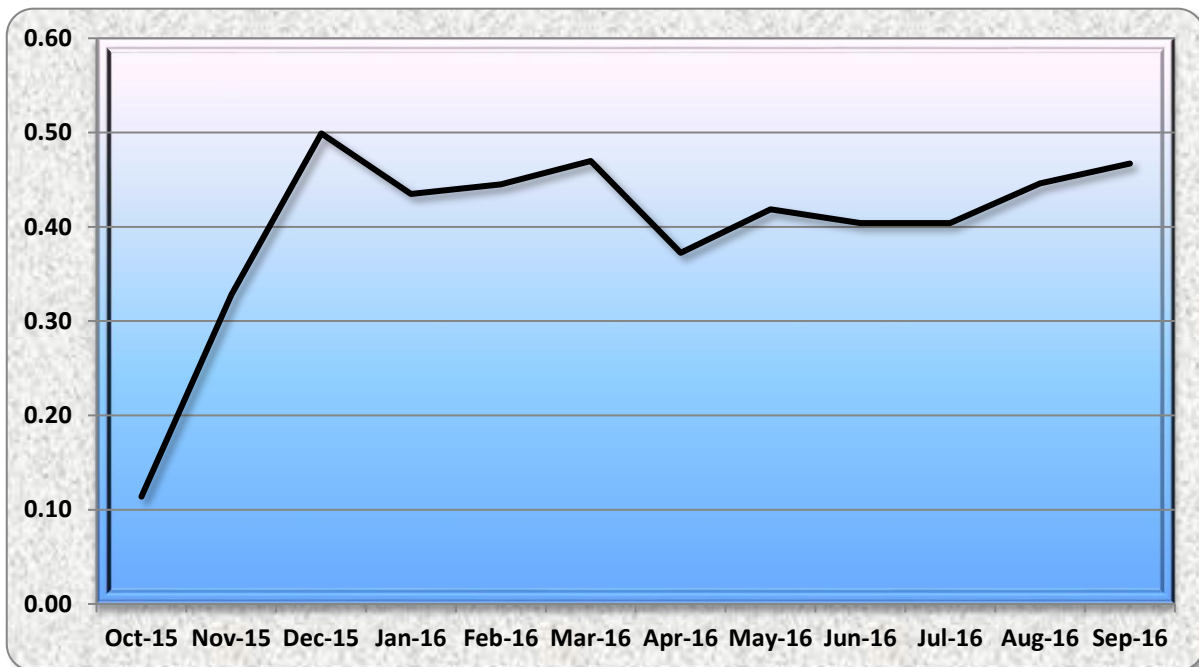
City of La Marque, Texas

Summary Investment Report For Period Ended 9/30/2016

Total Portfolio Summary			
	Current Quarter 09/30/2016	Prior Quarter 06/30/2016	Change From Prior
Book Value	26,424,738	28,821,996	7,323,041
Market Value	26,424,738	28,821,996	7,323,041
Market Value%	100.00%	100.00%	0.00%
Weighted Average Maturity - Days	4 days	2 days	-1 days
Weighted Average Yield	0.67%	0.53%	0.21%

Portfolio Performance Summary	
Beginning Book Value	19,101,697
Beginning Market Value	19,101,697
Beginning WAM	5 days <i>Liquidity measurement</i>
Ending Book Value	26,424,738
Ending Market Value	26,424,738
Change in market value	7,323,041 <i>Volatility measurement</i>
Ending WAM	4 days <i>Liquidity measurement</i>
Period Average Yield	0.67%
Period Average Benchmark	0.44%

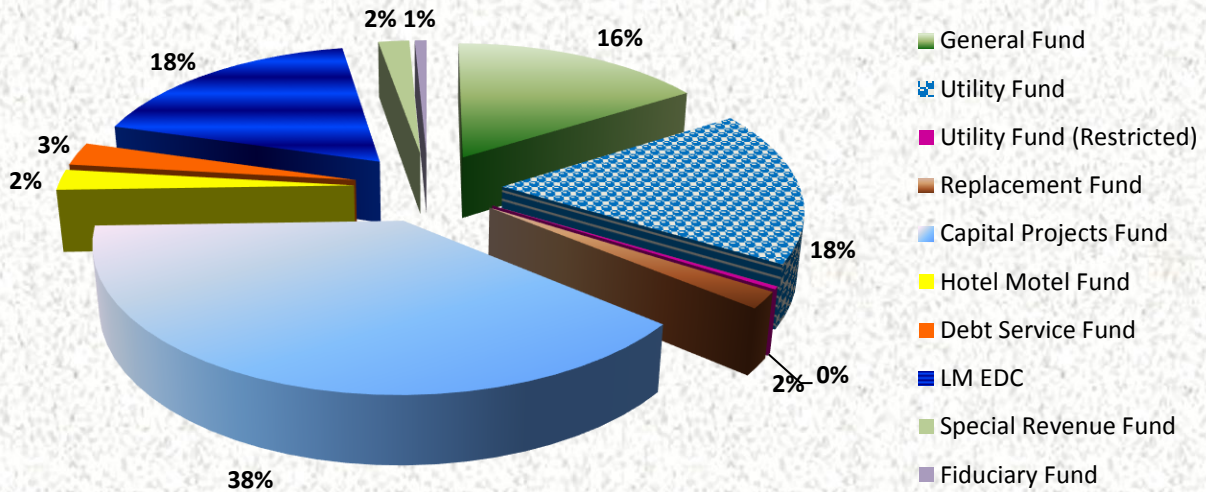
6-Month T-Bill Historical Trend





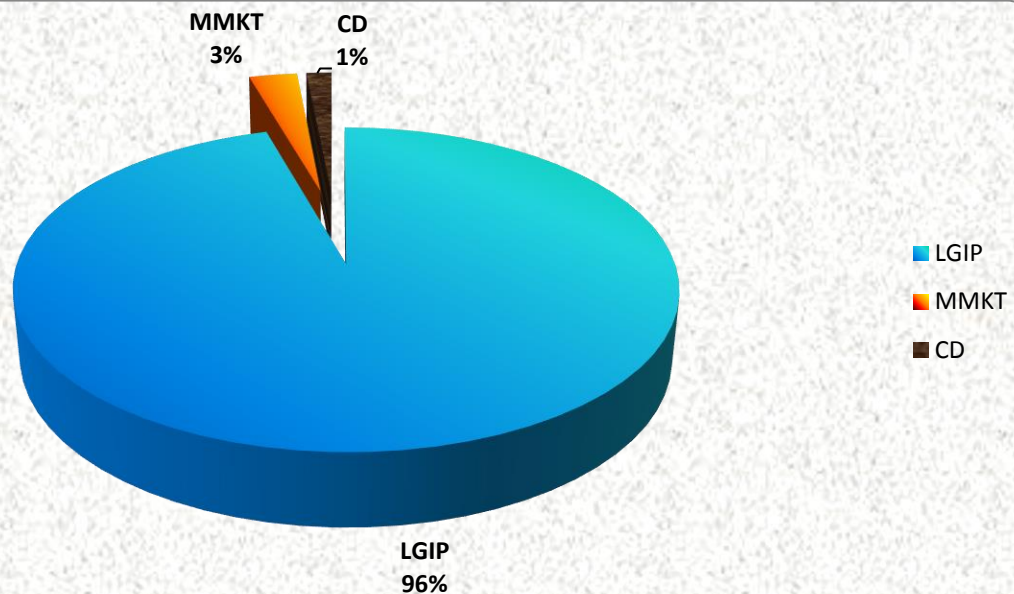
Investment Portfolio by Funds

As of 9/30/2016



Investment Portfolio by Types

As of 9/30/2016





City of La Marque, Texas

Quarter **12/31/2016**

Detailed Holdings

TexPool Rate: 0.457

Logic Rate: 0.8791

DWS 0.3400

Fund	Description	CUSIP	Coupon	Settlement Date	Maturity Date	Par Value	Purch Price	Purch Cost	Book Value	Mkt Price	Mkt Value	Days to Mat	YTM
General Fund	Logic		0.8791			3,809,834.42	100.000	3,809,834.42	3,809,834.42	100.000	3,809,834.42	1	0.8791
General Fund	TexPool		0.4570			122,643.80	100.000	122,643.80	122,643.80	100.000	122,643.80	1	0.4570
General Fund	DWS		0.3400			267,676.26	101.000	267,676.26	267,676.26	100.000	267,676.26	1	0.3400
Utility Fund	Logic		0.8791			4,406,447.44	100.000	4,406,447.44	4,406,447.44	100.000	4,406,447.44	1	0.8791
Utility Fund	TexPool		0.4570			141,849.59	100.000	141,849.59	141,849.59	100.000	141,849.59	1	0.4570
Utility Fund	DWS		0.3400			153,668.05	100.000	153,668.05	153,668.05	100.000	153,668.05	1	0.3400
Utility Fund	Logic		0.8791			75,051.59	100.000	75,051.59	75,051.59	100.000	75,051.59	1	0.8791
Utility Fund	TexPool		0.4570			2,416.01	100.000	2,416.01	2,416.01	100.000	2,416.01	1	0.4570
Utility Fund	DWS		0.3400			5,301.39	100.000	5,301.39	5,301.39	100.000	5,301.39	1	0.3400
Replacement Fund	Logic		0.8791			452,864.14	100.000	452,864.14	452,864.14	100.000	452,864.14	1	0.8791
Replacement Fund	TexPool		0.4570			14,578.32	100.000	14,578.32	14,578.32	100.000	14,578.32	1	0.4570
Replacement Fund	DWS		0.3400			31,817.91	100.000	31,817.91	31,817.91	100.000	31,817.91	1	0.3400
Hotel Motel Fund	Logic		0.8791			566,130.89	100.000	566,130.89	566,130.89	100.000	566,130.89	1	0.8791
Hotel Motel Fund	TexPool		0.4570			18,224.53	100.000	18,224.53	18,224.53	100.000	18,224.53	1	0.4570
Hotel Motel Fund	DWS		0.3400			39,775.96	100.000	39,775.96	39,775.96	100.000	39,775.96	1	0.3400
Debt Service	Logic		0.8791			636,533.44	100.000	636,533.44	636,533.44	100.000	636,533.44	1	0.8791
Debt Service	TexPool		0.4570			20,490.88	100.000	20,490.88	20,490.88	100.000	20,490.88	1	0.4570
Debt Service	DWS		0.3400			44,722.39	100.000	44,722.39	44,722.39	100.000	44,722.39	1	0.3400
LM EDC Operating	Logic		0.8791			3,171,220.41	100.000	3,171,220.41	3,171,220.41	100.000	3,171,220.41	1	0.8791
LM EDC Operating	TexPool		0.4570			1,426,152.86	100.000	1,426,152.86	1,426,152.86	100.000	1,426,152.86	1	0.4570
LM EDC Operating	DWS		0.3400			656.90	100.000	656.90	656.90	100.000	656.90	1	0.3400
LM EDC Operating	Money Market		0.1500			35,801.68	100.000	35,801.68	35,801.68	100.000	35,801.68	1	0.1500
LM EDC Operating	Texas First	5177	0.2000	11/27/2016	11/27/2017	200,801.22	100.000	200,801.22	200,801.22	100.000	200,801.22	332	0.2000
LM EDC Operating	Amoco CD		0.6000	08/30/2016	08/30/2017	100,372.92	100.000	100,372.92	100,372.92	100.000	100,372.92	243	1.0500
LM EDC Operating	ACU CD		0.6000	08/31/2016	08/31/2017	100,000.00	100.000	100,000.00	100,000.00	100.000	100,000.00	244	1.0500
1998 TWDB Sewer Rehab	DWS		0.3400			155,925.82	100.000	155,925.82	155,925.82	100.000	155,925.82	1	0.3400
2005 CO	TexPool		0.4570			492,525.62	100.000	492,525.62	492,525.62	100.000	492,525.62	1	0.4570
2007 CO	TexPool		0.4570			624,431.41	100.000	624,431.41	624,431.41	100.000	624,431.41	1	0.4570
2016 CO	Logic		0.8791			8,937,948.00	100.000	8,937,948.00	8,937,948.00	100.000	8,937,948.00	1	0.8791
Special Revenue Funds	DWS		0.3400			31,951.84	100.000	31,951.84	31,951.84	100.000	31,951.84	1	0.3400
Special Revenue Funds	TexPool		0.4570			14,639.68	100.000	14,639.68	14,639.68	100.000	14,639.68	1	0.4570
Special Revenue Funds	Logic		0.8791			454,770.33	100.000	454,770.33	454,770.33	100.000	454,770.33	1	0.8791
Library Memorial	Logic		0.8791			2,713.23	100.000	2,713.23	2,713.23	100.000	2,713.23	1	0.8791
Drug Seizure	Logic		0.8791			194,802.82	100.000	194,802.82	194,802.82	100.000	194,802.82	1	0.8791
						26,754,741.73		26,754,741.73	26,754,741.73		26,754,741.73	5	0.8142

I certified that the Quarterly Investment Report represents the investment position of City of La Marque as of December 31, 2016 to the best of my knowledge and all investments under the City's control have been and are in compliance with the Texas Public Funds Investment Act and the City's Investment Policy as adopted by City Council.

Investment Officer, CPFIM



City of La Marque, Texas

Quarter ended 12/31/16

Summary Data

Type Breakdown:	Book Value	Percent	Wtd Avg Mat	Wtd Avg Yield
LGIP	25,586,269.40	95.63%	1	0.832
MMKT	767,298.19	2.87%	1	0.331
CD	401,174.14	1.50%	288	0.625
	26,754,741.73	100.00%	5	0.814

Issuer Breakdown:	Book Value	Percent	Wtd Avg Mat	Wtd Avg Yield
Texas First	200,801.22	0.75%	332	0.200
ACU CD	100,000.00	0.37%	244	1.050
Amoco CD	100,372.92	0.38%	243	1.050
Money Market	35,801.68	0.13%	1	0.150
DWS	731,496.51	2.73%	1	0.340
Logic	22,708,316.70	84.88%	1	0.879
TexPool	2,877,952.70	10.76%	1	0.457
	26,754,741.73	100.00%	5	0.814

Fund Breakdown:	Book Value	Percent	Wtd Avg Mat	Wtd Avg Yield
General Fund	4,200,154.48	15.70%	1	0.832
Utility Fund	4,701,965.08	17.57%	1	0.849
Utility Fund (Restricted)	82,768.99	0.31%	1	0.832
Replacement Fund	499,260.37	1.87%	1	0.832
Capital Projects Fund	10,210,830.85	38.16%	1	0.825
Hotel Motel Fund	624,131.37	2.33%	1	0.832
Debt Service Fund	701,746.71	2.62%	1	0.832
LM EDC	5,035,005.99	18.82%	24	0.734
Special Revenue Fund	501,361.85	1.87%	1	0.832
Fiduciary Fund	197,516.05	0.74%	1	0.879
	26,754,741.73	100.00%	5	0.814

Maturity Breakdown:	Book Value	Percent
Less Than 90 Days	26,353,567.59	98.50%
90 to 180 Days	-	0.00%
181 to 365 Days	401,174.14	1.50%
More Than 365 Days	-	0.00%
	26,754,741.73	100.00%



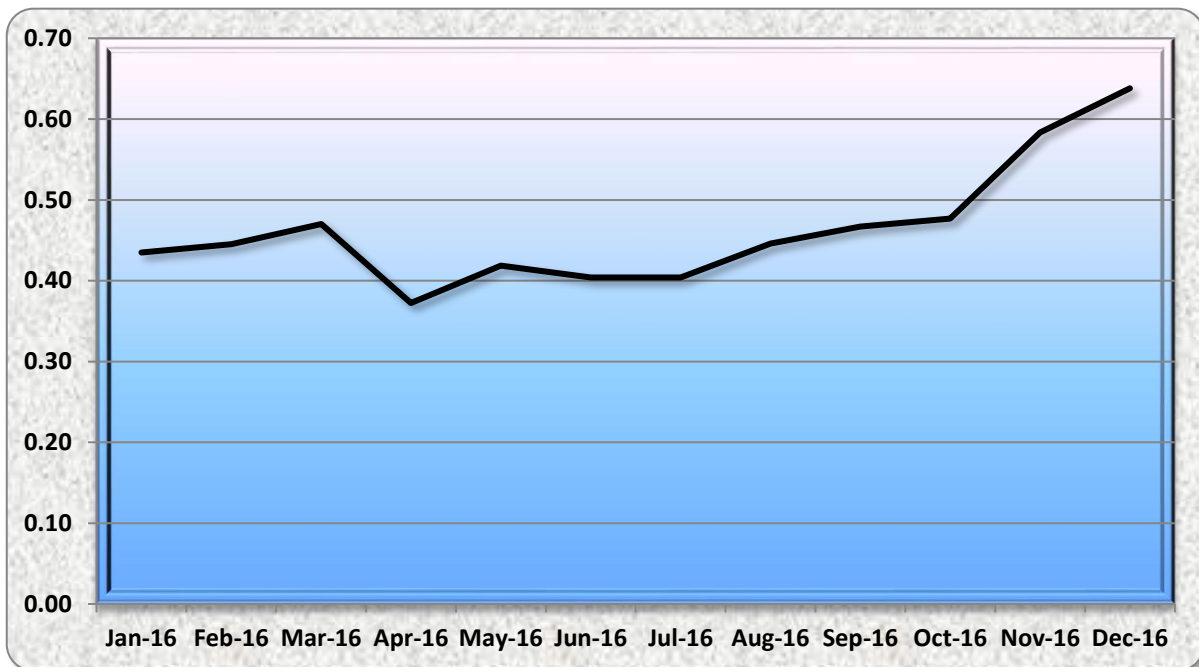
City of La Marque, Texas

Summary Investment Report For Period Ended 12/31/2016

Total Portfolio Summary			
	Current Quarter 12/31/2016	Prior Quarter 09/03/2016	Change From Prior
Book Value	26,754,742	26,424,738	330,004
Market Value	26,754,742	26,424,738	330,004
Market Value%	100.00%	100.00%	0.00%
Weighted Average Maturity - Days	5 days	4 days	1 days
Weighted Average Yield	0.81%	0.67%	0.14%

Portfolio Performance Summary	
Beginning Book Value	26,424,738
Beginning Market Value	26,424,738
Beginning WAM	4 days <i>Liquidity measurement</i>
Ending Book Value	26,754,742
Ending Market Value	26,754,742
Change in market value	330,004 <i>Volatility measurement</i>
Ending WAM	5 days <i>Liquidity measurement</i>
Period Average Yield	0.81%
Period Average Benchmark	0.57%

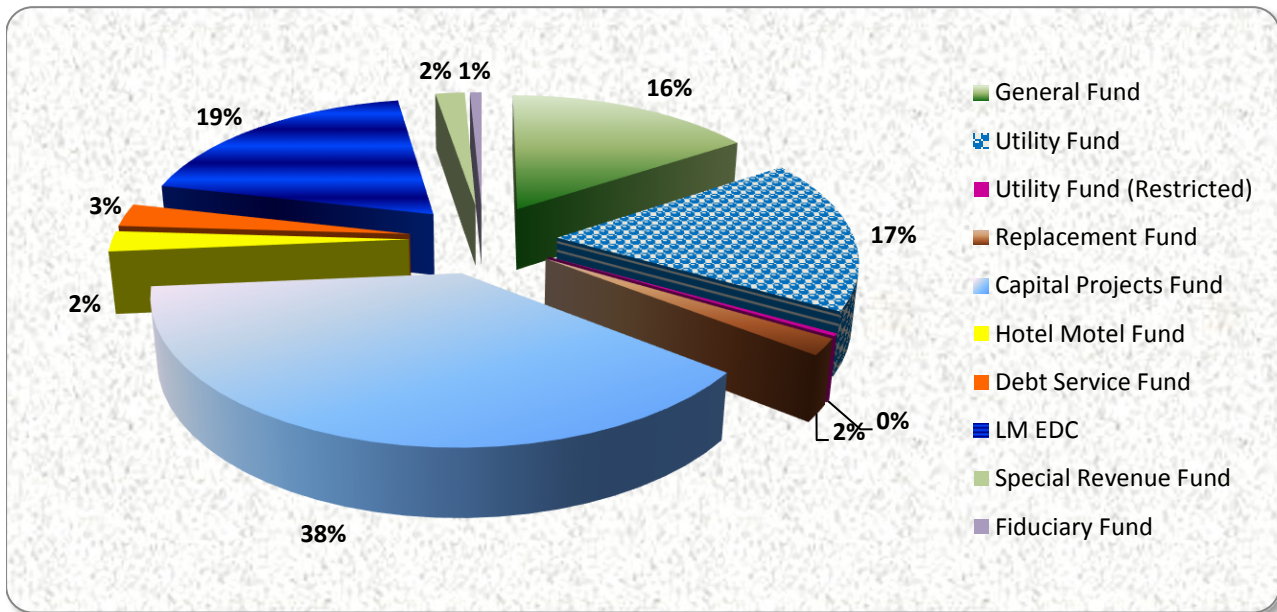
6-Month T-Bill Historical Trend





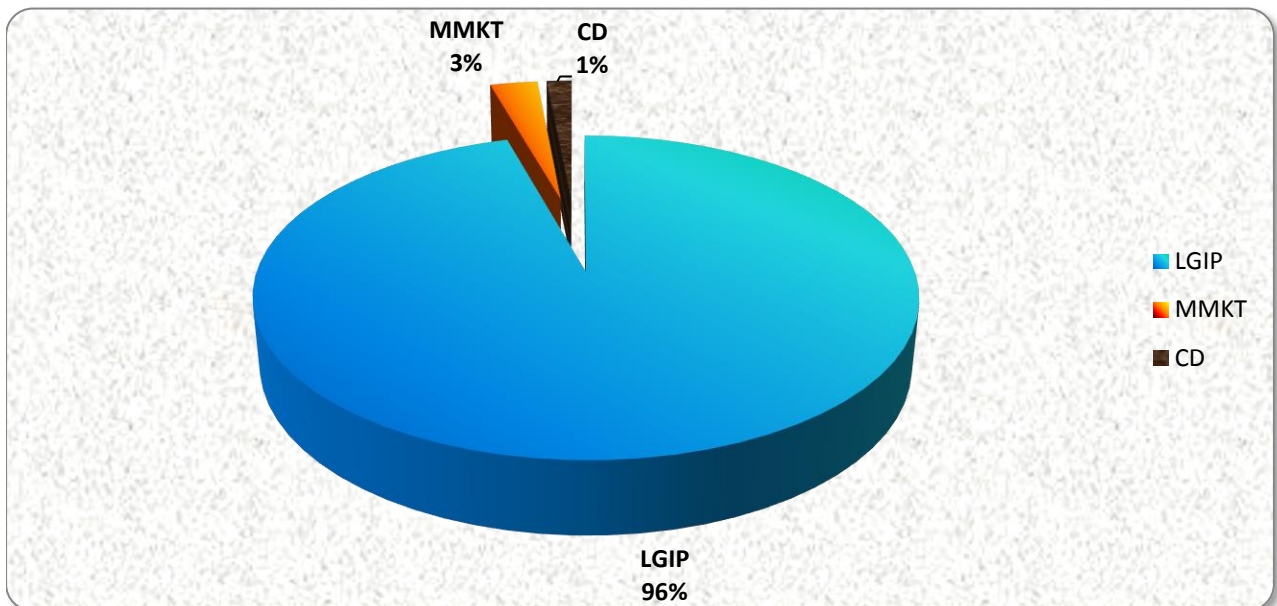
Investment Portfolio by Funds

As of 12/31/2016



Investment Portfolio by Types

As of 12/31/2016





CITY COUNCIL AGENDA FORM

Meweting Date: February 13, 2017

Agenda item: 6&7a

Prepared by: Robin Eldridge

Reviewed by: Carol Buttlar

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 SECOND AND FINAL 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

1.9.2017 – City Council approved Ordinance on the First reading



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 | |

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

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 SECOND AND FINAL 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 prescribe 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 APPROVED by the City Council of the City of La Marque on the First reading this the 9th day of January, 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: February 13, 2017

Prepared by: Les Rumburg

Department: Development Services

Agenda item: 6&7b

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 SECOND AND FINAL 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:

SIGNIFICANT ACTION DATES:

- **December 13, 2016** – Regular Meeting, Planning Commission.
- **December 28, 2016** – Special Meeting, Building Standards
- **January 9, 2017** – Ordinance approved by City Council on the First reading



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 SECOND AND FINAL 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 by City Council of the City of La Marque on the First reading this the **9th** day of **January**, 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

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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SCOPE AND ADMINISTRATION

[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: February 13, 2017
Prepared by: Les Rumburg
Department: Development Services

Agenda item: 6&7c
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 **THIS IS THE SECOND AND FINAL READING**

☒ X

Attachments for reference

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

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.
- **January 9, 2017** – Ordinance approved by City Council on the First reading

TARGET IMPLEMENTATION: Ordinance will become effective thirty days after the Second and Final reading as per City charter.

SIGNIFICANT ACTION DATES:

- **November 28, 2016:** Property Owner Public Notice mailed to residents within a 200 ft. radius



CITY COUNCIL AGENDA FORM

- **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.
- **January 9, 2017** – Ordinance approved by City Council on the First reading

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 **THIS IS THE SECOND AND FINAL READING**

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 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 AND THE WEST HALF OF SURVEY NO. 4 OF THE S.F. AUSTIN LEAGUE, (the "Property") generally situated in the corporate 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 9th day of January, 2017.

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

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor

Page 3, Ordinance No. O-2017-003
Re-Zone

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

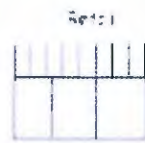
Survey line

gas & Manhole for 116 Fr.

of 300 Acres

Demann Tract

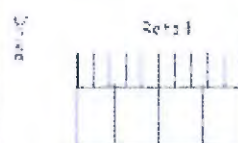
N 65° 05' 49" W



Drive



124' 2.0683 AC



Office Warehouse 1 x 8 1/2 ft



176' 2.1407 AC



Drive

City of La Marque
City of Hitchcock

Electric Power Line
Hill & P. Co. (Vot)

152' 152' 152'

S 87° 14' 52" W 726.38' (726.1)

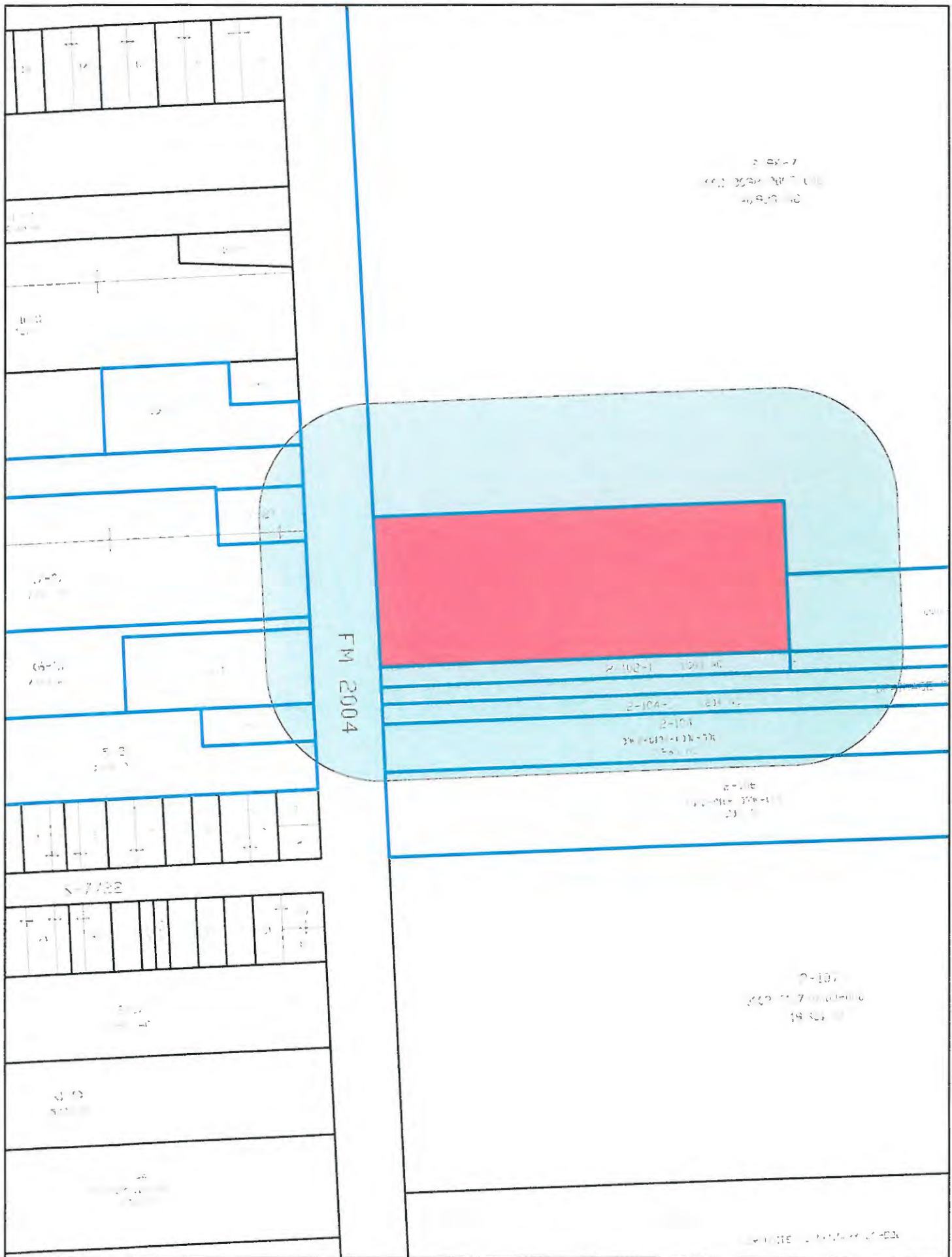
Existing 25' Wide Gasterbo. Draining Dist. 2 NW

South line of Wicetown 2000 Tract (measured on line)

NOTES
1. 25' Wide Gasterbo. Draining Dist. 2 NW
2. 25' Wide Gasterbo. Draining Dist. 2 NW

S 82° 18' 51" E 300.0'

Br. N. 101 S. 112.20 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: February 13, 2017
Prepared by: Les Rumburg
Department: Development Services

Agenda item: 6&7d
Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding adopting **Ordinance No. O-2017-004**, approving a request for rezone from R-1 Single Family Residential, to C-2, Restricted Commercial of four (4) 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 RD
- 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 **THIS IS THE SECOND AND FINAL RADING**

☒ X

Attachments for reference

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

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 (4) 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.
- **January 9, 2017** – Ordinance approved by City Council on the First reading

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.
- **January 9, 2017** – Ordinance approved by City Council on the First reading

ACTION:

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

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

STAFF' RECOMMENDATION: Motion to adopt **Ordinance No. O-2017-004**, approving a 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. **THIS IS THE SECOND AND FINAL READING**

FISCAL IMPACT: None

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 9th day of January, 2017.

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

Galveston CAD

Search: R199488

Map showing property lots with various lot numbers and street names:

- Streets: Evergreen Ln, Magnolia Dr, Bogatto St, Bayou Rd, Neuman St, Foreman
- Lot numbers visible: 1431, 1412, 1411, 1416, 1417, 1420, 1421, 1424, 1425, 1427, 1501, 1510, 1507, 1512, 1511, 1517, 1704, 1501, 1527, 1529, 1531, 1533, 1827, 1825, 1823, 1819, 1811, 1807, 1801, 1818, 1816, 1814, 1812, 1810, 1808, 1806, 1609, 2105, 2103, 2019, 2111, 2009, 2005, 2001, 1929, 1927, 1925, 1923, 1602, 2024, 2022, 2018, 2010, 2008, 2006, 2002, 1922, 1916, 1914, 1912, 1906, 1902, 1917, 1915, 1913, 1903, 1901, 1910, 1906, 1904, 1900, 2020, 2016, 2018, 2010, 2002, 1924, 1918, 1916, 1913, 1909, 1905, 1903, 1702

Scale: 200ft

Coordinates: 29.367 -94.971 Degrees

Downloaded files:

- 100 Indigo Brush - sola....pdf
- 6708 Gulf Freeway - E....jpg
- 1533 Bayou 200ft radius.pdf
- 1513 Bayou 200 ft radi....pdf

Show all downloads...

Taskbar: Start | Galveston CAD - Goog... | October 11, 2016 | 4:28 PM



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: February 13, 2017

Agenda item: 8a

Prepared by: Kathleen Van Stavern

Reviewed by: Carol Buttler

Department: Code Compliance
Division

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding award of bid LM #11-17 to Parrish & Parrish Tractor Services for annual mowing and clearing services of various properties in the amount of \$56,292.00.

Attached for reference:

1. LM #11-17 Bid Tab
2. List of 128 vacant lots located citywide; with most in the Lake Road Revitalization area.

STAFF BRIEFING:

- There were 53 (fifty-three) bids solicited as well as a legal ad placed in the Galveston County Daily Newspaper that ran twice in a fifteen (15) day period.
- A notice was posted on the City of La Marque web site.
- Of the 5 (five) responses received, 4 (four) qualified bids were received, and 1 (one) was disqualified.
- Please see the enclosed bid tabulation for bid results.
- Staff recommends awarding the bid for mowing and clearing services to **PARRISH & PARRISH TRACTOR SERVICES** as the lowest qualified bid meeting specifications.
- The bid amounts are based on specifications supplied by the City of La Marque.
- The adopted Strategic Plan recommends the development and implementation of a plan to maintain vacant lots to appropriate standards.
- To date, 135 vacant overgrown lots have been cleared and maintained. Those lots were cleared to encourage residential builders to start revitalizing the neighborhoods, and for the safety of the citizens living there.
- A lien will be placed for each mow and/or clearing of a lot.
- The finance director was consulted for availability of funds and compliance with the Purchasing Policy.

HISTORY:

- In the last two fiscal years, \$250,000.00 has been spent on the clearing and mowing of vacant lots in our city.
- Most of these funds were spent in the spring to re-clear the lots that became over grown from the previous year.
- Some lots are vacant due to the city's demolition of substandard structures.
- With City Council's approval of this contract, each identified lot will be mowed and maintained every month for an entire year.



CITY COUNCIL AGENDA FORM

TARGET IMPLEMENTATION: Award the bid on February 13, 2017 to begin mowing and clearing of vacant lots year round on March 1, 2017. This contract will end February 28, 2018.

ACTION:

- | | |
|--|---|
| ☐ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☒ <u>Award of bid</u>
<u>LM #11-17</u> | |
| ☒ Mark if this item does not conflict with any
Resolution, Ordinance or City Charter, policies,
procedures | |

Cost Details:	
Budgeted	0.00
Actual Bid	\$56,292.00
Estimated Expenditure	\$56,292.00
Acct. Name(s)	Weed Control & Mowing
Line Items #	01-6091-03-00
Contingency	\$10,000.00 See Fiscal Impact

STAFF'S RECOMMENDATION: Motion to award bid LM #11-17 to Parrish & Parrish Tractor Services for annual mowing and clearing services of various properties in the amount of \$56,292.00.

FISCAL IMPACT:

- Council approved \$80,000.00 in current FY 2017 budget.
- To date, approximately \$60,000.00 has been spent mowing and clearing properties citywide.
- \$10,000.00 of the remaining budgeted balance of \$20,000.00 is earmarked to provide contingency funds for future emergency clearing or boarding up of unsecured abandoned structures.
- The remaining \$10,000.00 to be used for the continued mowing and clearing of lots currently scheduled.

BID TABULATION
LM #11-17
MOWING AND DEBRIS CLEAN UP

Bidder	Description	Total Amount of Bid
LONGCLAW CONTRACTORS LLC	YEARLY MOWING MAINTENANCE CONTRACT BID LM #11-17	\$87,898.00 YEARLY
PARRISH & PARRISH TRACTOR SERVICE	YEARLY MOWING MAINTENANCE CONTRACT BID LM #11-17	\$56,292.00 YEARLY
BEACH TOWN LAWN SERVICE LLC	YEARLY MOWING MAINTENANCE CONTRACT BID LM #11-17	\$79,520.00 YEARLY
MIKE'S TREE SERVICE	YEARLY MOWING MAINTENANCE CONTRACT BID LM #11-17	\$82,140.00 YEARLY

BIDS OPENED ON JANUARY 11, 2017 AT 10:00 A.M.

	ADDRESS	GALV CO. R#	OCTOBER 1st MOWS PER MONTH	MARCH 1st - SEPTEMBER 30th MOWS PER MONTH
1	3001 FM 1765	R132856	2	2
2	LOT NEXT TO ABOVE	R132855	2	2
3	15 RICHARD'S COURT	R199262	1	1
4	LOT 1 ON UNION & 1765	R198143	2	2
5	LOT 2 ON UNION & 1765	R198142	2	2
6	108 ANITA	R200191	1	1
7	LOT 2 ON ANITA	R200197	1	1
8	LOT 3 ON ANITA	R200199	1	1
9	LOT ON CORNER LAKE RD. & BOSS	R197880	2	2
10	501 LAKE RD.	R195320	2	2
11	308 LAKE RD	R198745	2	2
12	418 LAKE RD.	R198851	2	2
13	103 LAKE	R195011	2	2
14	LOT LOCATED ON PORTER ST.	R195676	2	2
15	LOT LOCATED ON PORTER ST.	R195673	2	2
16	LOT LOCATED ON PORTER ST.	R301906	2	2
17	LOT LOCATED ON PORTER ST.	R195668	2	2
18	LOT LOCATED ON PORTER ST.	R195671	2	2
19	1911 FM 1765	R196743	2	2
20	LOT NEXT TO ABOVE	R196742	2	2
21	2203 FM 1765	R196763	2	2
22	LOT NEXT TO ABOVE	R196773	2	2
23	214 AVE B	R199099	1	1
24	1010 LINDEN	R198561	1	1
25	251 MURIEL (DISABLED VET)	R200164	1	1
26	2217 ERIKSSON	R196903	1	2
27	LOT 16 ON ERIKSSON	R196904	1	2
28	1902 BOGATTO	R198621	2	2
29	229 NANLEE	R198450	1	2
30	213 RUSLEE	R198461	1	1
31	426 PEAR	R196046	1	2
32	157 LEE	R198497	1	1
33	405 HONEYSUCKLE	R198028	1	1
34	SOLD TO BROKER	R198696	1	1
35	SOLD TO NEIGHBOR	R198691	1	1
36	411 GRAFTON	R194874	1	1
37	913 CHESTNUT	R194756	1	1
38	1024 MAPLE	R197246	1	1
39	1702 5TH AVE	R196005	1	1
40	LOT AT OAK ST. & 5TH	R196056	2	2
41	LOT NEXT TO ABOVE	NO #	2	2

42	SOLD TO BROKER	R199531	1	2
43	1025 SYCAMORE	R198676	1	1
44	1407 SYCAMORE	R199623	1	1
45	408 ELMO	R196669	2	2
46	523 ELMO	R196705	1	1
47	2419 OAKLAWN	R199053	1	1
48	605 CEDAR	R194900	2	2
49	909 CEDAR	R194769	2	2
50	847 HOLLY	R198790	1	1
51	307 ROSS	R304813	1	2
52	3017 MCKINNEY	R132922	1	1
53	1712 ROSALEE	R198582	1	1
54	2000 ROSALEE	R198747	1	1
55	2026 ROSALEE	R198760	1	1
56	2024 ROSALEE	R195410	1	1
57	2023 ROSALEE	R195409	1	1
58	1826 ROSALEE	R199271	1	2
59	LOT 5 ON ROSALEE	R197166	2	2
60	LOT 6 ON ROSALEE	R197167	2	2
61	LOT 13 & 14 ON BLACKSTONE	R198772	1	1
62	626 HWY 3	R197208	2	2
63	810 PIRTLE	R199816	1	1
64	1206 PIRTLE	R195428	1	2
65	1105 ROOSEVELT	R199686	1	1
66	912 ROOSEVELT	R199705	1	2
67	119 BROWN	R195387	1	2
68	316 EDGAR	R196813	1	2
69	708 ROSEDALE	R200017	1	1
70	LOT 1 ON BAYOU RD	R196809	2	2
71	LOT ON BAYOU RD	R195711	2	2
72	210 BAYOU RD	R196801	2	2
73	SOLD TO BROKER	R199887	1	1
74	310 ALBERT (CORNER OF ALBERT & KANSAS	R199648	2	2
75	612 ALBERT	R197165	1	2
76	LOT 10 ON ALBERT	R199649	1	2
77	2519 STONEWALL	R195364	1	2
78	2404 JACKSON	R199783	1	2
79	2515 JACKSON	R200040	1	1
80	2609 BOSS	R197910	2	2
81	2601 BOSS	R197906	2	2
82	2401 BOSS	R195321	2	2
83	LOT 48 ON KANSAS	R198850	1	1
84	2029 KANSAS	R198849	1	1
85	2027 KANSAS	R198848	1	1

86	LOT 16 ON KANSAS	R198828	1	1
87	2010 KANSAS	R198827	1	1
88	LOTS 20 & 21 ON KANSAS (C OF LM)	R198831	1	1
89	LOT 42 ON KANSAS	R198844	1	2
90	2701 KANSAS	R198843	1	2
91	2015 KANSAS	R198841	1	2
92	LOT 38 ON KANSAS	R198840	1	2
93	1909 KANSAS	R198837	1	2
94	LOT 7 ON KANSAS	R198819	1	2
95	LOT 6 ON KANSAS	R198818	1	2
96	1906 KANSAS	R198817	1	2
97	LOTS 28 & 29 ON KANSAS	R198836	1	2
98	LOT 27 ON KANSAS	R198835	1	2
99	1903 KANSAS	R198834	1	2
100	1206 LAMAR	R197378	1	2
101	1413 GOLIAD	R197729	2	2
102	2607 HOUSTON DR. SOUTH	R197689	1	1
103	1303 RHODORA	R198239	2	2
104	1414 RHODORA	R198262	1	2
105	LOT 1 ON HOWELL & MAGNOLIA	R194788	2	2
106	LOT 2 ON HOWELL & MAGNOLIA	R194789	2	2
107	LOT 3 & 4 ON JOHNSON	R196832	2	1
108	1847 THOMPSON	R199985	1	2
109	1805 THOMPSON	R199966	1	2
110	1732 THOMPSON	R199953	1	2
111	831 RETAMA	R198782	1	1
112	830 RETAMA	R197220	1	1
113	1508 OLEANDER	R199010	1	1
114	1602 OLEANDER	R198991	1	1
115	LOT 17 ON OLEANDER	R199005	1	1
116	2516 BELLVIEW	R198854	1	1
117	1908 BELLVIEW	R198858	1	2
118	LOT 8 ON BELLVIEW	R198857	1	2
119	2015 BELLVIEW	R198887	1	2
120	2013 BELLVIEW	R198886	1	2
121	LOT 17 ON BELLVIEW	R198865	1	2
122	LOTS 13 & 14 ON BELLVIEW	R198862	1	2
123	LOTS 23 & 24 ON BELLVIEW	R198870	1	2
124	LOT 22 ON BELLVIEW	R198869	1	2
125	LOT 48 ON BELLVIEW	R198850	1	2
126	1633 HAWTHORNE	R198293	1	2
127	1819 NEUMAN	R196967	1	1
BOARD UP PER DOOR		\$		
BOARD UP PER WINDOW		\$		



CITY COUNCIL AGENDA FORM

Meeting Date: February 13, 2017

Agenda item: **8b**

Prepared by: Kathleen Van Stavern

Reviewed by: *Carol Buttler*

Department: Code Compliance
Division

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding award of Bid #LM 12-17 to Inland Environments LTD for the demolition of 12 substandard residential structures in the amount of \$56,125.00.

1. Attach for reference

426 Pear, La Marque, Texas 77568
418 Lake Road, La Marque, Texas 77568
104 Anita, La Marque, Texas 77568
708 Rosedale, La Marque, Texas 77568
830 Retama, La Marque, Texas 77568
1633 Hawthorne, La Marque, Texas 77568
1818 Main St. #22, La Marque, Texas 77568
1818 Main St. #56, La Marque, Texas 77568
1910 Oaklawn, La Marque, Texas 77568
2013 Bellview, La Marque, Texas 77568
412 Edgar, La Marque, Texas 77568
909 Cedar, La Marque, Texas 77568

STAFF BRIEFING:

- There were 53 (fifty-three) bids solicited as well as a legal ad placed in the Galveston County Daily News that ran twice in a fifteen (15) day period.
- A notice was posted on the City of La Marque web site.
- Of the 4 (four) responses received, 3 (three) qualified bids were received.
- Please see the enclosed bid tabulation for bid results.
- Staff recommends awarding the bid for Demolition Services to **Inland Environments LTD** as the lowest qualified bid meeting specifications.
- The bid amounts are based on specifications supplied by the City of La Marque.
- The adopted Strategic Plan recommends the demolition of at least 20 substandard properties per year.
- Based on current year's activity, it is feasible to demolish 20 (twenty) substandard properties in FY 2017 based on the current funding.
- To date, 39 (thirty-nine) substandard residential properties have been demolished, including 2 (two) properties demolished by Galveston County and 3 (three) commercial properties.
- With City Council's approval of the bid, the above substandard properties will be demolished by March 31, 2017 and will bring the grand total to 51 (fifty-one) substandard properties demolished between 2015-2017.
- The Finance Director was consulted for availability of funds and compliance with the Purchasing Policy.
- Since the bid opening on January 1, 2017, 4 (four) properties were purchased by individuals who will renovate and bring to compliance. The bid amounts for these 4 (four) properties were deducted from the total of each bid submitted.



CITY COUNCIL AGENDA FORM

HISTORY:

- During 2016, the City completed the demolition of 16 (sixteen) substandard residential structures and 3 (three) commercial structures.

TARGET IMPLEMENTATION: Award the bid on February 13, 2017 and begin demolition on February 14, 2017. Completion of all 12 (twelve) demolitions by March 31, 2017.

SIGNIFICANT ACTION DATES:

November 8, 2016 - Building & Standards Commission ordered the demolition.

December 13, 2017 - Building & Standards Commission ordered the demolition.

ACTION:

- | | |
|--|---|
| ☐ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☒ <u>Award of bid</u>
<u>LM 12-17</u> | |
| ☒ Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures | |

Cost Details:	
Budgeted	\$100,000.00
Actual Bid	\$56,125.00
Estimated Expenditure	\$56,125.00
Acct. Name(s)	Demolition & Clearing
Line Items #	65-6092-03-00
Other Funding	N/A

STAFF'S RECOMMENDATION: Motion to award bid #LM 12-17 to Inland Environments LLC for the demolition of 12 substandard residential structures in the amount of \$56,125.00

FISCAL IMPACT:

- To date, \$443,381.00 has been spent on the demolition of 36 (thirty-six) substandard residential properties and 3 (three) commercial properties.
- The Economic Development Corporation provided \$132,000.00 for the demolition of the La Marque Elementary School, \$22,227.00 was used for the Asbestos Inspection, Survey and abatement of the same school.

BID TABULATION **LM #12-17** **DEMOLITION AND CLEARING**

Bidder	Description	Total Amount of Bid
MIKE'S TREE SERVICE	DEMO 16 SUBSTANDARD PROPERTIES LM #12-17 **SEE NOTE BELOW	\$79,950.00 *Amended to: \$59,850.00
INLAND ENVIROMENTS LTD	DEMO 16 SUBSTANDARD PROPERTIES LM #12-17 **SEE NOTE BELOW	\$72,025.00 *Amended to: \$56,125.00
GRANT MACKAY	DEMO 16 SUBSTANDARD PROPERTIES LM #12-17 **SEE NOTE BELOW	\$98,890.00 *Amended to: \$74,010.00

****NOTE: Amended totals due to the sale of 4 (four) properties after bids were opened.**

BIDS OPENED ON JANUARY 11, 2017 AT 10:00 A.M.

BID SUMMARY
LM # 12-17

"DEMOLITION AND CLEARING SERVICES"

DESCRIPTION	TOTAL COST
1) 426 PEAR, LA MARQUE, TEXAS 77568	4,600=-
2) 418 LAKE ROAD, LA MARQUE, TEXAS 77568	3,500=-
3) 104 JUANITA, LA MARQUE, TEXAS 77568	6,500=-
4) 831 CYPRESS, LA MARQUE, TEXAS 77568	4,500=-
5) 708 ROSEDALE, LA MARQUE TEXAS 77568	2,500=-
6) 830 RETAMA (ALL STRUCTURES)	6,500=-
7) 1633 HAWTHORNE, LA MARQUE, TEXAS 77568	5,500=-
8) 1818 MAIN ST. #22, LA MARQUE, TEXAS 77568	3,500=-
9) 1818 MAIN ST. #56, LA MARQUE, TEXAS 77568	4,500=-
10) 1910 OAKLAWN, LA MARQUE, TEXAS 77568	7,500=-
11) 2013 BELLVIEW, LA MARQUE, TEXAS 77568	3,250=-
12) 2025 KANSAS, LA MARQUE, TEXAS 77568	4,500=-
13) 412 EDGAR, LA MARQUE, TEXAS 77568	6,500=-
14) 2515 JACKSON, LA MARQUE, TEXAS 77568	5,500=-
15) 1906 KANSAS, LA MARQUE, TEXAS 77568	1,600=-
16) 909 CEDAR, LA MARQUE, TEXAS 77568	5,500=-

TOTAL \$ 75,950=-

**BID SUMMARY
LM # 12-17**

"DEMOLITION AND CLEARING SERVICES"

DESCRIPTION	TOTAL COST
1) 426 PEAR, LA MARQUE, TEXAS 77568	\$ 3,850.00
2) 418 LAKE ROAD, LA MARQUE, TEXAS 77568	\$ 3,500.00
3) 104 ANITA, LA MARQUE, TEXAS 77568	\$ 4,275.00
4) 831 CYPRESS, LA MARQUE, TEXAS 77568	\$ 4,650.00
5) 708 ROSEDALE, LA MARQUE TEXAS 77568	\$ 3,400.00
6) 830 RETAMA (ALL STRUCTURES)	\$ 6,600.00
7) 1633 HAWTHORNE, LA MARQUE, TEXAS 77568	\$ 6,500.00
8) 1818 MAIN ST. #22, LA MARQUE, TEXAS 77568	\$ 3,400.00
9) 1818 MAIN ST. #56, LA MARQUE, TEXAS 77568	\$ 4,400.00
10) 1910 OAKLAWN, LA MARQUE, TEXAS 77568	\$ 5,500.00
11) 2013 BELLVIEW, LA MARQUE, TEXAS 77568	\$ 3,400.00
12) 2025 KANSAS, LA MARQUE, TEXAS 77568	\$ 4,000.00
13) 412 EDGAR, LA MARQUE, TEXAS 77568	\$ 5,100.00
14) 2515 JACKSON, LA MARQUE, TEXAS 77568	\$ 6,250.00
15) 1906 KANSAS, LA MARQUE, TEXAS 77568	\$ 1,000.00
16) 909 CEDAR, LA MARQUE, TEXAS 77568	\$ 6,200.00

TOTAL \$ \$ 72,025.00

**BID SUMMARY
LM # 12-17**

"DEMOLITION AND CLEARING SERVICES"

DESCRIPTION	TOTAL COST
1) 426 PEAR, LA MARQUE, TEXAS 77568	\$4,993.00
2) 418 LAKE ROAD, LA MARQUE, TEXAS 77568	\$5,493.00
3) 104 ANITA, LA MARQUE, TEXAS 77568	\$6,450.00
4) 831 CYPRESS, LA MARQUE, TEXAS 77568	\$6,700.00
5) 708 ROSEDALE, LA MARQUE TEXAS 77568	\$7,499.00
6) 830 RETAMA (ALL STRUCTURES)	\$10,490.00
7) 1633 HAWTHORNE, LA MARQUE, TEXAS 77568	\$7,600.00
8) 1818 MAIN ST. #22, LA MARQUE, TEXAS 77568	\$4,600.00
9) 1818 MAIN ST. #56, LA MARQUE, TEXAS 77568	\$4,400.00
10) 1910 OAKLAWN, LA MARQUE, TEXAS 77568	\$6,450.00
11) 2013 BELLVIEW, LA MARQUE, TEXAS 77568	\$4,860.00
12) 2025 KANSAS, LA MARQUE, TEXAS 77568	\$7,350.00
13) 412 EDGAR, LA MARQUE, TEXAS 77568	\$5,425.00
14) 2515 JACKSON, LA MARQUE, TEXAS 77568	\$6,450.00
15) 1906 KANSAS, LA MARQUE, TEXAS 77568	\$4,380.00
16) 909 CEDAR, LA MARQUE, TEXAS 77568	\$5,750.00

TOTAL \$ 98,890.00



CITY COUNCIL AGENDA FORM

Meeting Date: February 13, 2017
Prepared by: Les Rumburg
Department: Public Services

Agenda item: 8c
Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding award to LJA Engineering the costs of engineering services necessary in the preparation of bid package for repairs/replacement of the sanitary sewer main line on Oak Street, from Cedar to Hathaway, under Highway 3, and terminating at the Hathaway Lift Station, in the amount of \$111,000.

X

Attach for reference

1. Agreement for Engineering Services
2. Engineers Estimate for rehabilitation of line

STAFF BRIEFING

- This project would assist the City's Sanitary Sewer Overflow (SSO)-related obligations already committed to Texas Commission on Environmental Quality (TCEQ).
- Additionally, this project is vital as reported in the Cobb/Fendley study.
- This line has been under constant repair and is currently held together with an exorbitant number of clamps which were never intended to be a permanent "fix".
- Repair of this line will greatly assist flow from a wide area as well as prevent the backflow of product and odor in adjoining neighborhoods.
- Residents in the impacted neighborhoods have been informed that this project will address their complaints and concerns, and that measures are being taken to alleviate those concerns until the project can be completed.
- The engineer's estimate of approximately \$515,000 for repair/replacement of this line is just an estimate – actual costs will not be determined until the bidding process is completed.
- The bid results will be presented to City Council for their approval and subsequent project implementation.
- LJA Engineering is the City's engineer of record and has been active in the community for many years, having engineered the totality of the \$4m +/- of Disaster Recovery Grant Funds.

HISTORY:

- The Cobb/Fendley Sanitary Sewer Study reviewed the City's system and ranked the areas in need from 1 (will need attention in the future) to 5 (needs immediate attention).
- It is anticipated that the CO Bond Funds allocated for the SSO program will assist in the elimination of the 4's and 5's needs identified in the study.
- The Oak Street line is identified as a 5.

TARGET IMPLEMENTATION: It is anticipated that bid results could be available for City Council's consideration early summer, 2017



CITY COUNCIL AGENDA FORM

SIGNIFICANT ACTION DATES:

October 1, 2016 – Council-approved budget

ACTION:

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

Cost Details:

Budgeted	\$2.5 million
Actual Bid	
Estimated Expenditure	Est. \$515,000.00
Acct. Name(s)	2016 CO SSO
Line Items #	47-7003-24-00-SSO
Other Funding	

STAFF'S RECOMMENDATION: Motion to award LJA Engineering the costs of engineering services necessary in the preparation of bid package for repairs/replacement of the sanitary sewer main line on Oak Street, from Cedar to Hathaway, under Highway 3, and terminating at the Hathaway Lift Station, in the amount of \$111,000

FISCAL IMPACT: An \$111,000 initial outlay for engineering with actual construction costs to be determined.



February 6, 2017

Les Rumburg
Public Works Director
City of La Marque
1500 Municipal Drive
La Marque, Texas 77568

Re: Assignment Letter for Engineering Services for the Design and Construction of a Force Main Replacement along Oak Drive and Gravity Line under Highway 3 and Union Pacific Railroad
LJA Proposal No. 16-00712

Dear Mr. Rumburg:

LJA Engineering Inc. (LJA) is pleased to present this Assignment Letter for Engineering and Construction Services for the replacement of a 10-inch force main along Oak Drive from Cedar Drive to Shady Lane. Also, for the replacement of gravity line from Shady Lane along Highway 3 to the Lift Station at the intersection of Hathaway and Hawthorne. The Agreement, dated June 17, 2004, specifies the general requirements, terms and other conditions, while this letter details the specific elements of service to be performed under this authorization.

ELEMENTS OF SERVICE

A. Preliminary and Design Phase

1. Attend Preliminary Conference with the City, and other interested parties regarding the project.
2. Review all reports/plans regarding the existing force main in the area of Oak Drive.
3. Establish the scope of any special surveys which, in the opinion of the Engineer, may be required to complete the contract drawings.
4. Prepare detailed specifications, contract documents and contract drawings.
5. Submit final contract specifications and drawings to the required agencies for review and approval.

B. Bidding Phase

1. Assist the City in the advertisements of the project for bids.

2. Respond to questions regarding the project during the bidding process. If required, issue addendums to clarify any questions regarding the project.
3. Conduct a Pre-bid Conference between the Engineer, prospective bidders, suppliers, etc., to make certain that the scope of the work is fully understood.
4. Assist the City in the opening of bids for construction of the project. Tabulate and evaluate bids, and prepare a recommendation letter for City action.
5. Prepare final contract documents for execution by the Contractor and the City.

C. Construction Phase

1. Conduct a Pre-Construction Conference between the City, Engineer and Contractor.
2. Issue a work order with dates, approved by the City.
3. Make periodic visits to the project site to observe work with regard to general compliance with the plans and specifications.
4. Review samples, schedules, shop drawings, and other data which the Contractor submits.
5. Preparation for execution of the necessary progress documents including work order, payment estimates, change orders, time extensions, and other correspondence required to achieve the intended finished project.
6. Conduct final inspection in conjunction with the City, Contractor, and Engineer. Prepare all closing documents to finalize the contract.

D. Additional Services

1. Topographical Surveys: Provide field surveys of existing structures, lines, site conditions, and other features required for the preparation of final construction drawings.
2. Geotechnical Report: Provide Geotechnical Report of site conditions, and other features required for the preparation of final construction drawings.
3. Construction Material Testing: Provide Construction Material Testing throughout construction to ensure general compliance with contract documents and specifications.

4. **Record Drawings:** Upon completion of the project, the contract drawings will be revised to reflect all field changes. The completed "Record Drawings" will be delivered to the Owner.
5. **Project Representative:** Provide the services of a project representative to observe the work of the Contractor to determine if the Contractor is performing the work in general accordance with the approved plans and specifications.

BASIS OF COMPENSATION

For the accomplishment of the above tasks and extra services, we propose that our compensation be per the agreement dated the 17th day of June 2004.

- A. **Preliminary and Final Design:** Per Section 5, Paragraph 5.1.3 "Lump Sum Charge" \$46,830.00.
- B. **Bidding Phase:** Per Section 5, Paragraph 5.1.3 "Lump Sum Charge" \$2,925.00.
- C. **Construction Phase:** Per Section 5, Paragraph 5.1.3 "Lump Sum Charge" \$8,780.00.
- D. **Additional Services:**
 1. **Surveys:** Per Section 5, Paragraph 5.1.4.2, "Special Consultants." Based on the scope, we estimate the costs will be as follows: \$16,800.00.
 2. **Geotechnical:** Per Section 5, Paragraph 5.1.4.2, "Special Consultants." Based on the scope, we estimate the costs will be as follows: \$4,000.00.
 3. **Union Pacific Railroad Coordination:** Per Section 5, Paragraph 5.1.3, "Lump Sum Charge" Based on the scope of the project, the lump sum fee will be: \$5,000.00
 4. **Construction Material Testing:** Per Section 5, Paragraph 5.1.4.2, "Special Consultants." Based on the scope, we estimate the costs will be as follows: \$5,900.00.
 5. **Record Drawings:** Per Section 5, Paragraph 5.1.3, "Lump Sum Charge." Based on the scope of the project, the lump sum fee will be: \$2,500.00.
 6. **Project Representative:** Per Section 5, Paragraph 5.1.4.4, "Resident Project Services." Based on the project's estimated construction time, the fee will be approximately: \$18,000.00

ACCEPTANCE AND AUTHORIZATION

If the above Elements of Service and Basis of Compensation are satisfactory to you, we will consider your acceptance in the space provided below as our authorization to proceed.

Sincerely,



Wallace E. Trochesset, PE
Vice President

MEH/mlh

ACCEPTED:

City of La Marque

By: _____

Date: _____

City of La Marque**Force Main Rehabilitation Oak Drive****Gravity Line Along Hathaway Street****Gravity Line Under Highway 3 and Union Pacific Railroad****Oak Drive - From Cedar Drive to Shady Lane**

Item No.	Quantity	Unit	Description	Unit Cost	Total Cost
1	2,600	LF	10" Force Main (Open Cut Construction)	\$65.00	\$169,000.00
2	500	LF	10" Force Main (Augered Construction)	\$75.00	\$37,500.00
3	1	EA	10" Gate Valve w/ Box	\$3,000.00	\$3,000.00
4	1	EA	10" Air Release Valve w/ Access Manhole	\$6,000.00	\$6,000.00
5	3	EA	10" Connection to Exist. Force Main w/ Pipe Adapter	\$3,500.00	\$10,500.00
6	3	EA	Cut & Plug Exist. Force Main	\$1,200.00	\$3,600.00
7	2,600	LF	Trench Safety System	\$1.00	\$2,600.00
8	1	LS	Traffic Control	\$15,000.00	\$15,000.00
9	0.75	AC	Turf Establishment, Hydro-mulch Seeding	\$2,500.00	\$1,875.00
10	100	SY	Surface Restoration, Asphalt Surface	\$65.00	\$6,500.00
11	50	SY	Surface Restoration, Concrete Surface	\$100.00	\$5,000.00
12	50	SY	Surface Restoration, Unpaved Surface (Gravel or Shell)	\$50.00	\$2,500.00
13	2	EA	SWPP, Curb Inlet Protection Barrier	\$150.00	\$300.00
14	10	EA	SWPP, Area Inlet Protection	\$150.00	\$1,500.00
15	500	LF	SWPP, Reinforced Filter Fabric Barrier	\$3.00	\$1,500.00
16	200	LF	10" Sewer Augered with 16" Steel Casing	\$425.00	\$85,000.00
17	200	LF	10" Sewer Reconstruction by Pipe Bursting	\$75.00	\$15,000.00
18	40	VF	Manhole Rehabilitation Cementitious Liner	\$100.00	\$4,000.00
19	4	EA	Long Side Service Connection	\$1,500.00	\$6,000.00
20	4	EA	Short Side Service Connection	\$1,000.00	\$4,000.00

Supplementary Items

21	100	CY	"Extra" Bank Sand	\$10.00	\$1,000.00
22	50	CY	"Extra" Crushed Limestone	\$25.00	\$1,250.00
23	1,550	LF	Wet Sand Construction	\$15.00	\$23,250.00
24	1,550	LF	Well Point Dewatering	\$25.00	\$38,750.00
25	10	TON	"Extra" Cement Stabilized Sand	\$30.00	\$300.00
26	25	CY	"Extra" Class "A" Concrete	\$100.00	\$2,500.00
27	250	LB	"Extra" Reinforcing Steel	\$1.00	\$250.00

SubTotal Estimated Construction Cost

\$447,675.00

Contingency (15%)

\$67,151.25

Total Estimated Construction Cost**\$514,826.25**



CITY COUNCIL AGENDA FORM

Meeting Date: February 13, 2017

Agenda item: 9a

Prepared by: Carol Buttler

Reviewed by: Carol Buttler

Department: Administration

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding adopting Ordinance No. **O-2017-005** vacating, abandonment, and closing of road and alley rights-of-way located on realty described in Exhibit "A" **THIS IS THE FIRST READING**



Attach for reference

1. Ordinance
2. Metes & Bounds Description
3. Application

STAFF BRIEFING:

- Realty for purchase includes undeveloped road and alley rights-of-way that must be abandoned for the realty to be developed.
- The City has no immediate or future need for any existing ROW's within the realty boundaries, excluding any easements required for utilities.
- City Attorney was consulted to prepare the ordinance for abandonment.
- Because the City of La Marque is the applicant, no fees are required from the City.

HISTORY:

TARGET IMPLEMENTATION: Once ordinance approved

SIGNIFICANT ACTION DATES:

February 13, 2017 – Council to consider ordinance on first reading

ACTION:

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

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



CITY COUNCIL AGENDA FORM

STAFF'S RECOMMENDATION: Motion to adopt Ordinance No. **O-2017-005** vacating, abandonment, and closing of road and alley rights-of-way located on realty described in Exhibit "A" **THIS IS THE FIRST READING**

FISCAL IMPACT: None at this time

ORDINANCE NO. O-2017-005

AN ORDINANCE OF THE CITY OF LA MARQUE, TEXAS PROVIDING FOR THE VACATING, ABANDONMENT, AND CLOSING OF ROAD AND ALLEY RIGHTS-OF-WAY LOCATED ON REALTY DESCRIBED IN EXHIBIT “A” AND LOCATED WITHIN THE CITY LIMITS OF THE CITY OF LA MARQUE, TEXAS.

WHEREAS, the City of La Marque (the “City”) is a Texas Home Rule Municipality organized under the Constitution and laws of the State of Texas, located in Galveston County, Texas; and

WHEREAS, the City’s Charter provides that it may exercise all powers of local self-government and powers granted to home rule cities by State Law; and

WHEREAS, the City’s Charter further provides that the City shall have exclusive dominion, control and jurisdiction in, upon, over and under the public streets, avenues, alleys and highways of the City and may provide for the improvements thereof by paving, repaving, raising, draining or otherwise; and

WHEREAS, the Texas Transportation Code provides that a home rule municipality has exclusive control over and under the public highways, streets, and alleys of the municipality; and

WHEREAS, the Texas Transportation Code further provides that a home rule municipality may vacate, abandon, or close a street or alley; and

WHEREAS, the City Council of the City of La Marque, Texas, finds that the road and alley rights-of-way located on the realty described in Exhibit “A” were never opened or improved as a public road or alley rights-of-way; and

WHEREAS, the City does not intend to pave or otherwise use said road and alley rights-of-way located on the realty described in Exhibit “A” as road, street, and/or alley rights-of-way; and

WHEREAS, the City does not need the portion of the road and alley rights-of-way for public utilities or utility maintenance vehicles and equipment; and

WHEREAS, the burden of continued maintenance and the risk of liability of the road and alley rights-of-way that would be incurred by the City exceed any benefit to the City of La Marque, Texas, from continued ownership; and

WHEREAS, there is no longer any public need for the City to retain ownership of nor perform maintenance on such of the road and alley rights-of-way located on realty described in Exhibit “A”; and

WHEREAS, the abandoning of the road and alley rights-of-way located on the realty described in Exhibit “A” will cause no detriment to the rights of the citizens of La Marque, Texas; and

WHEREAS, City Council finds and declares that it is in the best interest of all of the citizens of the City of La Marque, Texas, that the road and alley rights-of-way located on the realty described in Exhibit “A” be vacated, closed and abandoned.

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

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

Section 2. The City’s interest, if any, in the road and alley rights-of-way located on the realty described in Exhibit “A” is hereby vacated, abandoned and closed to be transferred via a Deed Without Warranty in exchange for benefits previously given to the City which equal the fair market value of such road and alley rights-of-way located on the realty described in Exhibit “A”.

Section 3. In the event any 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 or 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 the First reading this ____ day of _____, 2017.

PASSED, APPROVED AND ADOPTED by the City Council of the City of La Marque on Second and Final reading this the ____ day of _____, 2017.

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor
City of La Marque, Texas

ATTEST:

APPROVED AS TO FORM:

Robin Eldridge, City Clerk

Ellis J. Ortego, City Attorney



Doyle & Wachtstetter, Inc

Surveying and Mapping • GPS/GIS

**TEXAS CITY TERMINAL RAILWAY COMPANY 53.4363 ACRE TRACT,
J. D. MOORE SURVEY, ABSTRACT 50
GALVESTON COUNTY, TEXAS
PAGE 1 OF 4**

BEING ALL THAT CERTAIN 53.4363 ACRE tract, lying and situated in the John D. Moore League, Abstract 50, Galveston County, Texas, being all of Block 10, all of Block 11, all of Block 12, all of Block 13, a portion of Lots 2 and 3, all of Lots 4 and 5, and a portion of Lot 6, Block 14, all of Block 17, all of Block 18, all of Block 19, all of Block 20, all of Block 21, Lots 1 through 9, Block 22, all of Block 27, Lots 1 through 5 and Lots 7 through 10, Block 28, Lots 1 through 3 and Lot 10, Block 30, all of Block 34, all of Block 35, Lots 1 through 4 and Lots 6 through 14, Block 37, all of Block 38, Lots 1 through 9, Block 47, all of Block 48, all of Block 49, Lot 6, Block 60 of Highland Park and Highland Park Annex, according to the map or plat thereof recorded in Volume 7, Page 54 of the Galveston County Plat Records together with those portions of Lanham Avenue, Sayers Avenue, Lubbock Avenue, 6th Street, 4th Street, 3rd Street and Junction Street, 4th Street and 6th Street, the 20 foot alley in Block 10, Block 11, Block 17, Block 19, Block 20, Block 21, Block 27, Block 28, Block 30, Block 31, Block 34, Block 35, Block 38 and Block 48 of said Highland Park and Highland Park Annex, abandoned and vacated by the City of LaMarque Ordinance No. 320, recorded in Volume 2253, Page 157 of the Galveston County Deed Records, a portion of Campbell Avenue, Lanham Avenue, Sayers Avenue, Hogg Avenue, Houston Avenue, Culberson Avenue, Junction Street, 2nd Street, 3rd Street, 4th Street, and 5th Street and the 20 foot wide alleys located in Block 12, Block 13, Block 14, Block 18, Block 22, Block 37, Block 47 and Block 49 of said Highland Park and Highland Park Annex, said herein described 53.4363 acre tract hereby conveyed being more particularly described by metes and bounds, using survey terminology which refers to the Texas State Plane Coordinate System, South Central Zone (NAD 83), in which the directions are Lambert grid bearings and the distances are surface level horizontal lengths, (S.F. = 0.9998672347) as follows:

BEGINNING at a set 5/8" iron rod with survey cap marked "WPD 4467" at the intersection of the southern right-of-way boundary line of 80 foot wide Poplar Street, with the northeastern boundary line of all that certain 100 foot wide Centerpoint Energy right-of-way (a.k.a., the Houston Galveston Interurban Railway, as shown on the map or plat of said Highland Park and Highland Park Annex), being the same called 4.254 acre tract conveyed by deed on September 10, 1955 from the Galveston-Houston Company to Houston Lighting & Power Company as recorded in Volume 1121, Page 649 of the Galveston County Deed Records (G.C.D.R.), located on the northern boundary line of said Block 30, said Point of Beginning being located at Texas State Plane coordinate position X=3257091.47 and Y=13699032.06;

THENCE North 87°15'24" East, coincident with the southern right-of-way boundary line of said 80 foot wide Poplar Street, a distance of 640.38 feet to a set 5/8" iron rod with survey cap marked "WPD 4467" for the northeast corner of said Block 31, located on the western right-of-way boundary line of 70.5 foot wide 5th Street, for an angle corner of the herein described 53.4363 acre tract, at position X=3257729.93 and Y=13699062.51;

THENCE South 2°44'36" East, coincident with the western right-of-way boundary line of said 70.5 foot wide 5th Avenue, a distance of 345.00 feet to a set 5/8" iron rod with survey cap marked "WPD 4467" for the northeast corner of said Block 28, located on the southern right-of-way boundary line of 80 foot wide Campbell Avenue, for an angle corner of the herein described 53.4363 acre tract, at position X=3257746.44 and Y=13698717.95;

131 Commerce Street • Clute, Texas 77531-5601

Phone: 979-265-3622 • Fax: 979-265-9940 • Email: DW-Surveyor.com

**TEXAS CITY TERMINAL RAILWAY COMPANY 53.4363 ACRE TRACT
J. D. MOORE SURVEY, ABSTRACT 50
GALVESTON COUNTY, TEXAS
PAGE 2 OF 4**

THENCE North 87°15'24" East, coincident with the southern right-of-way boundary line of 80 foot wide Campbell Avenue, a distance of 420.50 feet to a set 5/8" iron rod with survey cap marked "WPD 4467" for the northeast corner of said Block 27, located on the western right-of-way boundary line of 70.5 foot wide 4th Street, for an angle corner of the herein described 53.4363 acre tract, at position X=3258166.40 and Y=13698738.07;

THENCE South 2°44'36" East, coincident with the western right-of-way of way boundary line of 70.5 foot wide 4th Street, a distance of 345.00 feet to a set 5/8" iron rod with survey cap marked "WPD 4467" for the northeast corner of said Block 34, located on the southern right-of-way boundary line of 80 foot wide Lanham Avenue, for an angle corner of the herein described 53.4363 acre tract, at position X=3258182.91 and Y=13698393.52;

THENCE North 87°15'24" East, coincident with the southern right-of-way boundary line of 80 foot wide Lanham Avenue, a distance of 420.50 feet to a set 5/8" iron rod with survey cap marked "WPD 4467" for the northeast corner of said Block 35, located on the western right-of-way boundary line of 70.5 foot wide 3rd Street, for an angle corner of the herein described 53.4363 acre tract, at position X=3258602.88 and Y=13698413.64;

THENCE South 2°44'36" East, coincident with the southern right-of-way boundary line of 80 foot wide 70.5 foot wide 3rd Street, a distance of 345.00 feet to a set 5/8" iron rod with survey cap marked "WPD 4467" for the northeast corner of said Block 38, located on the southern right-of-way of 80 foot wide Sayers Avenue, for an angle corner of the herein described 53.4363 acre tract, at position X=3258619.38 and Y=13698069.08;

THENCE North 87°15'24" East, coincident with the southern right-of-way boundary line of said 80 foot wide Sayers Avenue, a distance of 170.85 feet to a set 5/8" iron rod with survey cap marked "WPD 4467" for the northeast corner of Lot 6, Block 37, same being the northwest corner of Lot 5, Block 37, for an angle corner of the herein described 53.4363 acre tract, at position X=3258789.67 and Y=13698077.24;

THENCE South 2°44'36" East, coincident with the eastern boundary line of said Lot 6, same being the western boundary line of said Lot 5, a distance of 122.50 feet to a set 5/8" iron rod with survey cap marked "WPD 4467" for the southeast corner of said Lot 6, same being the southwest corner of said Lot 5, located on the northern right-of-way boundary line of a 20 foot wide alley, for an angle corner of the herein described 53.4363 acre tract, at position X=3258795.53 and Y=13697954.89;

THENCE North 87°15'24" East, coincident with the southern boundary line of said Lot 5, same being the northern boundary line of said 20 foot wide alley, a distance of 50.00 feet to a set 5/8" iron rod with survey cap marked "WPD 4467" for the southeast corner of said Lot 5, same being the southwest corner of Lot 4, Block 37, for an angle corner of the herein described 53.4363 acre tract, at position X=3258845.46 and Y=13697957.29;

THENCE North 2°44'36" West, coincident with the eastern boundary line of said Lot 5, same being the western boundary of said Lot 4, a distance of 122.50 feet to a set 5/8" iron rod with survey cap marked "WPD 4467" for the northeast corner of said Lot 5, same being the northwest corner of said Lot 4, located on the southern right-of-way boundary line of said 80 foot wide Sayers Avenue, for an angle corner of the herein described 53.4363 acre tract, at position X=3258839.60 and Y=13698079.63;

**TEXAS CITY TERMINAL RAILWAY COMPANY 53.4363 ACRE TRACT,
J. D. MOORE SURVEY, ABSTRACT 50
GALVESTON COUNTY, TEXAS
PAGE 3 OF 4**

THENCE North 87°15'24" East, coincident with southern right-of-way boundary line of said 80 foot wide Sayers Avenue, a distance of 270.50 feet to set 5/8" iron rod with survey cap marked "WPD 4467" for the northwest corner of Block 18, located on the eastern right-of-way boundary line of 70.5 foot wide 2nd Street, for an angle corner of the herein described 53.4363 acre tract, at position X=3259109.76 and Y=13698092.58;

THENCE North 2°44'36" West, coincident with the eastern right-of-way boundary line of said 70.5 foot wide 2nd Street a distance of 385.00 feet to a set 5/8" iron rod with survey cap marked "WPD 4467" located at the intersection of the eastern right-of-way boundary line of said 2nd Street with the centerline of 80 foot wide Lanham Street, for an angle corner of the herein described 53.4363 acre tract, at position X=3259091.33 and Y=13698477.08;

THENCE North 87°15'24" East, coincident with the centerline of said 80 foot wide Lanham Street, a distance of 231.72 feet to a set 5/8" iron rod with survey cap marked "WPD 4467", located on the southwestern right-of-way boundary line of 120 foot wide Texas State Highway #3, for an angle corner of the herein described 53.4363 acre tract, at position X=3259322.76 and Y=13698488.17;

THENCE South 41°10'00" East, coincident with the southwestern right-of-way boundary line of 120 foot wide Texas State Highway #3, a distance of 270.78 feet to a set 5/8" iron rod with survey cap marked "WPD 4467", located on the eastern boundary line of said Lot 6, Block 14, same being the western boundary line of Lot 7, Block 14, for an angle corner of the herein described 53.4363 acre tract, at position X=3259500.97 and Y=13698284.36;

THENCE South 2°44'36" East, coincident with the eastern boundary line of said Lot 6, Block 14, same being the western boundary line of Lot 7, Block 14, a distance of 172.86 feet to a set 5/8" iron rod with survey cap marked "WPD 4467" for the northeast corner of said Lot 5, Block 13 and the northwest corner of said Lot 4, Block 13, located on the southern right-of-way boundary line of 70.5 foot wide Sayers Avenue, for an angle corner of the herein described 53.4363 acre tract, at position X=3259509.25 and Y=13698111.72;

THENCE North 87°15'24" East, coincident with the southern right-of-way boundary line of 70.5 foot wide Sayers Avenue, a distance of 125.00 feet to a set 5/8" iron rod with survey cap marked "WPD 4467" for the northeast corner of Lot 1, Block 13, located on the western right-of-way boundary line of 70.5 foot wide 1st Street, for an angle corner of the herein described 53.4363 acre tract, at position X=3259634.09 and Y=13698117.70;

THENCE South 2°44'36" East, coincident with the western right-of-way boundary line of 70.5 foot wide 1st Street, a distance of 1502.50 feet to set 5/8" iron rod with survey cap marked "WPD 4467" for the southeast corner of Lot 1, Block 22, located on the northern right-of-way boundary line of a 20 foot wide alley, for an angle corner of the herein described 53.4363 acre tract, at position X=3259705.99 and Y=13696617.12;

THENCE South 87°15'24" West, coincident with the northern right-of-way boundary line of said 20 foot wide alley, a distance of 125.00 feet to a set 5/8" iron rod with survey cap marked "WPD 4467" for the southwest corner of Lot 2, Block 22, same being the southeast corner of Lot 3, Block 22 an angle corner of the herein described 53.4363 acre tract, at position X=3259581.15 and Y=13696611.14;

EXHIBIT
PAGE

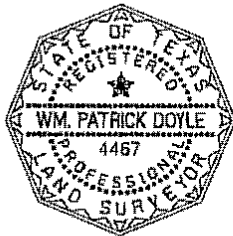
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TEXAS CITY TERMINAL RAILWAY COMPANY 53.4363 ACRE TRACT,
J. D. MOORE SURVEY, ABSTRACT 50
GALVESTON COUNTY, TEXAS
PAGE 4 OF 4

THENCE South 2°44'36" East, at a distance of 20.00 feet pass the southern right-of-way boundary line of said 20 foot wide alley, the northeast corner of Lot 9 and the northwest corner of Lot 10 , continuing for a total distance of 142.50 feet to a set 5/8" iron rod with survey cap marked "WPD 4467", for the southeast corner of said Lot 9 and the southwest corner of said Lot 10, located on the northern right-of-way boundary line of 80 foot wide Galveston Avenue, for an angle corner of the herein described 53.4363 acre tract, at position X=3259587.97 and Y=13696468.82;

THENCE South 87°15'24" West, coincident with the northern right-of-way boundary line of 80 foot wide Galveston Avenue, a distance of 146.67 feet to a set 5/8" iron rod with survey cap marked "WPD 4467" at the intersection of the northern right-of-way boundary line of said 80 foot wide Galveston Avenue with the northeastern right-of-way boundary line of said 100 foot wide Centerpoint Energy right-of-way, for an angle corner of the herein described 53.4363 acre tract, at position X=3259441.49 and Y=13696461.80;

THENCE North 42°27'09" West, coincident with northeastern right-of-way boundary line of all that certain 100 foot wide Centerpoint Energy right-of-way (a.k.a., the Houston Galveston Interurban Railway, as shown on the map or plat of said Highland Park and Highland Park Annex), being the same called 3.980 acre tract conveyed by deed on September 10, 1955 from the Galveston-Houston Company to Houston Lighting & Power Company as recorded in Volume 1121, Page 643 of the G.C.D.R. and the northeastern right-of-way boundary line of said Centerpoint Energy 100 foot wide right-of-way (said ouston Lighting & Power Company called 4.254 acre tract), a distance of 3483.70 feet to the **POINT OF BEGINNING**, containing within this description 53.6262 acres of land, less and except, a portion of Lot 9 and all of Lot 10, Block 31 and Lot 10, Block 47 of said Highland Park and Highland Park Annex Subdivision, leaving a net acreage of 55.4363 acres of land, more or less.





Wm. Patrick Doyle

Registered Professional Land Surveyor

Texas Registration Number 4467

December 23, 2016

*This description is based on a survey, a plat of which, dated December 23, 2016 is on file in the office of Doyle & Wachtstetter, Inc.
V:\Pat\TC Terminal Port of Texas City\TC Terminal 53.4363 acres - LaMarque Economic.doc*

***Doyle & Wachtstetter, Inc***

Surveying and Mapping • GPS/GIS

**TEXAS CITY TERMINAL RAILWAY COMPANY 55.9813 ACRE TRACT,
J. D. MOORE SURVEY, ABSTRACT 50
GALVESTON COUNTY, TEXAS
PAGE 1 OF 2**

BEING ALL THAT CERTAIN 55.9813 ACRE tract, lying and situated in the John D. Moore League, Abstract 50, Galveston County, Texas, being Lot 6, Block 28, Lots 7, 8 and 9, Block 29, all of Block 32, all of Block 33, all of Block 39, all of Block 40, all of Block 41, all of Block 45, Lots 1 through 6, Lots 10 through 12 and Lots 14 through 18, Block 46, Lots 1 through 5 and 7 through 11, Block 50, all of Block 51, all of Block 52, all of Block 57, all of Block 58, all of Block 59, Lots 1 through 5, all of Block 60, all of Block 61, all of Block 62, all of Block 63 and all of Block 64, of Highland Park and Highland Park Annex, according to the map or plat thereof recorded in Volume 7, Page 54 of the Galveston County Plat Records together with those portions of Lanham Avenue, Sayers Avenue, Lubbock Avenue, Culberson Avenue, 3rd Street, 4th Street and 5th Street, the 20 foot wide alley, in Block 32, Block 33, Block 39, Block 40, Block 45, Block 52, Block 57, Block 61, Block 62, Block 63 and Block 64, of said Highland Park and Highland Park Annex, abandoned and vacated by the City of LaMarque Ordinance No. 320, recorded in Volume 2253, Page 157 of the Galveston County Deed Records, a portion of Campbell Avenue, Lanham Avenue, Hogg Avenue, Houston Avenue, Lubbock Avenue, Culberson Avenue, Galveston Avenue, 3rd Street, 4th Street 5th Street, 6th Street and 7th Street, and the 20 foot wide alleys located in Block 41, Block 46, Block 50, Block 51, Block 58, Block 59 and Block 60 of said Highland Park and Highland Park Annex, said herein described 55.9813 acre tract hereby conveyed being more particularly described by metes and bounds, using survey terminology which refers to the Texas State Plane Coordinate System, South Central Zone (NAD 83), in which the directions are Lambert grid bearings and the distances are surface level horizontal lengths, (S.F. = 0.9998672347) as follows:

BEGINNING at a set 5/8" iron rod with survey cap marked "WPD 4467" at the intersection of the centerline of 70.5 foot wide 7th Street with the westerly extension of the southern boundary line of a 20 foot wide alley in Block 29 of said Highland Park and Highland Park Annex, for northwest corner of the herein described 55.9813 acre tract, at position X=3256949.54 and Y=13698537.12;

THENCE North 87°15'24" East, at a distance of 35.25 feet pass the northwest corner of Lot 7, Block 29, continuing coincident with the southern boundary line of said 20 foot wide alley, for a total distance of 439.15 feet to a set 5/8" iron rod with survey cap marked "WPD 4467" at the intersection of the southern right-of-way boundary line of said 20 foot wide alley with the southwestern boundary line of that certain 100 foot wide Centerpoint right-of-way, (a.k.a., the Houston Galveston Interurban Railway, as shown on the map or plat of said Highland Park and Highland Park Annex), being the same called 4.254 acre tract conveyed by deed on September 10, 1955 from the Galveston-Houston Company to Houston Lighting & Power Company as recorded in Volume 1121, Page 649 of the Galveston County Deed Records (G.C.D.R.), for the northeast corner of the herein described 55.9813 acre tract, at position X=3257388.13 and Y=13698558.14;

THENCE South 42°26'42" East, coincident with the southwestern boundary line of said Houston Lighting & Power Company called 4.254 acre tract and the southwestern boundary line of all that certain called 3.980 acre tract conveyed by deed on September 10, 1955 from the Galveston-Houston Company to Houston Lighting & Power Company as recorded in Volume 1121, Page 643 of the G.C.D.R., a distance of 2901.69 feet to a set 5/8" iron rod with survey cap marked "WPD 4467" at the intersection of the southwestern boundary line of said Houston Lighting & Power Company called 3.980 acre tract with the centerline of 80 foot wide Galveston Avenue, for the southeast corner of the herein described 55.9813 acre tract, at position X=3259346.17 and Y=13696417.19;

131 Commerce Street • Clute, Texas 77531-5601

Phone: 979-265-3622 • Fax: 979-265-9940 • Email: DW-Surveyor.com

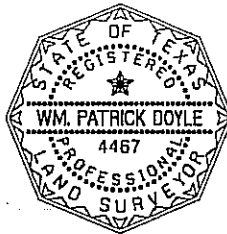
**TEXAS CITY TERMINAL RAILWAY COMPANY 55.9813 ACRE TRACT,
J. D. MOORE SURVEY, ABSTRACT 50
GALVESTON COUNTY, TEXAS
PAGE 2 OF 2**

THENCE South $87^{\circ}15'24''$ West, coincident with the centerline of said 80 foot wide Galveston Avenue, a distance of 1872.22 feet to a set 5/8" iron rod with survey cap marked "WPD 4467" at the intersection of the centerline of said 80 foot wide Galveston Avenue with centerline of 70.5 foot wide 6th Street, for the southwest corner of the herein described 55.9813 acre tract, at position $X=3257476.34$ and $Y=13696327.60$;

THENCE North $2^{\circ}44'36''$ West, coincident with the centerline of said 70.5 foot wide 6th Street, a distance of 1380.00 feet to a set 5/8" iron rod with survey cap marked "WPD 4467", at the intersection of the centerline of said 70.5 foot wide 6th Street with the centerline of 80 foot wide Hogg Avenue, for an interior corner of the herein described 55.9813 acre tract, at position $X=3257410.30$ and $Y=13697705.84$;

THENCE South $87^{\circ}15'24''$ West, coincident with the centerline of said 80 foot wide Hogg Avenue, a distance of 420.50 feet to a set 5/8" iron rod with survey cap marked "WPD 4467", at the intersection of said 50 foot wide Hogg Avenue with the centerline of 70.5 foot wide 7th Street, for an exterior corner of the herein described 55.9813 acre tract, at position $X=3256990.33$ and $Y=13697685.71$;

THENCE North $2^{\circ}44'36''$ West, coincident with the centerline of 70.5 foot wide 7th Street,, a distance of 852.50 feet to the **POINT OF BEGINNING**, containing 56.6843 acres of land within this description, less and except, Lots 7, 8, 9, and 13, Block 46 and Lot 6 Block 50 of said Highland Park and Highland Park Annex Subdivision, leaving a net acreage of 55.9813 acres of land, more or less.





**Wm. Patrick Doyle
Registered Professional Land Surveyor
Texas Registration Number 4467
December 23, 2016**

*This description is based on a survey, a plat of which, dated December 23, 2016 is on file in the office of Doyle & Wachstetter, Inc.
V:\Pat\TC Terminal Port of Texas City\TC Terminal 56.6843 acres - LaMarque Economic.doc*



1111 Bayou Road
La Marque, Texas 77568

**CITY OF LA MARQUE
PLANNING AND ZONING COMMISSION
APPLICATION/CHECKLIST
FOR**

ABANDONMENT OF STREET, ALLEY, EASEMENT, ETC.

Applicant name: City of La Marque
Mailing address: 1111 Bayou Road
Telephone: 409.938.9202 e-mail c.buttler@cityoflamarque.org

Abandonments of streets, Alleys, etc. are governed by city Ordinance Section 56-4

Property to be abandoned See Exhibit "A" of Ordinance
No. 0-2017-005

- | | | |
|----|---|-----|
| 1. | Petition (letter of request) submitted to the City Clerk in writing Sec 56-4 (a) | N/A |
| 2. | <u>Ordinance</u>
Petition (letter of request) is directed to City Council Sec 56-4(a) | N/A |
| 3. | <u>Ordinance metes & bounds</u>
Petition (letter of request) has the description of the property to be abandoned
Sec 56-4 (a) | N/A |
| 4. | List of all abutting owners and their addresses. Sec 56-4 (a) (List from HCAD) | N/A |
| 5. | Petition (List) of abutting owners Sec 56-4 (a) | N/A |
| 6. | Attachment showing why abutting owners are not joining in petition Sec 56-5 (a) | N/A |
| 7. | Fee of \$500.00 has been paid Sec 56-4 (b) Appendix A (fee) | N/A |
| 8. | Release forms mailed by certified mail to all abutting property owners Sec 56-4 (b) | N/A |
| 9. | Release forms mailed by certified mail to all utility companies Sec 56-4 (b) | N/A |

10. If only a portion of the street is requested to be abandoned that has public access from either direction petitioner must provide the City Clerk with the names for both the portion that is to be closed and the portion that is to be opened to the next intersection Sec 56-4 (c) *N/A*

11. Notices and release forms have been mailed to the owners of the closed and open portions of said street Sec 56-4 (c) *N/A*
12. Petition was submitted to the Planning Commission for recommendation to the City Council at the next regular scheduled meeting Sect 56-4 (d) *N/A*
13. 30 days have lapsed from the date the request was filed Sec 56-4 (d) *N/A*
14. Planning and Zoning Commission formulated their response in less than 30 days *N/A*
15. Fee determined by city ordinance / market value Sec 56-4 (e) *N/A*
16. Market value appraisal made by bona fide appraiser selected by the city Sec 56-4 (d) *N/A*
17. Fee is paid to include market value, payment of appraisal, and payment to prepare Quitclaim deed Sec 56-4 (e) *N/A*
18. Quitclaim Deed delivered to new owners Sec 56-4 (e)

David J. Buttle
Applicant Signature
City of La Marque

02/09/2017
Date



CITY COUNCIL AGENDA FORM

Meeting Date: February 13, 2017
Prepared by: Les Rumburg
Department: Development Services

Agenda item: 9b
Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding adopting Ordinance No. **O-2017-006**, providing for the annexation of Painted Meadows Section 5 subdivision, consisting of 27.312 acres of land, and a section of Autry Road, as forwarded with favorable recommendation from Planning and Zoning Commission

☒ X

Attach for reference

1. Ordinance
2. Notarized Petition with Metes & Bounds Description of Entire Acreage
3. Metes & Bounds Description of TWH Acreage
4. Metes and Bounds Description of County ROW Acreage
5. Letter from Galveston County
6. Cutout Map
7. Location Map
8. Developer's Annexation Request Letters

STAFF BRIEFING:

- To continue development of the Painted Meadows Subdivision within La Marque city limits, necessitates annexation of 27+ acres within the City's extraterritorial jurisdiction (ETJ).
- Annexation will require the City to maintain Autry Road from the intersection of Avenue A, to the eastern end of the Painted Meadows Section 5 development.

HISTORY:

- City approved annexation of Section 4, Painted Meadows in 2015

TARGET IMPLEMENTATION: Annexation would occur upon City Council approval and in accordance with governing statutes.

SIGNIFICANT ACTION DATES:

ACTION:

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

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 adopt Ordinance No. **O-2017-006**, providing for the annexation of Painted Meadows Section 5 subdivision, consisting of 27.312 acres of land, and a section of Autry Road, as forwarded with favorable recommendation from Planning and Zoning Commission

FISCAL IMPACT: None

ORDINANCE NO. O-2017-006

AN ORDINANCE OF THE CITY OF LA MARQUE, TEXAS, ANNEXING APPROXIMATELY 27.312 ACRES OF LAND CONTIGUOUS AND ADJACENT TO THE CITY OF LA MARQUE, TEXAS; AND LOCATED IN THE CITY OF LA MARQUE'S EXTRATERRITORIAL JURISDICTION (ETJ) GALVESTON COUNTY, TEXAS; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of La Marque, Texas, is a home-rule municipality authorized by State Law and Charter to annex property which is adjacent and contiguous to the City Limits; and

WHEREAS, the property hereby annexed is adjacent and contiguous to the present City Limits; and

WHEREAS, on January 18, 2017, the City received a written request from Two Windy Hill Investments, LLC, the alleged sole landowner of the property for the City to annex said property, a copy of the request is attached as Exhibit "A"; and

WHEREAS, it has been determined that Two Windy Hill Investments, LLC actually owns only 24.756 acres of the 27.312 acres of land which are described by metes and bounds in Exhibit "B"; and

WHEREAS, it has been determined that Galveston County, Texas, owns the remaining 2.556 acres of land as described by metes and bounds in Exhibit "C"; and

WHEREAS, the City of La Marque, Texas, received a letter from Michael C. Shannon, County Engineer dated January 17, 2017, confirming that the Galveston County Commissioner's Court considered and approved the City's proposed plan to annex the 27.312 acre tract of land, a copy of which is attached hereto as Exhibit "D"; and

WHEREAS, the City Council, in compliance with §43.052(h)(2) of the *Tex. Loc. Gov't. Code* exempting the area from inclusion in a Municipal Annexation Plan, instituted the proceedings for annexation of the property; and

WHEREAS, Section 1.04(c) of the City Charter of the City of La Marque, Texas, authorizes the owner or owners of unoccupied lands without residents, contiguous and adjacent to the City may, by petition in writing to the City Council, request annexation of such contiguous and adjacent land; and

WHEREAS, the annexation request meets the application requirements of §43.028 of the *Tex. Loc. Gov't. Code*; and

WHEREAS, the City Council finds that the land being requested by the owners to be annexed is vacant and without residents and is contiguous and adjacent to the City.

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 the following described property as described (hereinafter referred to as the “Annexed Property”) is hereby annexed into the corporate limits of the City of La Marque:
An area comprising more or less of 27.312 acres, described by metes and bounds in Exhibit “E” attached hereto.

SECTION 3. That the future owners and inhabitants of the Annexed Property shall be entitled to all of the rights and privileges of the City, and are further bound by all acts, ordinances, and all other legal action now in full force and effect and all those which may be hereafter adopted.

SECTION 4. That the official map and boundaries of the City heretofore adopted and amended by and hereby are amended so as to include the Annexed Property as part of the City of La Marque.

SECTION 5. That the Annexed Property shall be given the land use designation of R-1 single-family residential as provided in the City Zoning Ordinance.

SECTION 6. That if any provision of this ordinance or the application of any provision to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

SECTION 7. That this ordinance shall take effect immediately from and after its passage in accordance with the provisions of the *Tex. Loc. Gov’t. Code*.

SECTION 8. That it is hereby officially found and determined that the meeting at which this ordinance is passed as open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, *Chp. 551, Tex. Gov’t. Code*.

PASSED AND APPROVED by City Council of the City of La Marque 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

EXHIBIT "A"

STATE OF TEXAS

COUNTY OF GALVESTON

PETITION REQUESTING ANNEXATION BY AREA LANDOWNERS

TO THE MAYOR AND CITY COUNCIL OF LA MARQUE, TEXAS:

The undersigned owners of the hereinafter described tract of land, which is vacant and without residents, or on which fewer than three (3) qualified voters reside, petition the City Council of the City of La Marque, Texas, to extend the present city limits so as to include as part of the City of La Marque, Texas, the following territory, to-wit:

LEGAL DESCRIPTION IS ATTACHED HERETO AS EXHIBIT "A"

We certify that the above described tract of land is contiguous and adjacent to the City of La Marque, Texas, is not more than one-half mile in width, and that this Petition is signed and duly acknowledged by each and every person having an interest in said land.

TWO WINDY HILL INVESTMENTS, LLC

By: *[Signature]*

ATTEST:

By: *[Signature]*

STATE OF TEXAS

COUNTY OF DALLAS

This instrument was acknowledged before me on the 18 day of January, 2017, by E. John Vustar as Manager, of TWO WINDY HILL INVESTMENTS, LLC, a Texas Corporation.

limited liability company



[Signature]
Notary Public, State of Texas

STATE OF TEXAS

COUNTY OF

signature of E. John Justina,
manager

This instrument was acknowledged before me on the 18TH day of January, 2017, by Philip Prentice as Attorney in Fact of TWO WINDY HILL INVESTMENTS, LLC, a Texas Corporation.



Kelly Cade

Notary Public, State of Texas

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METES & BOUNDS DESCRIPTION OF

A 27.312 acre (1,189,723 square feet) tract of land out of the Orchard Place First Addition to Hitchcock, being a portion of Lot 3 and Lot 4, as recorded in Volume 92 B, Page 462, Galveston County Deed Records in the James R. Pace Survey, Abstract 161, Galveston County, Texas. The herein described 27.312 acre tract is comprised of 10 tracts as listed below:

- 1) A called 1.639 acre tract conveyed to Lewis Vasquez and Debra Vasquez as recorded in Clerk's File No. 2000065957 of the Official Public Records of Real Property of Galveston County, Texas.
- 2) A called 2.00 acre tract conveyed to Cathy Nunn as recorded in Volume 650, Page 1428 of the Official Public Records of Real Property of Galveston County, Texas.
- 3) A called 2.149 acre tract conveyed to Calvin G Riley, Jr. and Diane E. Riley as recorded in Volume 804, Page 2222 of the Official Public Records of Real Property of Galveston County, Texas.
- 4) Tract 1, being a called 4.152 acre tract, Tract 2, being a called 9.618 acre tract, Tract 3, being a called 1.639 acre tract, Tract 4, being a called 1.016 acre tract, and Tract 5, a called 1.630 acre tract, all having been conveyed to ALPHA INVESCO CORPORATION as recorded in Clerk's File No. 2011006778 of the Official Public Records of Real Property of Galveston County, Texas.
- 5) The remainder of Tract "A", being a called 2.727 acre tract conveyed to LM Investments, LLC as recorded in Clerk's File No. 2013045213 of the Official Public Records of Real Property of Galveston County, Texas.
- 6) The remainder of a called 60 foot wide roadway easement as recorded in Clerk's File No. 8843301 of the Official Public Records of Real Property of Galveston County, Texas.

Said 27.312 acre tract being more fully described as follows, all bearings are based on the Texas Coordinate System, South Central Zone, NAD-83 (NA2011), epoch 2010.00:

BEGINNING: At a 5/8-inch iron & cap stamped COSTELLO found for the northwest corner of Painted Meadows Subdivision, Section 4 as recorded in Clerk's File No. 2015007591 of the Official Public Records of Real Property of Galveston County, Texas. Same being on the north line of said James R. Pace Survey, Abstract 161 and on the south line of the Alexander Farm Survey, Abstract 11:

THENCE: Over and across said 2.727 acre tract and along and with the west line of said Painted Meadows Subdivision, Section 4, S 02°01'11" E, a distance of 687.26 feet to a 5/8-inch iron rod and cap stamped COSTELLO found for corner;

Page 1 of 4

TBPE Firm Registration #470 | TBPLS Firm Registration #10028800

San Antonio | Austin | Houston | Fort Worth | Dallas

Transportation | Water Resources | Land Development | Surveying | Environmental

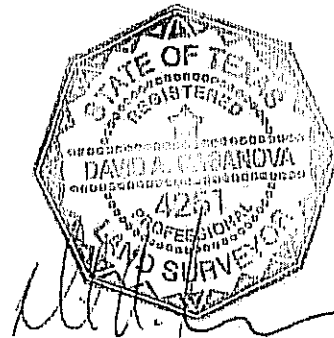
2000 NW Loop 410, San Antonio, TX 78213 T: 210.375.9000 www.Pape-Dawson.com

- THENCE: Continuing along and with said boundary of Painted Meadows Subdivision, Section 4 N 87°58'49" E, a distance of 17.67 feet to a point, from which a 5/8-inch iron rod and cap stamped COSTELLO found for corner bears S 02°04'36" E, a distance of 0.30 feet;
- THENCE: Continuing along and with said boundary of Painted Meadows Subdivision, Section 4 S 02°01'11" E, a distance of 60.00 feet to a 5/8-inch iron rod with a yellow cap stamped PAPE-DAWSON set for corner;
- THENCE: Departing said west boundary of Painted Meadows Subdivision, Section 4 and over and across said 60 foot wide road easement S 87°58'49" W, a distance of 38.74 feet to a 5/8-inch iron rod with a yellow cap stamped PAPE-DAWSON set for corner in the west line of same said 60 foot wide road easement, the same also being on the east line of said Tract 1, a called 4.152 acre tract;
- THENCE: Along and with the west line of said 60 foot wide road easement and the east line of said Tract 1 (called 4.152 acres), S 01°57'47" E, a distance of 130.36 feet to a 5/8-inch iron rod with a yellow cap stamped PAPE-DAWSON set for corner, the same being the southeast corner of above mentioned Tract 1;
- THENCE: Along and with the common line between said Tract 1 and a called 2.0 acre tract conveyed to Hilcorp Energy, LLP, as recorded in Clerk's File No. 2012052912 of the Official Public Records of Real Property of Galveston County, Texas, S 88°02'13" W, a distance of 265.15 feet to a 5/8-inch iron rod with a yellow cap stamped PAPE-DAWSON set for corner, the same being the southwest corner of said Tract 1 and the northwest corner of the above mentioned 2.0 acre tract;
- THENCE: Departing said common line, and along and with the common line said 2.0 acre tract and the above mentioned 2.00 acre tract as conveyed to Cathy Nunn and recorded in Volume 650, Page 14 of the Official Public Records of Real Property of Galveston County, Texas, S 01°57'47" E, a distance of 328.60 feet to a 5/8-inch iron rod and cap stamped KUXBIK found for corner, the same being the southwest corner of said 2.0 acre tract and the southeast corner of said 2.00 acre tract;
- THENCE: Departing said common line, and along and with the south line of said 2.0 acre tract and the north line of said Tract 5 (called 1.630 acres), N 88°02'13" E, a distance of 265.15 feet to a 5/8-inch iron rod with a yellow cap stamped PAPE-DAWSON set for corner on the west line of said 60 foot wide road easement;

- THENCE: Departing the south line of said 2.0 acre tract, and along and with the west line of said 60 foot wide road easement and the east line of the above mentioned Tract 5 (called 1.630 acres), S 01°57'47" E, a distance of 269.30 feet to a 1-inch iron pipe found for corner, the same being the southeast corner of the above mentioned Tract 5, and also being on the north right-of-way line of Autry Road called (60 feet wide);
- THENCE: Along and with said north right-of-way line of Autry Road and along and with the south lines of the above mentioned Tract 5 (called 1.630 acres), Tract 3 (called 1.639 acres), over and across said 60 foot wide road easement, and the south line of said 1.639 acre tract, S 88°03'58" W, a total distance of 855.43 feet to a 5/8-inch iron rod with a yellow cap stamped PAPE-DAWSON set for corner, the same being the southwest corner of the above mentioned 1.639 acre tract and the southeast corner of a tract of land conveyed to Arnold Richie and Ruth Richie as recorded in Clerk's File No. 9432026 of the Official Public Records of Real Property of Galveston County, Texas, same said iron rod also being on the common line between Lot 4 and Lot 5 of the above mentioned Orchard Place First Addition to Hitchcock;
- THENCE: Along and with said common line between Lot 5 and Lot 4, and the west line of said 1.639 acre tract, N 01°53'09" W, at a distance of 269.30 feet pass the northwest corner of said 1.639 acre tract, the same being the southwest corner of above mentioned Tract 2 (called 9.618 acres), in all a total distance of 1,474.53 feet to a 5/8-inch iron rod with a yellow cap stamped PAPE-DAWSON set for corner on the common survey line between the James R. Pace Survey, Abstract 161 and the Alexander Farms Survey, Abstract 11, the same being the northwest corner of said Tract 2;

THENCE: Along and with said common survey line, and with the north line of said Tract 2, and the south line of a called 217.73 acre tract conveyed to LAND TEJAS LAGO MAR, LLC as recorded in Clerk's File No. 2013067172 of the Official Public Records of Real Property of Galveston County, Texas, N 87°59'57" E, at a distance of 14.27 feet pass the apparent southwest corner of a called 375.95 acre tract conveyed to MREC LT LAGO MAR OPERATING, LLC as recorded in Clerk's File No. 2013067170 of the Official Public Records of Real Property of Galveston County, Texas, the same being the apparent southeast corner of the above mentioned 217.73 acre tract, a found 5/8-inch iron rod bears 2.22 feet left, and at a distance of 590.30 feet passing the northeast corner of said 9.618 acre tract, the same being the northwest corner of the above mentioned Tract 4 (called 1.016 acres), and a found 5/8-inch iron rod bears 0.43 feet to the right, continuing along said common survey line and the north line of said Tract 4, common to the above mentioned 375.95 acre tract, at a distance of 737.89 feet the northeast corner of said Tract 4, the same being the northwest corner of the remainder of the above mentioned Tract "A" (called 2.727 acres), continuing along and with said common lines and now the north line of said remainder of Tract "A", in all a total distance of 873.78 feet to the POINT OF BEGINNING and containing 27.312 acres.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: September 7, 2016
JOB NO. 49037-16
DOC. ID. K:\survey\survey 16\49037-16\WORD\METES & BOUNDS 27.312AC.docx
TBPE Firm Registration #470
TBPLS Firm Registration #10193974



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METES AND BOUNDS DESCRIPTION
FOR

"TRACT 1"

A 13.162 acre, or 573,319 square feet more or less, tract of land, out of the Orchard Place First Addition to Hitchcock, being a portion of Lots 3 and 4, as recorded in Volume 92, Page 462, of the Deed Records of Galveston County, Texas, situated in the James R. Pace Survey, Abstract 161, Galveston County, Texas. The herein described 13.162 acre tract of land is comprised of all of the following four (4) tracts of land conveyed to Two Windy Hill Investments, LLC, and described in the three (3) deeds listed below:

- 1) A called 1.639 acre tract of land conveyed to Two Windy Hill Investments, LLC, and described in a deed recorded in the Clerk's File No. 2016055799 of the Official Public Records of Galveston County, Texas.
- 2) A called 9.618 acre tract of land described as "Tract 2", and a called 1.016 acre tract of land described as "Tract 4", conveyed to Two Windy Hill Investments, LLC, in a deed recorded in Clerk's File No. 2016055730 of the Official Public Records of Galveston County, Texas.
- 3) A called 0.936 acre tract of land conveyed to Two Windy Hill Investments, LLC, and described in a deed recorded in Clerk's File No. 2016055710 of the Official Public Records of Galveston County, Texas.

Said 13.162 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 (NA2011) epoch 2010.00:

BEGINNING: At a found 5/8 inch iron rod with a cap stamped "Costello" at the northwest corner of Painted Meadows Section Four, as recorded in Clerk's File No. 2015007591 of the Official Public Records of Galveston County, Texas, and the northeast corner of said 0.936 acre tract, on the common survey line between said James R. Pace Survey and the Alexander Farmer Survey, Abstract 11;

THENCE: S 02°01'11" E, departing said common survey line, along and with the west line of said Painted Meadows Section Four and the east line of said 0.936 acre tract, a distance of 299.99 feet to a point on the north line of a Roadway Easement (ownership uncertain), called 60-feet wide, as described in Clerk's File No. 8843301, of the Official Public Records of Galveston County, Texas, at the southeast corner of said 0.936 acre tract, for an angle point of this tract;

THENCE: S 87°59'57" W, departing the west line of said Painted Meadows Section Four, and the east line of said 0.936 acre tract, along and with the common line between north line of said Roadway Easement, and the south line of said 0.936 acre tract, the south line of said 1.016 acre tract, and the south line of said 9.618 acre tract, a distance of 527.15 feet to a point of curvature,

- THENCE: Southwesterly, continuing along and with the north line of said Roadway Easement, the east line of said 9.618 acre tract, along a tangent curve to the left, having a radius of 85.00 feet, a central angle of $90^{\circ}00'00''$, a chord bearing and distance of $S 42^{\circ}59'57'' W$, 120.21 feet, for an arc length of 133.52 feet to a point of tangency,
- THENCE: $S 02^{\circ}00'03'' E$, continuing along and with the west line of said Roadway Easement, and the east line of said 9.618 acre "Tract 2", and the east line of said 1.639 acre tract, a distance of 1089.85 feet to a point for the southeast corner of said 1.639 acre tract, on the north right-of-way line of Autry Road (called 60-feet wide), for the southeast corner of this tract; from which a found 1 inch iron pipe on the north right-of-way line of said Autry Road at the southeast corner of another called 1.639 acre tract conveyed to Two Windy Hill Investments, LLC, and described as "Tract 5" in a deed recorded in Clerk's File No. 2016055730 of the Official Public Records of Galveston County, Texas, bears $S 88^{\circ}03'58'' W$, a distance of 590.75 feet;
- THENCE: $S 88^{\circ}03'58'' W$, departing the west line of said Roadway Easement, along and with the north right-of-way line of said Autry Road, and the south line of said 1.639 acre tract, a distance of 264.68 feet to a point for the southwest corner of said 1.639 acre tract, and the southeast corner of a tract of land conveyed to Arnold Richie and Ruth Richie as recorded in Galveston County Clerk's File No. 9432026, and being on the common line between Lot 4 and Lot 5 of said Orchard Place First Addition to Hitchcock, for the southwest corner of this tract;
- THENCE: $N 01^{\circ}53'09'' W$, along and with said common line of Lot 4 and Lot 5, the west line of said 1.639 acre tract, and the west line of 9.618 acre tract, a distance of 1474.53 feet to a point on the common survey line between said James R. Pace Survey, Abstract 161, and the Alexander Farmer Survey, Abstract 11, at the northwest corner of said 9.618 acre tract, for the northwest corner of this tract;
- THENCE: $N 87^{\circ}59'57'' E$, departing the common line between said Lot 4 and Lot 5, along and with said common survey line, the north line of said 9.618 acre tract, the north line of said 1.016 acre tract, and the north line of said 0.936 acre tract, a distance of 873.78 feet to the POINT OF BEGINNING, and containing 13.162 acres in Galveston County, Texas. Said tract being described in accordance with a survey made on the ground and a survey description and map prepared under job number 49037-16 by Pape-Dawson Engineers, Inc.

METES AND BOUNDS DESCRIPTION
FOR
"TRACT 2"

A 11.594 acre, or 505,052 square feet more or less, tract of land, out of the Orchard Place First Addition to Hitchcock, being a portion of Lots 3 and 4, as recorded in Volume 92, Page 462, of the Deed Records of Galveston County, Texas, situated in the James R. Pace Survey, Abstract 161, Galveston County, Texas. The herein described 11.594 acre tract of land is comprised of all of the following five (5) tracts of land conveyed to Two Windy Hill Investments, LLC, and described in the three (3) deeds listed below:

- 1) A called 1.639 acre tract of land described as "Tract 5", a called 1.639 acre tract of land described as "Tract 3", and a called 4.152 acre tract of land described as "Tract 1", all conveyed to Two Windy Hill Investments, LLC, and described in a deed recorded in Clerk's File No. 2016055730 of the Official Public Records of Galveston County, Texas.
- 2) A called 2.00 acre tract of land conveyed to Two Windy Hill Investments, LLC, and described in a deed recorded in Clerk's File No. 2016055743 of the Official Public Records of Galveston County, Texas.
- 3) A called 2.149 acre tract of land conveyed to Two Windy Hill Investments, LLC, and described in a deed recorded in Clerk's File No. 2016055706 of the Official Public Records of Galveston County, Texas.

Said 11.594 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 (NA2011) epoch 2010.00:

BEGINNING: At a found 1 inch iron pipe on the north right-of-way of Autry Road, called 60-feet wide, on the west line of a Roadway Easement (ownership uncertain), called 60-feet wide, as described in Clerk's File No. 8843301, of the Official Public Records of Galveston County, Texas, at the southeast corner of said 1.639 acre "Tract 5", for the southeast corner of this tract;

THENCE: S 88°03'58" W, departing the west line of said Roadway Easement, along and with the north right-of-way line of said Autry Road, the south line of said 1.639 acre "Tract 5", and the south line of said 1.639 acre "Tract 3", a distance of 530.75 feet to a point on the east line of said Roadway Easement;

THENCE: N 02°00'03" W, departing the north right-of-way line of said Autry Road, along and with the east line of Roadway Easement, the west line of said 1.639 acre "Tract 3", the west line of said 2.00 acre tract, the west line of said 4.152 acre tract, and the west line of said 2.149 acre tract, a distance of 1089.92 feet to a point of curvature;

THENCE: Northeasterly, along with the south line of said Roadway Easement, and the north line of said 2.149 acre tract, along a tangent curve to the right, having a radius of 25.00 feet, a central angle of 90°00'00", a chord bearing and distance of N 42°59'57" E, 35.36 feet, for an arc length of 39.27 feet to a point of tangency;

- THENCE: N 87°59'57" E, continuing along and with the south line of said Roadway Easement, the north line of said 2.149 acre tract, and the north line of said 4.152 acre "Tract 1" a distance of 506.48 feet to a point on the west line of said Roadway Easement, at the northeast corner of said 4.152 acre tract, for the northeast corner of this tract;
- THENCE: S 01°57'47" E, departing the north line of said 4.152 acre "Tract 1", along and with the west line of said Roadway Easement a distance of 517.63 feet to a point for the southeast corner of said 4.152 acre "Tract 1", and the northeast corner of a called 2.0 acre tract of land conveyed to Hilcorp Energy I, L.P. and described in a deed recorded in Clerk's File No. 2012052912 of the Official Public Records of Galveston County, Texas;
- THENCE: S 88°02'13" W, departing the west line of said Roadway Easement, along and with the north line of said 2.0 acre Hilcorp Energy I, L.P. tract, and the south line of said 4.152 acre "Tract 1", a distance of 265.15 feet to a point on the common line between said Lot 4, and Lot 3, at the northwest corner of said 2.0 acre Hilcorp Energy I, L.P. tract, and the northeast corner of said 2.00 acre tract, for an interior corner of this tract;
- THENCE: S 01°57'47" E, departing the north line of said 2.00 acre Hilcorp Energy I, L.P. tract, and the south line of said 4.152 acre "Tract 1", along and with the common line between said Lot 4 and Lot 3, also being the west line of said 2.0 acre Hilcorp Energy I, L.P. tract, and the east line of said 2.00 acre tract, a distance of 328.60 feet to a found 5/8 inch iron rod with a cap stamped "Kuxbik" at the southwest corner of said 2.0 acre Hilcorp Energy I, L.P. tract, the southeast corner of said 2.00 acre tract, the northwest corner of said 1.639 acre "Tract 5", and the northeast corner of said 1.639 acre "Tract 3", for an interior corner of this tract;
- THENCE: N 88°02'13" E, departing the common line between said Lot 4 and Lot 3, the west line of said 2.0 acre Hilcorp Energy I, L.P. tract, and the east line of said 2.00 acre tract, along and with the south line of said 2.0 acre Hilcorp Energy I, L.P. tract, and the north line of said 1.639 acre "Tract 5", a distance of 265.15 feet to a point on the west line of said Roadway Easement, at the southeast corner of said 2.0 acre Hilcorp Energy I, L.P. tract, and the northeast corner of said 1.639 acre "Tract 5", for an angle point of this tract;
- THENCE: S 01°57'47" E, along and with west line of said Roadway Easement, and the east line of said 1.639 acre "Tract 5", a distance of 269.30 feet to the POINT OF BEGINNING, and containing 11.594 acres in Galveston County, Texas. Said tract being described in accordance with a survey made on the ground and a survey description and map prepared under job number 49037-16 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: January 27, 2017
Job No.: 49037-16
DOC. ID: K:\survey\survey16\49037-16\WORD\FN49037-16 TWH 24.756 AC.docx

B. Dawson





METES AND BOUNDS DESCRIPTION
FOR

A 2.556 acre, or 111,352 square feet more or less, tract of land, being a portion of a Roadway Easement described in Clerk's File 8843301 of the Official Public Records of Galveston County, Texas, out of the Orchard Place First Addition to Hitchcock, partially within Lots 3 and 4, as recorded in Volume 92, Page 462, of the Deed Records of Galveston County, Texas, situated in the James R. Pace Survey, Abstract 161, Galveston County, Texas. Said 2.556 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 (NA2011) epoch 2010.00:

COMMENCING: At a found 1 inch iron pipe at the southeast corner of a called 1.639 acre tract conveyed to Two Windy Hill Investments, LLC, and described as "Tract 5" in a deed recorded in Clerk's File No. 2016055730 of the Official Public Records of Galveston County, Texas; from which a found 5/8 inch iron rod with a cap stamped "Costello" at the southwest corner of Reserve "A" of Painted Meadows Section Four, as recorded in Clerk's File No. 2015007591 of the Official Public Records of Galveston County, Texas, bears N 88°03'58" E, a distance of 59.64 feet;

THENCE: S 88°03'58" W, along and with the south line of said 1.639 acre "Tract 5", and the south line of another called 1.639 acre tract of land conveyed to Two Windy Hill Investments, LLC, and described as "Tract 3" in a deed recorded in Clerk's File No. 2016055730 of the Official Public Records of Galveston County, Texas, a distance of 530.75 feet to a point on the east line of said Roadway Easement, at the southwest corner of said 1.639 acre "Tract 3", at the southeast corner of this tract, for the POINT OF BEGINNING;

THENCE: S 88°03'58" W, continuing along and with the north line of said Autry Road, and the south line of said Roadway Easement, a distance of 60.00 feet to a point on the west line of said Roadway Easement, at the southeast corner of a called 1.639 acre tract of land conveyed to Two Windy Hill Investments, LLC, and described in a deed recorded in Clerk's File No. 2016055799 of the Official Public Records of Galveston County, Texas, for the southwest corner of this tract;

THENCE: N 02°00'03" W, departing the north line of said Autry Road, along and with the west line of said Roadway easement, the east line of said 1.639 acre tract, and the east line of a called 9.618 acre tract of land conveyed to Two Windy Hill Investments, LLC, and described as "Tract 2" in a deed recorded in Clerk's File No. 2016055730 of the Official Public Records of Galveston County, Texas, a distance of 1089.85 feet to a point of curvature;

- THENCE: Northeasterly, along and with the north line of said Roadway Easement, and the south line of said 9.618 acre tract, along a tangent curve to the right, having a radius of 85.00 feet, a central angle of 90°00'00", a chord bearing and distance of N 42°59'57" E, 120.21 feet, for an arc length of 133.52 feet to a point of tangency;
- THENCE: N 87°59'57" E, continuing along and with the north line of said Roadway Easement, the south line of said 9.618 acre tract, the south line of a called 1.016 acre tract conveyed to Two Windy Hill Investments, LLC, and described as "Tract 4" in a deed recorded in Clerk's File No. 2016055730 of the Official Public Records of Galveston County, and the south line of a called 0.936 acre tract conveyed to Two Windy Hill Investments, LLC, and described in a deed recorded in Clerk's File No. 2016055710 of the Official Public Records of Galveston County, distance of 527.15 feet to a point on the west line of said Painted Meadows Section Four, for the northeast corner of this tract;
- THENCE: Departing the north line of said Roadway easement, along and with the west line of said Painted Meadows Section Four, and the east line of the remaining portion of said Roadway Easement the following courses and distances:
- S 02°01'11" E a distance of 387.26 feet to a found 5/8 inch iron rod with a cap stamped "Costello" at the southwest corner of Block 5, Lot 1 of said Painted Meadows Section Four, for an angle point of this tract,
- N 87°58'49" E, a distance of 17.67 feet to a point, from which a found iron rod with unreadable cap bears S 02°04'36" E, a distance of 0.30 feet, for an angle point of this tract,
- S 02°01'11" E, a distance of 60.00 feet to a point for an angle point of this tract;
- THENCE: S 87°58'49" W, departing the west line of said Painted Meadows Section Four, over and across said Roadway Easement, a distance of 38.74 feet to a point on the west line of said Roadway Easement, and the east line of a called 4.152 acre tract of land conveyed to Two Windy Hill Investments, LLC, and described as "Tract 1" in a deed recorded in Clerk's File No. 2016055730 of the Official Public Records of Galveston County, Texas, for an angle point of this tract;
- THENCE: N 01°57'47" W, along and with the west line of said Roadway easement, and the east line of said 4.152 acre tract a distance of 387.27 feet to a point on the south line of said Roadway Easement, at the northeast corner of said 4.152 acre tract, for an angle point of this tract;

THENCE: S 87°59'57" W, along and with the south line of said Roadway Easement, the north line of said 4.152 acre tract, and the north line of a called 2.149 acre tract of land conveyed to Two Windy Hill Investments, LLC, and described in a deed recorded in Clerk's File No. 2016055706 of the Official Public Records of Galveston County, Texas, a distance of 506.48 feet to a point of curvature;

THENCE: Southwesterly, along and with the west line of said 2.149 acer tract, and the east line of said Roadway easement, along a tangent curve to the left, having a radius of 25.00 feet, a central angle of 90°00'00", a chord bearing and distance of S 42°59'57" W, 35.36 feet, for an arc length of 39.27 feet to a point of tangency;

THENCE: S 02°00'03" E, continuing along and with the east line of said Roadway Easement, the west line of said 2.149 acre tract, the west line of said 4.152 acre tract, the west line of a called 2.00 acre tract of land conveyed to Two Windy Hill Investments, LLC, and described in a deed recorded in Clerk's File No. 2016055743 of the Official Public Records of Galveston County, Texas, and the west line of said 1.639 acre "Tract 3", a distance of 1089.92 feet to the POINT OF BEGINNING, and containing 2.556 acres in Galveston County, Texas. Said tract being described in accordance with a survey made on the ground and a survey description and map prepared under job number 49037-16 by Pape-Dawson Engineers, Inc.

PREPARED BY:

DATE:

Job No.:

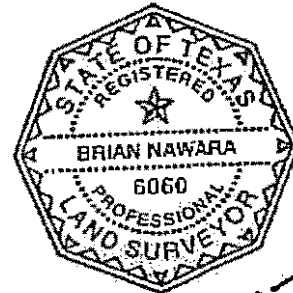
DOC. ID.

Pape-Dawson Engineers, Inc.

January 27, 2017

49037-16

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A handwritten signature in black ink, appearing to read "Brian Nawara", written over the bottom right portion of the surveyor's seal.

MICHAEL C. SHANNON, PE, CFM
COUNTY ENGINEER



NANCY M. BAHER, PE
ASSISTANT COUNTY ENGINEER

THE COUNTY OF GALVESTON
Office of the County Engineer
722 Moody, Galveston, TX 77550
(409) 770-5399 (409) 770-5549 (281) 316-8300

January 17, 2017

Carol Buttler, City Manager
City of La Marque
1111 Bayou Road
La Marque, Texas 77568

Re: Annexation of Painted Meadows, Section 5

Dear Ms. Buttler:

The Galveston County Commissioners' Court considered and approved the City's proposed plan to annex a 27.312 acre tract of land and a portion of Autry Drive as shown on the attached exhibit.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael C. Shannon", is written over a horizontal line.

Michael C. Shannon, PE, CFM
County Engineer

Cc: Amanda Edmondson, P.E., Pape-Dawson Engineers, Inc.



METES & BOUNDS DESCRIPTION OF

A 27.312 acre (1,189,723 square feet) tract of land out of the Orchard Place First Addition to Hitchcock, being a portion of Lot 3 and Lot 4, as recorded in Volume 92 B, Page 462, Galveston County Deed Records in the James R. Pace Survey, Abstract 161, Galveston County, Texas. The herein described 27.312 acre tract is comprised of 10 tracts as listed below:

- 1) A called 1.639 acre tract conveyed to Lewis Vasquez and Debra Vasquez as recorded in Clerk's File No. 2000065957 of the Official Public Records of Real Property of Galveston County, Texas.
- 2) A called 2.00 acre tract conveyed to Cathy Nunn as recorded in Volume 650, Page 1428 of the Official Public Records of Real Property of Galveston County, Texas.
- 3) A called 2.149 acre tract conveyed to Calvin G Riley, Jr. and Diane E. Riley as recorded in Volume 804, Page 2222 of the Official Public Records of Real Property of Galveston County, Texas.
- 4) Tract 1, being a called 4.152 acre tract, Tract 2, being a called 9.618 acre tract, Tract 3, being a called 1.639 acre tract, Tract 4, being a called 1.016 acre tract, and Tract 5, a called 1.630 acre tract, all having been conveyed to ALPHA INVESCO CORPORATION as recorded in Clerk's File No. 2011006778 of the Official Public Records of Real Property of Galveston County, Texas.
- 5) The remainder of Tract "A", being a called 2.727 acre tract conveyed to LM Investments, LLC as recorded in Clerk's File No. 2013045213 of the Official Public Records of Real Property of Galveston County, Texas.
- 6) The remainder of a called 60 foot wide roadway easement as recorded in Clerk's File No. 8843301 of the Official Public Records of Real Property of Galveston County, Texas.

Said 27.312 acre tract being more fully described as follows, all bearings are based on the Texas Coordinate System, South Central Zone, NAD-83 (NA2011), epoch 2010.00:

BEGINNING: At a 5/8-inch iron & cap stamped COSTELLO found for the northwest corner of Painted Meadows Subdivision, Section 4 as recorded in Clerk's File No. 2015007591 of the Official Public Records of Real Property of Galveston County, Texas. Same being on the north line of said James R. Pace Survey, Abstract 161 and on the south line of the Alexander Farm Survey, Abstract 11:

THENCE: Over and across said 2.727 acre tract and along and with the west line of said Painted Meadows Subdivision, Section 4, S 02°01'11" E, a distance of 687.26 feet to a 5/8-inch iron rod and cap stamped COSTELLO found for corner;

Page 1 of 4

TBPE Firm Registration #470 | TBPLS Firm Registration #10028800

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Transportation | Water Resources | Land Development | Surveying | Environmental

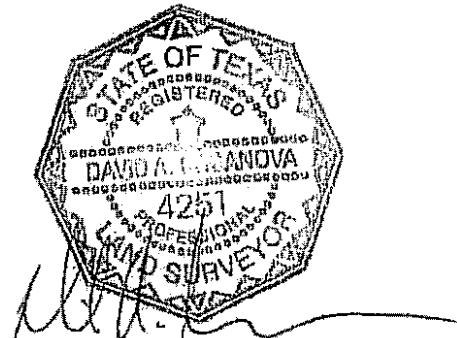
2000 NW Loop 410, San Antonio, TX 78213 T: 210.375.9000 www.Pape-Dawson.com

- THENCE: Continuing along and with said boundary of Painted Meadows Subdivision, Section 4 N 87°58'49" E, a distance of 17.67 feet to a point, from which a 5/8-inch iron rod and cap stamped COSTELLO found for corner bears S 02°04'36" E, a distance of 0.30 feet;
- THENCE: Continuing along and with said boundary of Painted Meadows Subdivision, Section 4 S 02°01'11" E, a distance of 60.00 feet to a 5/8-inch iron rod with a yellow cap stamped PAPE-DAWSON set for corner;
- THENCE: Departing said west boundary of Painted Meadows Subdivision, Section 4 and over and across said 60 foot wide road easement S 87°58'49" W, a distance of 38.74 feet to a 5/8-inch iron rod with a yellow cap stamped PAPE-DAWSON set for corner in the west line of same said 60 foot wide road easement, the same also being on the east line of said Tract 1, a called 4.152 acre tract;
- THENCE: Along and with the west line of said 60 foot wide road easement and the east line of said Tract 1 (called 4.152 acres), S 01°57'47" E, a distance of 130.36 feet to a 5/8-inch iron rod with a yellow cap stamped PAPE-DAWSON set for corner, the same being the southeast corner of above mentioned Tract 1;
- THENCE: Along and with the common line between said Tract 1 and a called 2.0 acre tract conveyed to Hilcorp Energy, LLP, as recorded in Clerk's File No. 2012052912 of the Official Public Records of Real Property of Galveston County, Texas, S 88°02'13" W, a distance of 265.15 feet to a 5/8-inch iron rod with a yellow cap stamped PAPE-DAWSON set for corner, the same being the southwest corner of said Tract 1 and the northwest corner of the above mentioned 2.0 acre tract;
- THENCE: Departing said common line, and along and with the common line said 2.0 acre tract and the above mentioned 2.00 acre tract as conveyed to Cathy Nunn and recorded in Volume 650, Page 14 of the Official Public Records of Real Property of Galveston County, Texas, S 01°57'47" E, a distance of 328.60 feet to a 5/8-inch iron rod and cap stamped KUXBIK found for corner, the same being the southwest corner of said 2.0 acre tract and the southeast corner of said 2.00 acre tract;
- THENCE: Departing said common line, and along and with the south line of said 2.0 acre tract and the north line of said Tract 5 (called 1.630 acres), N 88°02'13" E, a distance of 265.15 feet to a 5/8-inch iron rod with a yellow cap stamped PAPE-DAWSON set for corner on the west line of said 60 foot wide road easement;

- THENCE: Departing the south line of said 2.0 acre tract, and along and with the west line of said 60 foot wide road easement and the east line of the above mentioned Tract 5 (called 1.630 acres), S 01°57'47" E, a distance of 269.30 feet to a 1-inch iron pipe found for corner, the same being the southeast corner of the above mentioned Tract 5, and also being on the north right-of-way line of Autry Road called (60 feet wide);
- THENCE: Along and with said north right-of-way line of Autry Road and along and with the south lines of the above mentioned Tract 5 (called 1.630 acres), Tract 3 (called 1.639 acres), over and across said 60 foot wide road easement, and the south line of said 1.639 acre tract, S 88°03'58" W, a total distance of 855.43 feet to a 5/8-inch iron rod with a yellow cap stamped PAPE-DAWSON set for corner, the same being the southwest corner of the above mentioned 1.639 acre tract and the southeast corner of a tract of land conveyed to Arnold Richie and Ruth Richie as recorded in Clerk's File No. 9432026 of the Official Public Records of Real Property of Galveston County, Texas, same said iron rod also being on the common line between Lot 4 and Lot 5 of the above mentioned Orchard Place First Addition to Hitchcock;
- THENCE: Along and with said common line between Lot 5 and Lot 4, and the west line of said 1.639 acre tract, N 01°53'09" W, at a distance of 269.30 feet pass the northwest corner of said 1.639 acre tract, the same being the southwest corner of above mentioned Tract 2 (called 9.618 acres), in all a total distance of 1,474.53 feet to a 5/8-inch iron rod with a yellow cap stamped PAPE-DAWSON set for corner on the common survey line between the James R. Pace Survey, Abstract 161 and the Alexander Farms Survey, Abstract 11, the same being the northwest corner of said Tract 2;

THENCE: Along and with said common survey line, and with the north line of said Tract 2, and the south line of a called 217.73 acre tract conveyed to LAND TEJAS LAGO MAR, LLC as recorded in Clerk's File No. 2013067172 of the Official Public Records of Real Property of Galveston County, Texas, N 87°59'57" E, at a distance of 14.27 feet pass the apparent southwest corner of a called 375.95 acre tract conveyed to MREC LT LAGO MAR OPERATING, LLC as recorded in Clerk's File No. 2013067170 of the Official Public Records of Real Property of Galveston County, Texas, the same being the apparent southeast corner of the above mentioned 217.73 acre tract, a found 5/8-inch iron rod bears 2.22 feet left, and at a distance of 590.30 feet passing the northeast corner of said 9.618 acre tract, the same being the northwest corner of the above mentioned Tract 4 (called 1.016 acres), and a found 5/8-inch iron rod bears 0.43 feet to the right, continuing along said common survey line and the north line of said Tract 4, common to the above mentioned 375.95 acre tract, at a distance of 737.89 feet the northeast corner of said Tract 4, the same being the northwest corner of the remainder of the above mentioned Tract "A" (called 2.727 acres), continuing along and with said common lines and now the north line of said remainder of Tract "A", in all a total distance of 873.78 feet to the POINT OF BEGINNING and containing 27.312 acres.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: September 7, 2016
JOB NO. 49037-16
DOC. ID. K:\survey\survey16\49037-16\WORD\ METES & BOUNDS 27.312AC.docx
TBPE Firm Registration #470
TBPLS Firm Registration #10193974





METES AND BOUNDS DESCRIPTION
FOR
“TRACT 1”

A 13.162 acre, or 573,319 square feet more or less, tract of land, out of the Orchard Place First Addition to Hitchcock, being a portion of Lots 3 and 4, as recorded in Volume 92, Page 462, of the Deed Records of Galveston County, Texas, situated in the James R. Pace Survey, Abstract 161, Galveston County, Texas. The herein described 13.162 acre tract of land is comprised of all of the following four (4) tracts of land conveyed to Two Windy Hill Investments, LLC, and described in the three (3) deeds listed below:

- 1) A called 1.639 acre tract of land conveyed to Two Windy Hill Investments, LLC, and described in a deed recorded in the Clerk's File No. 2016055799 of the Official Public Records of Galveston County, Texas.
- 2) A called 9.618 acre tract of land described as “Tract 2”, and a called 1.016 acre tract of land described as “Tract 4”, conveyed to Two Windy Hill Investments, LLC, in a deed recorded in Clerk's File No. 2016055730 of the Official Public Records of Galveston County, Texas.
- 3) A called 0.936 acre tract of land conveyed to Two Windy Hill Investments, LLC, and described in a deed recorded in Clerk's File No. 2016055710 of the Official Public Records of Galveston County, Texas.

Said 13.162 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 (NA2011) epoch 2010.00:

BEGINNING: At a found 5/8 inch iron rod with a cap stamped “Costello” at the northwest corner of Painted Meadows Section Four, as recorded in Clerk's File No. 2015007591 of the Official Public Records of Galveston County, Texas, and the northeast corner of said 0.936 acre tract, on the common survey line between said James R. Pace Survey and the Alexander Farmer Survey, Abstract 11;

THENCE: S 02°01'11" E, departing said common survey line, along and with the west line of said Painted Meadows Section Four and the east line of said 0.936 acre tract, a distance of 299.99 feet to a point on the north line of a Roadway Easement (ownership uncertain), called 60-feet wide, as described in Clerk's File No. 8843301, of the Official Public Records of Galveston County, Texas, at the southeast corner of said 0.936 acre tract, for an angle point of this tract;

THENCE: S 87°59'57" W, departing the west line of said Painted Meadows Section Four, and the east line of said 0.936 acre tract, along and with the common line between north line of said Roadway Easement, and the south line of said 0.936 acre tract, the south line of said 1.016 acre tract, and the south line of said 9.618 acre tract, a distance of 527.15 feet to a point of curvature,

- THENCE: Southwesterly, continuing along and with the north line of said Roadway Easement, the east line of said 9.618 acre tract, along a tangent curve to the left, having a radius of 85.00 feet, a central angle of 90°00'00", a chord bearing and distance of S 42°59'57" W, 120.21 feet, for an arc length of 133.52 feet to a point of tangency,
- THENCE: S 02°00'03" E, continuing along and with the west line of said Roadway Easement, and the east line of said 9.618 acre "Tract 2", and the east line of said 1.639 acre tract, a distance of 1089.85 feet to a point for the southeast corner of said 1.639 acre tract, on the north right-of way line of Autry Road (called 60-feet wide), for the southeast corner of this tract; from which a found 1 inch iron pipe on the north right-of-way line of said Autry Road at the southeast corner of another called 1.639 acre tract conveyed to Two Windy Hill Investments, LLC, and described as "Tract 5" in a deed recorded in Clerk's File No. 2016055730 of the Official Public Records of Galveston County, Texas, bears S 88°03'58" W, a distance of 590.75 feet;
- THENCE: S 88°03'58" W, departing the west line of said Roadway Easement, along and with the north right-of-way line of said Autry Road, and the south line of said 1.639 acre tract, a distance of 264.68 feet to a point for the southwest corner of said 1.639 acre tract, and the southeast corner of a tract of land conveyed to Arnold Richie and Ruth Richie as recorded in Galveston County Clerk's File No. 9432026, and being on the common line between Lot 4 and Lot 5 of said Orchard Place First Addition to Hitchcock, for the southwest corner of this tract;
- THENCE: N 01°53'09" W, along and with said common line of Lot 4 and Lot 5, the west line of said 1.639 acre tract, and the west line of 9.618 acre tract, a distance of 1474.53 feet to a point on the common survey line between said James R. Pace Survey, Abstract 161, and the Alexander Farmer Survey, Abstract 11, at the northwest corner of said 9.618 acre tract, for the northwest corner of this tract;
- THENCE: N 87°59'57" E, departing the common line between said Lot 4 and Lot 5, along and with said common survey line, the north line of said 9.618 acre tract, the north line of said 1.016 acre tract, and the north line of said 0.936 acre tract, a distance of 873.78 feet to the POINT OF BEGINNING, and containing 13.162 acres in Galveston County, Texas. Said tract being described in accordance with a survey made on the ground and a survey description and map prepared under job number 49037-16 by Pape-Dawson Engineers, Inc.

METES AND BOUNDS DESCRIPTION
FOR
"TRACT 2"

A 11.594 acre, or 505,052 square feet more or less, tract of land, out of the Orchard Place First Addition to Hitchcock, being a portion of Lots 3 and 4, as recorded in Volume 92, Page 462, of the Deed Records of Galveston County, Texas, situated in the James R. Pace Survey, Abstract 161, Galveston County, Texas. The herein described 11.594 acre tract of land is comprised of all of the following five (5) tracts of land conveyed to Two Windy Hill Investments, LLC, and described in the three (3) deeds listed below:

- 1) A called 1.639 acre tract of land described as "Tract 5", a called 1.639 acre tract of land described as "Tract 3", and a called 4.152 acre tract of land described as "Tract 1", all conveyed to Two Windy Hill Investments, LLC, and described in a deed recorded in Clerk's File No. 2016055730 of the Official Public Records of Galveston County, Texas.
- 2) A called 2.00 acre tract of land conveyed to Two Windy Hill Investments, LLC, and described in a deed recorded in Clerk's File No. 2016055743 of the Official Public Records of Galveston County, Texas.
- 3) A called 2.149 acre tract of land conveyed to Two Windy Hill Investments, LLC, and described in a deed recorded in Clerk's File No. 2016055706 of the Official Public Records of Galveston County, Texas.

Said 11.594 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 (NA2011) epoch 2010.00:

BEGINNING: At a found 1 inch iron pipe on the north right-of-way of Autry Road, called 60-feet wide, on the west line of a Roadway Easement (ownership uncertain), called 60-feet wide, as described in Clerk's File No. 8843301, of the Official Public Records of Galveston County, Texas, at the southeast corner of said 1.639 acre "Tract 5", for the southeast corner of this tract;

THENCE: S 88°03'58" W, departing the west line of said Roadway Easement, along and with the north right-of way line of said Autry Road, the south line of said 1.639 acre "Tract 5", and the south line of said 1.639 acre "Tract 3", a distance of 530.75 feet to a point on the east line of said Roadway Easement;

THENCE: N 02°00'03" W, departing the north right-of-way line of said Autry Road, along and with the east line of Roadway Easement, the west line of said 1.639 acre "Tract 3", the west line of said 2.00 acre tract, the west line of said 4.152 acre tract, and the west line of said 2.149 acre tract, a distance of 1089.92 feet to a point of curvature;

THENCE: Northeasterly, along with the south line of said Roadway Easement, and the north line of said 2.149 acre tract, along a tangent curve to the right, having a radius of 25.00 feet, a central angle of 90°00'00", a chord bearing and distance of N 42°59'57" E, 35.36 feet, for an arc length of 39.27 feet to a point of tangency;

- THENCE: N 87°59'57" E, continuing along and with the south line of said Roadway Easement, the north line of said 2.149 acre tract, and the north line of said 4.152 acre "Tract 1" a distance of 506.48 feet to a point on the west line of said Roadway Easement, at the northeast corner of said 4.152 acre tract, for the northeast corner of this tract;
- THENCE: S 01°57'47" E, departing the north line of said 4.152 acre "Tract 1", along and with the west line of said Roadway Easement a distance of 517.63 feet to a point for the southeast corner of said 4.152 acre "Tract 1", and the northeast corner of a called 2.0 acre tract of land conveyed to Hilcorp Energy I, L.P. and described in a deed recorded in Clerk's File No. 2012052912 of the Official Public Records of Galveston County, Texas;
- THENCE: S 88°02'13" W, departing the west line of said Roadway Easement, along and with the north line of said 2.0 acre Hilcorp Energy I, L.P. tract, and the south line of said 4.152 acre "Tract 1", a distance of 265.15 feet to a point on the common line between said Lot 4, and Lot 3, at the northwest corner of said 2.0 acre Hilcorp Energy I, L.P. tract, and the northeast corner of said 2.00 acre tract, for an interior corner of this tract;
- THENCE: S 01°57'47" E, departing the north line of said 2.00 acre Hilcorp Energy I, L.P. tract, and the south line of said 4.152 acre "Tract 1", along and with the common line between said Lot 4 and Lot 3, also being the west line of said 2.0 acre Hilcorp Energy I, L.P. tract, and the east line of said 2.00 acre tract, a distance of 328.60 feet to a found 5/8 inch iron rod with a cap stamped "Kuxbik" at the southwest corner of said 2.0 acre Hilcorp Energy I, L.P. tract, the southeast corner of said 2.00 acre tract, the northwest corner of said 1.639 acre "Tract 5", and the northeast corner of said 1.639 acre "Tract 3", for an interior corner of this tract;
- THENCE: N 88°02'13" E, departing the common line between said Lot 4 and Lot 3, the west line of said 2.0 acre Hilcorp Energy I, L.P. tract, and the east line of said 2.00 acre tract, along and with the south line of said 2.0 acre Hilcorp Energy I, L.P. tract, and the north line of said 1.639 acre "Tract 5", a distance of 265.15 feet to a point on the west line of said Roadway Easement, at the southeast corner of said 2.0 acre Hilcorp Energy I, L.P. tract, and the northeast corner of said 1.639 acre "Tract 5", for an angle point of this tract;
- THENCE: S 01°57'47" E, along and with west line of said Roadway Easement, and the east line of said 1.639 acre "Tract 5", a distance of 269.30 feet to the POINT OF BEGINNING, and containing 11.594 acres in Galveston County, Texas. Said tract being described in accordance with a survey made on the ground and a survey description and map prepared under job number 49037-16 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: January 27, 2017
Job No.: 49037-16
DOC. ID: K:\survey\survey16\49037-16\WORD\FN49037-16 TWH 24.756 AC.docx

Brian Nawara





METES AND BOUNDS DESCRIPTION
FOR

A 2.556 acre, or 111,352 square feet more or less, tract of land, being a portion of a Roadway Easement described in Clerk's File 8843301 of the Official Public Records of Galveston County, Texas, out of the Orchard Place First Addition to Hitchcock, partially within Lots 3 and 4, as recorded in Volume 92, Page 462, of the Deed Records of Galveston County, Texas, situated in the James R. Pace Survey, Abstract 161, Galveston County, Texas. Said 2.556 acre tract being more fully described as follows, with bearings based on the Texas Coordinate System established for the South Central Zone from the North American Datum of 1983 (NA2011) epoch 2010.00:

COMMENCING: At a found 1inch iron pipe at the southeast corner of a called 1.639 acre tract conveyed to Two Windy Hill Investments, LLC, and described as "Tract 5" in a deed recorded in Clerk's File No. 2016055730 of the Official Public Records of Galveston County, Texas; from which a found 5/8 inch iron rod with a cap stamped "Costello" at the southwest corner of Reserve "A" of Painted Meadows Section Four, as recorded in Clerk's File No. 2015007591 of the Official Public Records of Galveston County, Texas, bears N 88°03'58" E, a distance of 59.64 feet;

THENCE: S 88°03'58" W, along and with the south line of said 1.639 acre "Tract 5", and the south line of another called 1.639 acre tract of land conveyed to Two Windy Hill Investments, LLC, and described as "Tract 3" in a deed recorded in Clerk's File No. 2016055730 of the Official Public Records of Galveston County, Texas, a distance of 530.75 feet to a point on the east line of said Roadway Easement, at the southwest corner of said 1.639 acre "Tract 3", at the southeast corner of this tract, for the POINT OF BEGINNING;

THENCE: S 88°03'58" W, continuing along and with the north line of said Autry Road, and the south line of said Roadway Easement, a distance of 60.00 feet to a point on the west line of said Roadway Easement, at the southeast corner of a called 1.639 acre tract of land conveyed to Two Windy Hill Investments, LLC, and described in a deed recorded in Clerk's File No. 2016055799 of the Official Public Records of Galveston County, Texas, for the southwest corner of this tract;

THENCE: N 02°00'03" W, departing the north line of said Autry Road, along and with the west line of said Roadway easement, the east line of said 1.639 acre tract, and the east line of a called 9.618 acre tract of land conveyed to Two Windy Hill Investments, LLC, and described as "Tract 2" in a deed recorded in Clerk's File No. 2016055730 of the Official Public Records of Galveston County, Texas, a distance of 1089.85 feet to a point of curvature;

- THENCE: Northeasterly, along and with the north line of said Roadway Easement, and the south line of said 9.618 acre tract, along a tangent curve to the right, having a radius of 85.00 feet, a central angle of 90°00'00", a chord bearing and distance of N 42°59'57" E, 120.21 feet, for an arc length of 133.52 feet to a point of tangency;
- THENCE: N 87°59'57" E, continuing along and with the north line of said Roadway Easement, the south line of said 9.618 acre tract, the south line of a called 1.016 acre tract conveyed to Two Windy Hill Investments, LLC, and described as "Tract 4" in a deed recorded in Clerk's File No. 2016055730 of the Official Public Records of Galveston County, and the south line of a called 0.936 acre tract conveyed to Two Windy Hill Investments, LLC, and described in a deed recorded in Clerk's File No. 2016055710 of the Official Public Records of Galveston County, distance of 527.15 feet to a point on the west line of said Painted Meadows Section Four, for the northeast corner of this tract;
- THENCE: Departing the north line of said Roadway easement, along and with the west line of said Painted Meadows Section Four, and the east line of the remaining portion of said Roadway Easement the following courses and distances:
- S 02°01'11" E a distance of 387.26 feet to a found 5/8 inch iron rod with a cap stamped "Costello" at the southwest corner of Block 5, Lot 1 of said Painted Meadows Section Four, for an angle point of this tract,
- N 87°58'49" E, a distance of 17.67 feet to a point, from which a found iron rod with unreadable cap bears S 02°04'36" E, a distance of 0.30 feet, for an angle point of this tract,
- S 02°01'11" E, a distance of 60.00 feet to a point for an angle point of this tract;
- THENCE: S 87°58'49" W, departing the west line of said Painted Meadows Section Four, over and across said Roadway Easement, a distance of 38.74 feet to a point on the west line of said Roadway Easement, and the east line of a called 4.152 acre tract of land conveyed to Two Windy Hill Investments, LLC, and described as "Tract 1" in a deed recorded in Clerk's File No. 2016055730 of the Official Public Records of Galveston County, Texas, for an angle point of this tract;
- THENCE: N 01°57'47" W, along and with the west line of said Roadway easement, and the east line of said 4.152 acre tract a distance of 387.27 feet to a point on the south line of said Roadway Easement, at the northeast corner of said 4.152 acre tract, for an angle point of this tract;

- THENCE: S 87°59'57" W, along and with the south line of said Roadway Easement, the north line of said 4.152 acre tract, and the north line of a called 2.149 acre tract of land conveyed to Two Windy Hill Investments, LLC, and described in a deed recorded in Clerk's File No. 2016055706 of the Official Public Records of Galveston County, Texas, a distance of 506.48 feet to a point of curvature;
- THENCE: Southwesterly, along and with the west line of said 2.149 acer tract, and the east line of said Roadway easement, along a tangent curve to the left, having a radius of 25.00 feet, a central angle of 90°00'00", a chord bearing and distance of S 42°59'57" W, 35.36 feet, for an arc length of 39.27 feet to a point of tangency;
- THENCE: S 02°00'03" E, continuing along and with the east line of said Roadway Easement, the west line of said 2.149 acre tract, the west line of said 4.152 acre tract, the west line of a called 2.00 acre tract of land conveyed to Two Windy Hill Investments, LLC, and described in a deed recorded in Clerk's File No. 2016055743 of the Official Public Records of Galveston County, Texas, and the west line of said 1.639 acre "Tract 3", a distance of 1089.92 feet to the POINT OF BEGINNING, and containing 2.556 acres in Galveston County, Texas. Said tract being described in accordance with a survey made on the ground and a survey description and map prepared under job number 49037-16 by Pape-Dawson Engineers, Inc.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: January 27, 2017
Job No.: 49037-16
DOC. ID: K:\survey\survey16\49037-16\WORD\FN49037-16 ROW 2.556AC.docx



A handwritten signature in blue ink, appearing to read "Brian Nawara", written over the bottom right portion of the professional seal.

MICHAEL C. SHANNON, PE, CFM
COUNTY ENGINEER



NANCY M. BAHER, PE
ASSISTANT COUNTY ENGINEER

THE COUNTY OF GALVESTON
Office of the County Engineer
722 Moody Galveston, TX 77550
(409) 770-5399 (409) 770-5549 (281) 316 8300

January 17, 2017

Carol Buttler, City Manager
City of La Marque
1111 Bayou Road
La Marque, Texas 77568

Re: Annexation of Painted Meadows, Section 5

Dear Ms. Buttler:

The Galveston County Commissioners' Court considered and approved the City's proposed plan to annex a 27.312 acre tract of land and a portion of Autry Drive as shown on the attached exhibit.

Sincerely,

A handwritten signature in blue ink, appearing to read "MCS", is written over a faint, larger signature.

Michael C. Shannon, PE, CFM
County Engineer

Cc: Amanda Edmondson, P.E., Pape-Dawson Engineers, Inc.



METES & BOUNDS DESCRIPTION
OF

A 27.312 acre (1,189,723 square feet) tract of land out of the Orchard Place First Addition to Hitchcock, being a portion of Lot 3 and Lot 4, as recorded in Volume 92 B, Page 462, Galveston County Deed Records in the James R. Pace Survey, Abstract 161, Galveston County, Texas. The herein described 27.312 acre tract is comprised of 10 tracts as listed below:

- 1) A called 1.639 acre tract conveyed to Lewis Vasquez and Debra Vasquez as recorded in Clerk's File No. 2000065957 of the Official Public Records of Real Property of Galveston County, Texas.
- 2) A called 2.00 acre tract conveyed to Cathy Nunn as recorded in Volume 650, Page 1428 of the Official Public Records of Real Property of Galveston County, Texas.
- 3) A called 2.149 acre tract conveyed to Calvin G Riley, Jr. and Diane E. Riley as recorded in Volume 804, Page 2222 of the Official Public Records of Real Property of Galveston County, Texas.
- 4) Tract 1, being a called 4.152 acre tract, Tract 2, being a called 9.618 acre tract, Tract 3, being a called 1.639 acre tract, Tract 4, being a called 1.016 acre tract, and Tract 5, a called 1.630 acre tract, all having been conveyed to ALPHA INVESCO CORPORATION as recorded in Clerk's File No. 2011006778 of the Official Public Records of Real Property of Galveston County, Texas.
- 5) The remainder of Tract "A", being a called 2.727 acre tract conveyed to LM Investments, LLC as recorded in Clerk's File No. 2013045213 of the Official Public Records of Real Property of Galveston County, Texas.
- 6) The remainder of a called 60 foot wide roadway easement as recorded in Clerk's File No. 8843301 of the Official Public Records of Real Property of Galveston County, Texas.

Said 27.312 acre tract being more fully described as follows, all bearings are based on the Texas Coordinate System, South Central Zone, NAD-83 (NA2011), epoch 2010.00:

BEGINNING: At a 5/8-inch iron & cap stamped COSTELLO found for the northwest corner of Painted Meadows Subdivision, Section 4 as recorded in Clerk's File No. 2015007591 of the Official Public Records of Real Property of Galveston County, Texas. Same being on the north line of said James R. Pace Survey, Abstract 161 and on the south line of the Alexander Farm Survey, Abstract 11:

THENCE: Over and across said 2.727 acre tract and along and with the west line of said Painted Meadows Subdivision, Section 4, S 02°01'11" E, a distance of 687.26 feet to a 5/8-inch iron rod and cap stamped COSTELLO found for corner;

- THENCE: Continuing along and with said boundary of Painted Meadows Subdivision, Section 4 N 87°58'49" E, a distance of 17.67 feet to a point, from which a 5/8-inch iron rod and cap stamped COSTELLO found for corner bears S 02°04'36" E, a distance of 0.30 feet;
- THENCE: Continuing along and with said boundary of Painted Meadows Subdivision, Section 4 S 02°01'11" E, a distance of 60.00 feet to a 5/8-inch iron rod with a yellow cap stamped PAPE-DAWSON set for corner;
- THENCE: Departing said west boundary of Painted Meadows Subdivision, Section 4 and over and across said 60 foot wide road easement S 87°58'49" W, a distance of 38.74 feet to a 5/8-inch iron rod with a yellow cap stamped PAPE-DAWSON set for corner in the west line of same said 60 foot wide road easement, the same also being on the east line of said Tract 1, a called 4.152 acre tract;
- THENCE: Along and with the west line of said 60 foot wide road easement and the east line of said Tract 1 (called 4.152 acres), S 01°57'47" E, a distance of 130.36 feet to a 5/8-inch iron rod with a yellow cap stamped PAPE-DAWSON set for corner, the same being the southeast corner of above mentioned Tract 1;
- THENCE: Along and with the common line between said Tract 1 and a called 2.0 acre tract conveyed to Hilcorp Energy, LLP, as recorded in Clerk's File No. 2012052912 of the Official Public Records of Real Property of Galveston County, Texas, S 88°02'13" W, a distance of 265.15 feet to a 5/8-inch iron rod with a yellow cap stamped PAPE-DAWSON set for corner, the same being the southwest corner of said Tract 1 and the northwest corner of the above mentioned 2.0 acre tract;
- THENCE: Departing said common line, and along and with the common line said 2.0 acre tract and the above mentioned 2.00 acre tract as conveyed to Cathy Nunn and recorded in Volume 650, Page 14 of the Official Public Records of Real Property of Galveston County, Texas, S 01°57'47" E, a distance of 328.60 feet to a 5/8-inch iron rod and cap stamped KUXBIK found for corner, the same being the southwest corner of said 2.0 acre tract and the southeast corner of said 2.00 acre tract;
- THENCE: Departing said common line, and along and with the south line of said 2.0 acre tract and the north line of said Tract 5 (called 1.630 acres), N 88°02'13" E, a distance of 265.15 feet to a 5/8-inch iron rod with a yellow cap stamped PAPE-DAWSON set for corner on the west line of said 60 foot wide road easement;

- THENCE: Departing the south line of said 2.0 acre tract, and along and with the west line of said 60 foot wide road easement and the east line of the above mentioned Tract 5 (called 1.630 acres), S 01°57'47" E, a distance of 269.30 feet to a 1-inch iron pipe found for corner, the same being the southeast corner of the above mentioned Tract 5, and also being on the north right-of-way line of Autry Road called (60 feet wide);
- THENCE: Along and with said north right-of-way line of Autry Road and along and with the south lines of the above mentioned Tract 5 (called 1.630 acres), Tract 3 (called 1.639 acres), over and across said 60 foot wide road easement, and the south line of said 1.639 acre tract, S 88°03'58" W, a total distance of 855.43 feet to a 5/8-inch iron rod with a yellow cap stamped PAPE-DAWSON set for corner, the same being the southwest corner of the above mentioned 1.639 acre tract and the southeast corner of a tract of land conveyed to Arnold Richie and Ruth Richie as recorded in Clerk's File No. 9432026 of the Official Public Records of Real Property of Galveston County, Texas, same said iron rod also being on the common line between Lot 4 and Lot 5 of the above mentioned Orchard Place First Addition to Hitchcock;
- THENCE: Along and with said common line between Lot 5 and Lot 4, and the west line of said 1.639 acre tract, N 01°53'09" W, at a distance of 269.30 feet pass the northwest corner of said 1.639 acre tract, the same being the southwest corner of above mentioned Tract 2 (called 9.618 acres), in all a total distance of 1,474.53 feet to a 5/8-inch iron rod with a yellow cap stamped PAPE-DAWSON set for corner on the common survey line between the James R. Pace Survey, Abstract 161 and the Alexander Farms Survey, Abstract 11, the same being the northwest corner of said Tract 2;

THENCE: Along and with said common survey line, and with the north line of said Tract 2, and the south line of a called 217.73 acre tract conveyed to LAND TEJAS LAGO MAR, LLC as recorded in Clerk's File No. 2013067172 of the Official Public Records of Real Property of Galveston County, Texas, N 87°59'57" E, at a distance of 14.27 feet pass the apparent southwest corner of a called 375.95 acre tract conveyed to MREC LT LAGO MAR OPERATING, LLC as recorded in Clerk's File No. 2013067170 of the Official Public Records of Real Property of Galveston County, Texas, the same being the apparent southeast corner of the above mentioned 217.73 acre tract, a found 5/8-inch iron rod bears 2.22 feet left, and at a distance of 590.30 feet passing the northeast corner of said 9.618 acre tract, the same being the northwest corner of the above mentioned Tract 4 (called 1.016 acres), and a found 5/8-inch iron rod bears 0.43 feet to the right, continuing along said common survey line and the north line of said Tract 4, common to the above mentioned 375.95 acre tract, at a distance of 737.89 feet the northeast corner of said Tract 4, the same being the northwest corner of the remainder of the above mentioned Tract "A" (called 2.727 acres), continuing along and with said common lines and now the north line of said remainder of Tract "A", in all a total distance of 873.78 feet to the POINT OF BEGINNING and containing 27.312 acres.

PREPARED BY: Pape-Dawson Engineers, Inc.
DATE: September 7, 2016
JOB NO. 49037-16
DOC. ID. K:\survey\survey16\49037-16\WORD\METES & BOUNDS 27.312AC.docx
TBPE Firm Registration #470
TBPLS Firm Registration #10193974



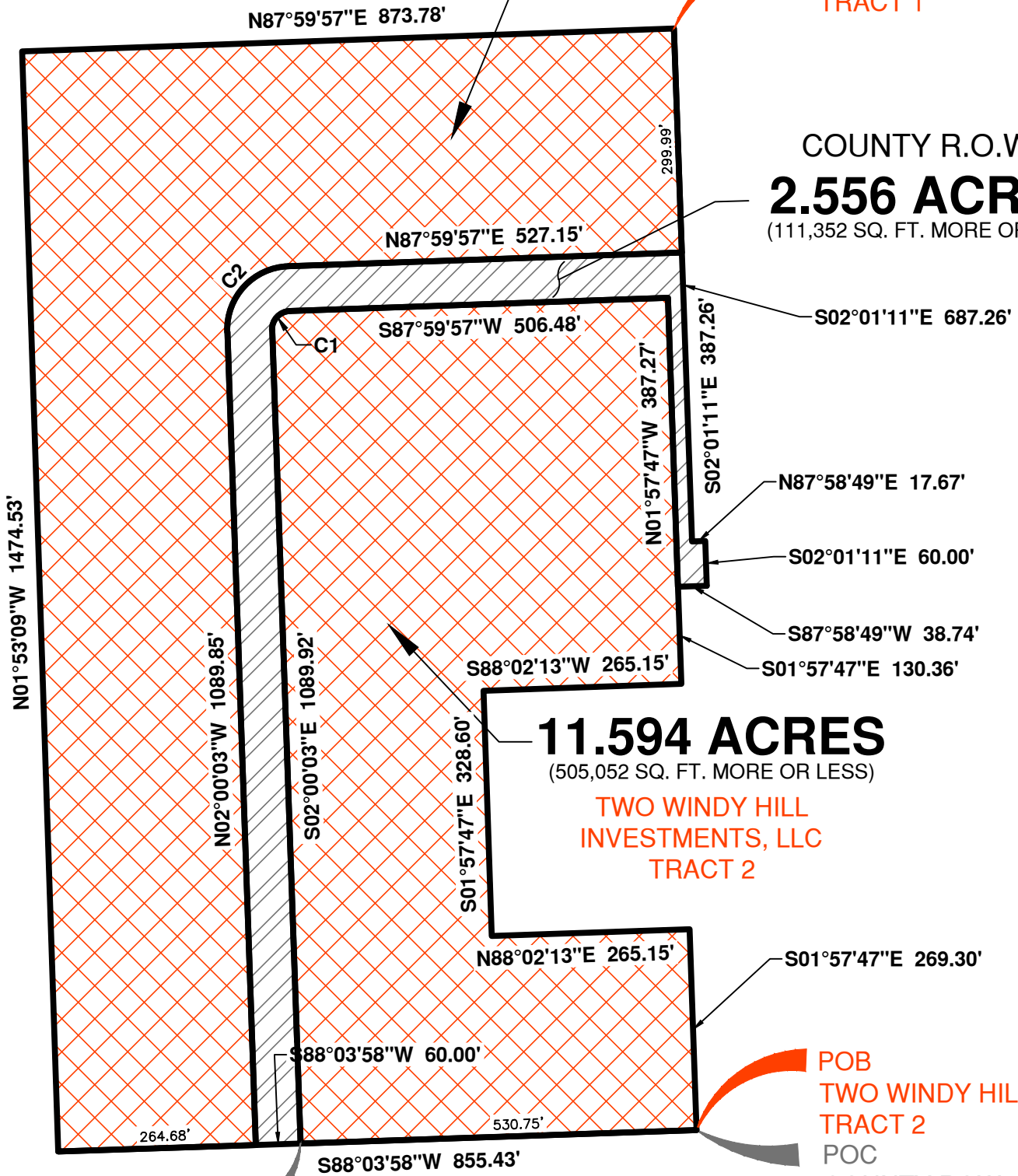
TWO WINDY HILL
INVESTMENTS, LLC
TRACT 1

13.162 ACRES
(573,319 SQ. FT. MORE OR LESS)

27.312 ACRES
(1,189,723 SQ. FT. MORE OR LESS)
OVERALL ACREAGE

POB
TWO WINDY HILL
TRACT 1

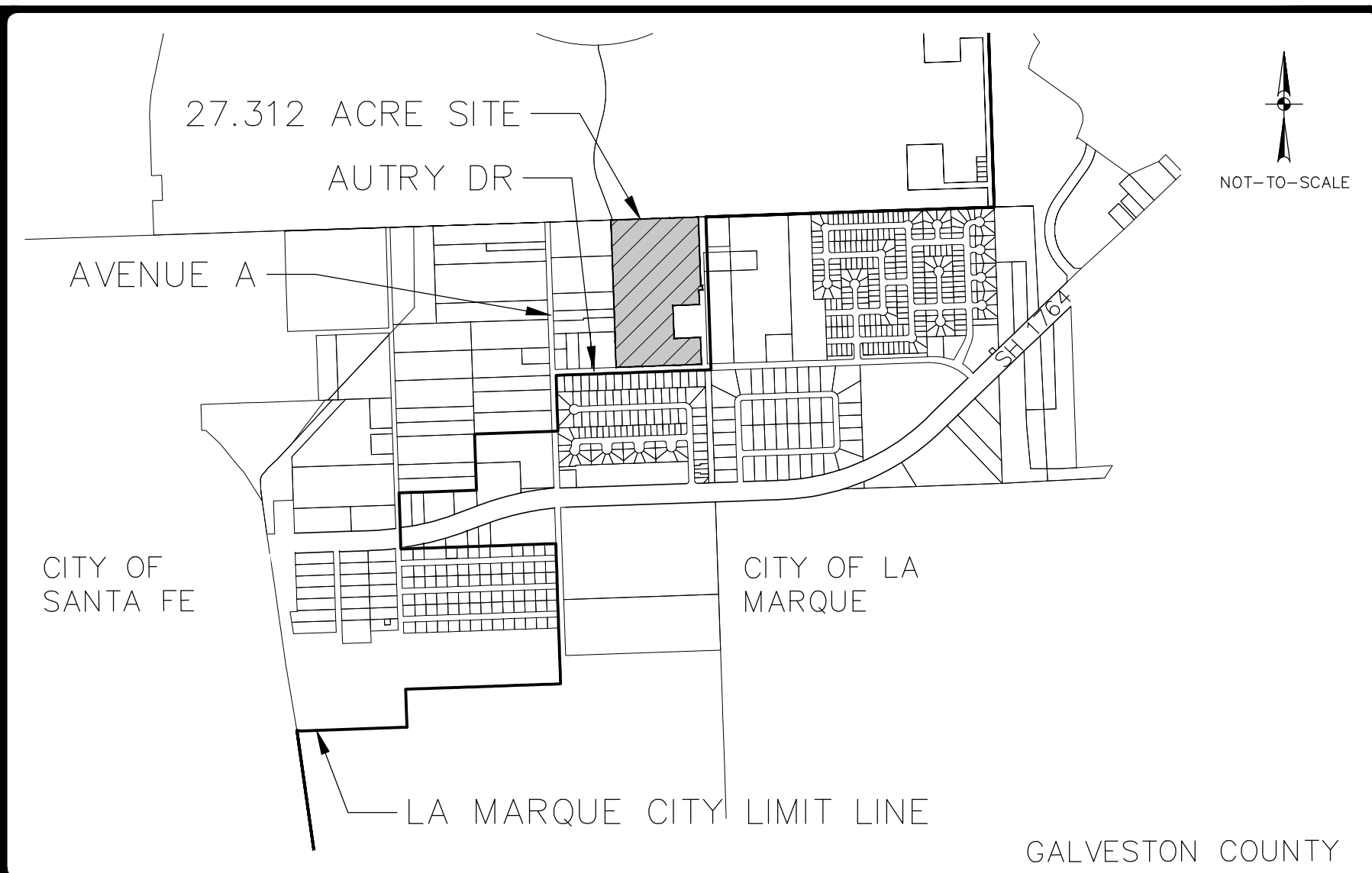
COUNTY R.O.W.
2.556 ACRES
(111,352 SQ. FT. MORE OR LESS)



POB
COUNTY ROW

POB
TWO WINDY HILL
TRACT 2
POC
COUNTY ROW

Date: Sep 06, 2016, 10:30am User ID: KJenschie
File: K:\Projects\40360\10\1-0 Correspondence\1-1 Agency\City of La Marque\60906 Annexation Map.dwg



JOB NO. 40360-10
DATE SEP 2016
DESIGNER KJJ
CHECKED DRAWN KJJ
SHEET 1 of 1

PAINTED MEADOWS SEC 5

LA MARQUE TEXAS

ANNEXATION MAP

PAPE-DAWSON
ENGINEERS

HOUSTON | SAN ANTONIO | AUSTIN | FORT WORTH | DALLAS
10333 RICHMOND AVE, STE 900 | HOUSTON, TX 77042 | 713.428.2400
TBPE FIRM REGISTRATION #470 | TBPLS FIRM REGISTRATION #10193974

January 23, 2017

City of La Marque Planning and Zoning Department
c/o Ms. Carol Buttler
1111 Bayou Road
La Marque, TX 77568

Re: Two Windy Hill Investments, LLC
Annexation of 27.312 acres ("Painted Meadows Sec. 5")

Dear Ms Buttler:

On September 27, 2016, Two Windy Hill Investments, LLC requested the annexation of 27.312 acres of land (Painted Meadows Sec. 5) into the City of La Marque. As shown on the attached boundary survey and metes and bounds descriptions, Two Windy Hill Investments, LLC owns 24.756 acres of the 27.312 acres of land. The remaining 2.556 acres is identified on the attached survey as a 60 foot wide Roadway Easement.

On January 18, 2017, the Office of the County Engineer for Galveston County provided the attached letter granting their approval of the City of La Marque's annexation of the total 27.312 acres of land.

I trust this information provides clarification on the acreage that Two Windy Hill Investments, LLC has respectfully requested that the City of La Marque annex. Should you have any questions about this request or require additional information, please contact Amanda Edmondson at Pape-Dawson Engineers via telephone at (713) 428-2400 or by e-mail at aedmondson@pape-dawson.com.

Sincerely,
Two Windy Hill Investments, LLC


E. John Justema
Manager

cc: Mr. Randy Hall – Two Windy Hill Investments, LLC
Mr. Alex Getty – La Marque Economic Development Corporation

TWO WINDY HILL INVESTMENTS LLC

8235 DOUGLAS AVE., SUITE 550
DALLAS, TEXAS 75225

TELEPHONE (214) 739-4150
FACSIMILE (214) 739-4160
cjustema@justema.com

September 27, 2016

City of La Marque Planning and Zoning Department
c/o Mr. Les Rumburg
1111 Bayou Road
La Marque, TX 77568

Re: Two Windy Hill Investments, LLC
Annexation of 27.312 acres ("Painted Meadows Sec. 5")

Dear Mr. Rumburg:

Two Windy Hill Investments, LLC currently owns a 27.312 acre tract of land (Painted Meadows Sec. 5) located within the extraterritorial jurisdiction (ETJ) of the City of La Marque and Galveston County, Texas. The City has already approved a preliminary plat of this Property. Painted Meadows Sec. 5 is described by the boundary survey attached. Also attached is an exhibit to illustrate the general location of the tract. Two Windy Hill Investments, LLC respectfully requests that the City of La Marque annex the Painted Meadows Sec. 5 tract into the City of La Marque.

Two Windy Hill Investments, LLC also respectfully requests that the City of La Marque outline the remaining procedure and sequence required for the annexation.

Should you have any questions about this request or require additional information, please contact Amanda Edmondson at Pape-Dawson Engineers via telephone at (713) 428-2400 or by e-mail at aedmondson@pape-dawson.com.

Sincerely,
Two Windy Hill Investments, LLC


R. John Justema
Manager

cc: Mr. Randy Hall
Mr. Alex Getty -- La Marque Economic Development Corporation



CITY COUNCIL AGENDA FORM

Meeting Date: February 13, 2017
Prepared by: Sussie Sutton
Department: Development Services

Agenda item: 9c
Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding the approval of the Final Plat of Painted Meadows Section 5, a subdivision of 27.317 acres located in the J.R. Pace Survey, Abstract – 161 Galveston County, Texas, City of La Marque, Galveston County, Texas, and a variance to Code Section 41-107(e), for the dimensions of the lots to be reduced from 60'X120' to 50'X110' in size as recommended by the Planning and Zoning Commission.

☒ X

Attachments for reference

1. Final Plat
2. Planning and Zoning Minutes for January 10, 2017
3. Letter of Recommendation
4. Property Owner Public Notice

STAFF BRIEFING:

- The Planning and Zoning Commission discussed at the regular meeting of January 10, 2017.
- The Commission voted to forward the item to City Council with a favorable recommendation for the subdivision and the variance to Code Section 41-107(e), to change the lot sizes from 60'X120' to 50'X110'.
- Contingent upon approval of annexation, property will be zoned S-1, Single Family Residential.

HISTORY

- **December 28, 2016:** Property Owner Public Notice mailed to residents within a 200 ft. radius.
- **January 10, 2017:** Planning and Zoning Commission held a regular meeting and recommended approval to City Council for the Final Plat of Painted Meadows Section 5, and a variance to Code Section 41-107(e), to change the lot sizes from 60'X120' to 50'X110'.

TARGET IMPLEMENTATION: February 14, 2017

SIGNIFICANT ACTION DATES:

- **December 28, 2016:** Property Owner Public Notice mailed to residents within a 200 ft. radius.



CITY COUNCIL AGENDA FORM

ACTION:

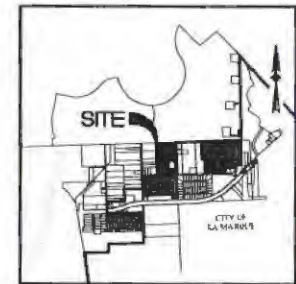
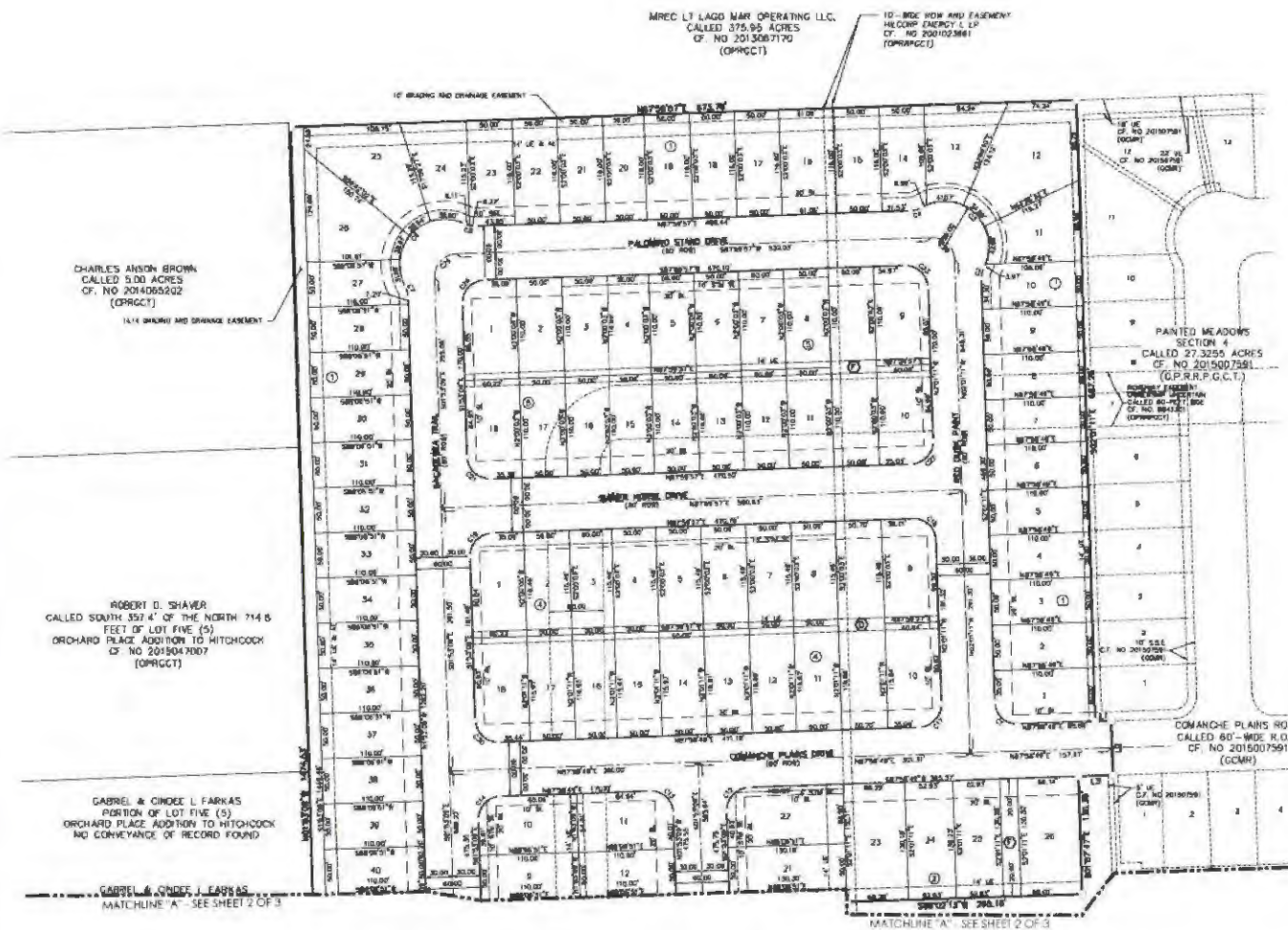
- | | |
|--|---|
| ☐ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☒ Other- Approval of Final Plat | |
| ☒ Mark if this item does not conflict with any Resolution, Ordinance or City Charter | |

Cost Details:

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

STAFF'S RECOMMENDATION: Motion to approve the Final Plat of Painted Meadows Section 5, a subdivision of 27.317 acres located in the J.R. Pace Survey, Abstract – 161 Galveston County, Texas, City of La Marque, Galveston County, Texas, and a variance to Code Section 41-107(e), for the dimensions of the lots to be reduced from 60'X120' to 50'X110' in size, as recommended by the Planning and Zoning Commission.

FISCAL IMPACT: None



- ### LEGEND
- | | |
|-----|------------------------------|
| | NET 3/8" WOOD ROD |
| | PAVE DASHED CAP |
| | RIGHT-OF-WAY CORNER MARKINGS |
| AC | ACRE |
| AL | ALTRAL EASEMENT |
| SE | SEMIARY SEWER EASEMENT |
| STW | STORM SEWER EASEMENT |
| W | WATER LINE EASEMENT |
| DC | DRAINAGE EASEMENT |
| U | UTILITY EASEMENT |
| CE | ELECTRICAL EASEMENT |
| B | BUILDING LINE |
| R | RADIUS |
| ORW | RIGHT-OF-WAY |
| SE | SEMIARE FEET |
| W | WILSON COUNTY PUBLIC RECORDS |
| OFF | OFFICIAL PUBLIC RECORDS OF |
| | REAL PROPERTY GAVESON COUNTY |

PAINTED MEADOWS
SEC 5

134 LOTS 6 RESERVES 5 BLOCKS

OCTOBER 2016

TWO WINDY HILL INVESTMENTS LLC, A TENNESSEE LIMITED LIABILITY COMPANY

[JOHN JUSTICE
 SADDLER
 8356 DOUGLAS BLVD 550
 DALLAS, TX 75229
 214-738-8130

SURVEYOR:
BRIAN KARRARA, R.P.L.S.

**PAPE-DAM
ENGINEER**



**PAPE-DAWSON
ENGINEERS**

8001 HIGHWAY 44E, STE 800 | HOUSTON, TX 77041 | 713.428.2081
 FAX: 713.428.2082 | 713.428.2083 | 713.428.2084 | 713.428.2085



1111 Bayou
La Marque, Texas 77568
409.938.9202

**CITY OF LA MARQUE
PLANNING AND ZONING COMMISSION
PUBLIC HEARING / REGULAR MEETING MINUTES
OF
JANUARY 10, 2017**

(1) CALL TO ORDER

Commissioner Greg Cornett called the Planning & Zoning Commission meeting to order at 4:04 p.m.

(2) ROLL CALL

PRESENT:

Commissioner Greg Cornett
Commissioner Russell Washington
Commissioner Hugh Cash
Commissioner Augustino Molis

ABSENT:

Chairperson Deanna Bethea
Commissioner Chris Crowder

STAFF PRESENT:

Carol Buttler - City Manager
Les Rumburg - Director of Public Services
Sussie Sutton - Development Services
Ellis Ortego - City Attorney

(3) INVOCATION AND PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was dispensed by the Planning & Zoning Commission, led by Commissioner Cash.

(4) APPROVAL OF MINUTES

Regular Meeting Minutes of December 13, 2016

Commissioner Cash made a motion to accept the minutes for December 13, 2016. Commissioner Molis seconded. **MOTION PASSED UNANIMOUSLY.**

(5) CITIZENS COMMENTS

Councilmember Michetich addressed the Planning and Zoning Commission and complimented the members for a job well done. He also discussed a new city ordinance to help the Planning and Zoning Commission make the important decisions and to assist developers who conduct business within the city.

(6) PUBLIC HEARING

Commissioner Cornett closed the Regular Meeting and opened the Public Hearing at 4:09 p.m.

- a. **Preliminary Plat** for street construction for dedication; Landing at Delany Cove, Being 0.6 Acres of Land out of the S.F. Austin League No. 4 survey, A-2 City of La Marque Galveston County, Texas, West of Delany Rd. & North of FM 1765.
- b. **Preliminary Plat** of Landing at Delany Cove Section 7, Being 12.5 + Acres of Land containing 57 lots (50' x 120'TYP.) and five reserves in five blocks out of the S.F. Austin League No. 4 survey, A-2 City of La Marque Galveston County, Texas, and allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60' x 120' to 50' x 120' in size. West of Delany Rd. & North of FM 1765.
- c. **Preliminary Plat** of Landing at Delany Cove Section 8, Being 11.8 + Acres of Land containing 47 lots (50' x 120'TYP.) and four reserves in three blocks out of the S.F. Austin League No. 4 survey, A-2 City of La Marque Galveston County, Texas, and allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60' x 120' to 50' x 120' in size. West of Delany Rd. & North of FM 1765.

There was no commentary on the above items.

Commissioner Cornett closed the Public Hearing and opened the Regular Meeting at 4:12 p.m.

(7) NEW BUSINESS

- a. **Proposed Street Dedication** Landing at Delany Cove, Being 0.6 + Acres of Land out of the S.F. Austin League No. 4 survey, A-2 City of La Marque Galveston County, Texas being the continuation of Meadow Lake Village Drive.

Director of Development Services, Les Rumburg addressed the Commissioners to explain that this was not actually a preliminary plat but a proposed street dedication. This street is an extension of an existing street within Delany Cove Subdivision, which requires city approval as a formality.

Commissioner Cash made a motion to recommend to City Council approval for the Proposed Street Dedication at Landing at Delany Cove, Being 0.6 + Acres of Land out of the S.F. Austin League No. 4 survey, A-2 City of La Marque Galveston County, Texas being the continuation of Meadow Lake Village Drive. Commissioner Washington seconded. **MOTION PASSED UNANIMOUSLY.**

- b. **Preliminary Plat** of Landing at Delany Cove Section 7, Being 12.5 + Acres of Land containing 57 lots (50' x 120'TYP.) and five reserves in five blocks out of the S.F. Austin League No. 4 survey, A-2 City of La Marque Galveston County, Texas, and allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60' x 120' to 50' x 120' in size. West of Delany Rd. & North of FM 1765.

Commissioner Washington made a motion to recommend to City Council approval for the Preliminary Plat of Landing at Delany Cove Section 7, Being 12.5 + Acres of Land containing 57 lots (50' x 120'TYP.) and five reserves in five blocks out of the S.F. Austin League No. 4 survey, A-2 City of La Marque Galveston County, Texas, and allowing a

variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60' x 120' to 50' x 120' in size. West of Delany Rd. & North of FM 1765. Commissioner Cash seconded. **MOTION PASSED UNANIMOUSLY.**

- c. **Preliminary Plat** of Landing at Delany Cove Section 8, Being 11.8 + Acres of Land containing 47 lots (50' x 120'TYP.) and four reserves in three blocks out of the S. F. Austin League No. 4 survey, A-2 City of La Marque Galveston County, Texas, and allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60' x 120' to 50' x 120' in size. West of Delany Rd. & North of FM 1765.

Commissioner Cash made a motion to recommend to City Council approval for the Preliminary Plat of Landing at Delany Cove Section 8, Being 11.8 + Acres of Land containing 47 lots (50' x 120'TYP.) and four reserves in three blocks out of the S. F. Austin League No. 4 survey, A-2 City of La Marque Galveston County, Texas, and allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60' x 120' to 50' x 120' in size. West of Delany Rd. & North of FM 1765. Commissioner Washington seconded. **MOTION PASSED UNANIMOUSLY.**

- d. **Final Plat** of Painted Meadows Section 5, a subdivision of 27.317 acres located in the J.R. Pace Survey, Abstract – 161 Galveston County, Texas, City of La Marque, Galveston County, Texas, and allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60' x 120' to 50' x 110' in size. East of intersection at Autry Rd. and Ave. A.

Director of Development Services, Les Rumburg informed the Commissioners that the developers will be requesting annexation of Section 5 in February 2017. A meeting was held January 5, 2017, to discuss staff concerns regarding the Drainage District 2's approved drainage plans and the condition of Autry Road after the completion of Section 5 of Painted Meadows. A lengthy discussion ensued.

Commissioner Cash made a motion to recommend to City Council approval for the Final Plat of Painted Meadows Section 5, a subdivision of 27.317 acres located in the J.R. Pace Survey, Abstract – 161 Galveston County, Texas, City of La Marque, Galveston County, Texas, and allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60' x 120' to 50' x 110' in size. East of intersection at Autry Rd. and Ave. A. Commissioner Washington seconded. **MOTION PASSED UNANIMOUSLY.**

(8) CHAIRPERSON'S REPORT

There was no report.

(9) EXECUTIVE SESSION

There was no Executive Session.

(10) REQUESTS AND ANNOUNCEMENTS

None.

(11) ADJOURNMENT

Commissioner Cornett made a motion to adjourn the meeting at 4:46 p.m. Commissioner Washington seconded. **MOTION PASSED UNANIMOUSLY.**

Greg Cornett, Commissioner
Planning & Zoning Commission

DRAFT



January 10, 2017

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

Dear Mayor and City Council:

On January 10, 2017 the Planning and Zoning Commission conducted a meeting for the approval of the Final Plat of Painted Meadows Section 5, A SUBDIVISION OF 27.317 ACRES LOCATED IN THE J.R. PACE SURVEY, ABSTRACT – 161 GALVESTON COUNTY, TEXAS, City of La Marque Galveston County, Texas, and allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60' X 120' to 50' X 110' in size. East of intersection at Autry Rd. and Ave. A.

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

Thank you,

Greg Cornett
Chairman, Planning and Zoning Commission



Planning and Zoning PUBLIC HEARING NOTICE

As per City of La Marque Code of Ordinances, Section 71.2 (d) you are hereby given notice of the Public Hearing/Regular Meeting to be held on August 30, 2016 by the Planning and Zoning Commission of the City of La Marque at 4:00 pm. For the purpose of:

PUBLIC HEARING

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

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

The Public Hearing will be held in the Council Chambers located at 1109-B Bayou Road, La Marque, Texas.

For further information, please contact Erica Grundmann, Department of Development Services by telephone at 409.938.9204, e-mail at ericag@cityoflamarque.org 1111 Bayou Road La Marque, TX 77568



CITY COUNCIL AGENDA FORM

Meeting Date: February 13, 2017
Prepared by: Sussie Sutton
Department: Development Services

Agenda item: 9d
Reviewed by: *Carol Buttler*

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding the approval of 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, and allowing a variance to Code Section 41-107 (e), for the dimension of the lots to be reduced from 60'X120' to 50'X120' in size.

X Attachments for reference

1. Final Plat
2. Planning and Zoning Minutes for December 13, 2016
3. Planning and Zoning Minutes for October 11, 2016

STAFF BRIEFING:

- The Planning and Zoning Commission discussed the Final Plat with variance request at the regular meeting of December 13, 2016.
- The Planning and Zoning Commission discussed the Preliminary Plat with variance request to the lots sizes on October 11, 2016.
- The Commission voted to forward the items to City Council with a favorable recommendation for the subdivision and the variance.

HISTORY:

- **December 13, 2016** – Planning and Zoning Commission held a regular meeting and recommended approval to City Council for the Final Plat of Landing at Delany Cove Section 6.
- **October 11, 2016** – Planning and Zoning Commission held a regular meeting and recommended approval to City Council for the Preliminary Plat of Landing at Delany Cove Section 6, and a variance to the lot sizes.

TARGET IMPLEMENTATION: February 13, 2017

SIGNIFICANT ACTION DATES:

- **December 28, 2016:** Planning and Zoning voted to recommend approval of the Preliminary Plat on October 11, 2016.



CITY COUNCIL AGENDA FORM

ACTION:

- | | |
|---|---|
| ☐ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☒ Other- Approval of Final Plat | |

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 approve the Final Plat of 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, as recommended by the Planning and Zoning Commission allowing a variance to Code Section 41-107 (e), for the dimension of the lots to be reduced from 60'X120' to 50'X120' in size.

FISCAL IMPACT: None



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 PT OF BLK 11 (1100-4) DIV H COOK & STEWART SUB. Location 1916 Magnoli
- 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



1111 Bayou
La Marque, Texas 77568
409.938.9202

**Planning and Zoning Commission
Regular Meeting
October 11, 2016
Minutes**

(1) CALL TO ORDER

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

(2) ROLL CALL

PRESENT:

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

ABSENT:

Commissioner Chris Crowder
Commissioner Augustino Molis

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 Stanley

(4) APPROVAL OF MINUTES

- a. Regular Meeting Minutes of September 13, 2016
Commissioner Dickey Stanley made a motion to accept the minutes for September 13, 2016, Commissioner Russell Washington seconded the motion.
MOTION PASSED.

(5) CITIZENS COMMENTS

None

(6) PUBLIC HEARING Open at 4:00 PM, Closed at 4:05 PM

- a. **Re-Zone:** Conduct Public Hearing to receive public input regarding: a Re-Zone from R-1 Single Family Residential to C-1 General Commercial: SURVEY OF THE NORTH 190 FEET OF THE SOUTH 490 FEET OF LOT 30 OF DIVISION "H" OF THE COOK & STEWART SUBDIVISION OF THE JOHN D. MOORE LEAGUE, A-150,

GALVESTON COUNTY, TEXAS at the corner of Lake and Charity St.

Edith and George Gace spoke to and wrote a letter to the Planning and Zoning Commission they live at 2422 Charity. The Gace's are against the re-zone because they are worried about the the traffic coming off their street, they feel that if they were to sell no one would want to purchase there property with a storage facility right across the street, they have had drainage issues ever since the property was built up and it s not something they want to look at sitting on their front porch.

- b. **PZ-PP-LANDING AT DELANY COVE SEC. 6** Conduct Public Hearing regarding the Preliminary Plat of Landing at Delany Cove Section 6 being 11.8 + Acres of land containing 49 lots (50 X 120 Typ.) and six reserves in two blocks out of the Stephen F. Austin League NO.4 Survey, A-2, City of La Marque, Galveston, County, Texas. allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60' X 120' to 50' X 120' in size. West of Delany Rd. & North of FM 1765

(7) **NEW BUSINESS**

- a. **RESIGNATION:** Discussion possible/ action: regarding accepting Charles Castelline's resignation.

Commissioner Dickey Stanley made a motion to accept Charles Castelline's resignation. Commissioner Russell Washington seconded the motion. **MOTION PASSED.**

- b. **Re-Zone:** Discussion possible/ action regarding: a Re-Zone from R-1 Single Family Residential to C-1 General Commercial: SURVEY OF THE NORTH 190 FEET OF THE SOUTH 490 FEET OF LOT 30 OF DIVISION "H" OF THE COOK & STEWART SUBDIVISION OF THE JOHN D. MOORE LEAGUE, A-150, GALVESTON COUNTY, TEXAS at the corner of Lake and Charity St.

Commissioner Dickey Stanley made a motion to Table the Re-Zone from R-1 Single Family Residential to C-1 General Commercial . Commissioner Greg Cornett seconded the motion. **MOTION PASSED.**

- c. **PZ-PP-LANDING AT DELANY COVE SEC. 6:** Discussion possible/ action regarding the Preliminary Plat of Landing at Delany Cove Section 6 being 11.8 + Acres of land containing 49 lots (50 X 120 Typ.) and six reserves in two blocks out of the Stephen F. Austin League NO.4 Survey, A-2, City of La Marque, Galveston, County, Texas. allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60' X 120' to 50' X 120' in size. West of Delany Rd. & North of FM 1765

Commissioner Dickey Stanley made a motion to accept the Preliminary Plat of Landing at Delany Cove Section 6. Commissioner Greg Cornett seconded the motion. **MOTION PASSED.**

- d. **Re-Zone:** Discussion possible/ action regarding a Re-Zone for lots in the vicinity of intersection of Bayou and Magnolia re-zone from R-1 Single Family Residential to C-2 Restricted Commercial.
Mr. Khan and his attorney explained that Mr. Khan wants to turn the building into a convent store.

Commissioner Dickey Stanley made a motion to Table the Re-Zone from R-1 Single Family Residential to C-2 Restricted Commercial so they can look for more information to re-zone the property . Commissioner Greg Cornett 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 Dickey Stanley made a motion to adjourn the meeting at 4:56 p.m.
Commissioner Greg Cornett seconded. **MEETING ADJOURNED.**



Planning & Zoning Commission.
Chairman Deanna Bethea



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 to consider 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; including the dimension of the lots to be reduced from 60'X120' to 50'X120' in size as indicated on the Final Plat.

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

Thank you,

Deanna Bethea
Chairman, Planning and Zoning Commission



CITY COUNCIL AGENDA FORM

Meeting Date: February 13, 2017
Prepared by: Sussie Sutton
Department: Development Services

Agenda item: 9e
Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible action to accept the Proposed Street Dedication Landing at Delany Cove, being 0.6 + Acres of Land out of the S.F. Austin League No. 4 survey, A-2 City of La Marque Galveston County, Texas being the continuation of Meadow Lake Village Drive, as recommended by Planning and Zoning Commission.

☒ X

Attachments for reference

1. Final Plat
2. Planning and Zoning Minutes for January 10, 2017
3. Letter of Recommendation
4. Property Owner Public Notice

STAFF BRIEFING:

- The Planning and Zoning Commission discussed at the regular meeting of January 10, 2017.
- The Commission voted to forward the item to City Council with a favorable recommendation.
- Street Dedication necessary to obtain approval from DD2 to extend over their drainage ditch for access to future development already planned.

HISTORY

- **December 28, 2016** – Property Owner Public Notice mailed to residents within a 200 ft. radius.
- **January 10, 2017** – Planning and Zoning Commission held a regular meeting and recommended approval to City Council for the proposed street dedication.

TARGET IMPLEMENTATION: February 13, 2017

SIGNIFICANT ACTION DATES

- **December 28, 2016** – Property Owner Public Notice mailed to residents within a 200 ft. radius.



CITY COUNCIL AGENDA FORM

ACTION:

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

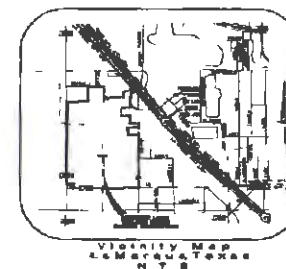
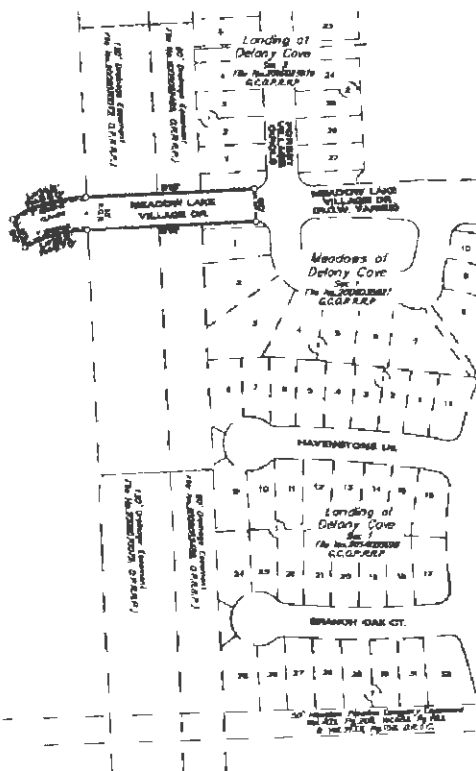
Cost Details:	
Budgeted	
Actual Bid	
Estimated Expenditure	
Acct. Name(s)	
Line Items #	
Other Funding	

STAFF'S RECOMMENDATION: Motion to accept the Proposed Street Dedication Landing at Delany Cove, being 0.6 + Acres of Land out of the S.F. Austin League No. 4 survey, A-2 City of La Marque Galveston County, Texas being the continuation of Meadow Lake Village Drive, as recommended by the Planning and Zoning Commission

FISCAL IMPACT: None

Future
Development

Future
Development



GENERAL NOTE:

1. "TIES" INDICATES ONE FOOT RESERVE.
Indicates to the plat is for use as a buffer between the lot or lots of owner. Once each street and adjacent drainage ditch, the number of such indication being that given the adjacent property is available in a recorded plat, the one foot reserve shall thereafter become subject to the public for street right-of-way purposes and the two foot reserve shall report to and remain in the easement, all other easements or encumbrances.
2. ALL PROPERTY LINE CALCULATIONS ARE APPROXIMATE.

A PRELIMINARY PLAT OF
**MEADOW LAKE
VILLAGE DRIVE**
STREET DEDICATION

BEING 0.6± ACRES OF LAND

OUT OF THE
S.F. ALSTIN LEAGUE NO. 4 SURVEY, A-2
CITY OF LA SALLE, GALVESTON COUNTY, TEXAS

OWNER:
LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD.
PLANNED BY



1001 Paving, Inc. (owner)
2000 Civic Center Dr., Suite A-200
Dallas, Texas 75201
Tel: (214) 570-1800

SCALE: 1" = 100'
NORTH: 0° 0' 0" N
DATE: 10/01/06

RELATES AND LANDS OWNERS
THE UNDERSIGNED HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF HIS KNOWLEDGE AND BELIEF, AND THAT HE IS NOT PROVIDING ANY FALSE OR MISLEADING INFORMATION TO THE PUBLIC. THE UNDERSIGNED ALSO CERTIFIES THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF HIS KNOWLEDGE AND BELIEF, AND THAT HE IS NOT PROVIDING ANY FALSE OR MISLEADING INFORMATION TO THE PUBLIC.



1111 Bayou
La Marque, Texas 77568
409.938.9202

**CITY OF LA MARQUE
PLANNING AND ZONING COMMISSION
PUBLIC HEARING / REGULAR MEETING MINUTES
OF
JANUARY 10, 2017**

(1) CALL TO ORDER

Commissioner Greg Cornett called the Planning & Zoning Commission meeting to order at 4:04 p.m.

(2) ROLL CALL

PRESENT:

Commissioner Greg Cornett
Commissioner Russell Washington
Commissioner Hugh Cash
Commissioner Augustino Molis

ABSENT:

Chairperson Deanna Bethea
Commissioner Chris Crowder

STAFF PRESENT:

Carol Buttler - City Manager
Les Rumburg - Director of Public Services
Sussie Sutton - Development Services
Ellis Ortego - City Attorney

(3) INVOCATION AND PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was dispensed by the Planning & Zoning Commission, led by Commissioner Cash.

(4) APPROVAL OF MINUTES

Regular Meeting Minutes of December 13, 2016

Commissioner Cash made a motion to accept the minutes for December 13, 2016. Commissioner Molis seconded. **MOTION PASSED UNANIMOUSLY.**

(5) CITIZENS COMMENTS

Councilmember Michetich addressed the Planning and Zoning Commission and complimented the members for a job well done. He also discussed a new city ordinance to help the Planning and Zoning Commission make the important decisions and to assist developers who conduct business within the city.

(6) PUBLIC HEARING

Commissioner Cornett closed the Regular Meeting and opened the Public Hearing at 4:09 p.m.

- a. **Preliminary Plat** for street construction for dedication; Landing at Delany Cove, Being 0.6 Acres of Land out of the S.F. Austin League No. 4 survey, A-2 City of La Marque Galveston County, Texas, West of Delany Rd. & North of FM 1765.
- b. **Preliminary Plat** of Landing at Delany Cove Section 7, Being 12.5 + Acres of Land containing 57 lots (50' x 120'TYP.) and five reserves in five blocks out of the S.F. Austin League No. 4 survey, A-2 City of La Marque Galveston County, Texas, and allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60' x 120' to 50' x 120' in size. West of Delany Rd. & North of FM 1765.
- c. **Preliminary Plat** of Landing at Delany Cove Section 8, Being 11.8 + Acres of Land containing 47 lots (50' x 120'TYP.) and four reserves in three blocks out of the S.F. Austin League No. 4 survey, A-2 City of La Marque Galveston County, Texas, and allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60' x 120' to 50' x 120' in size. West of Delany Rd. & North of FM 1765.

There was no commentary on the above items.

Commissioner Cornett closed the Public Hearing and opened the Regular Meeting at 4:12 p.m.

(7) NEW BUSINESS

- a. **Proposed Street Dedication** Landing at Delany Cove, Being 0.6 + Acres of Land out of the S.F. Austin League No. 4 survey, A-2 City of La Marque Galveston County, Texas being the continuation of Meadow Lake Village Drive.

Director of Development Services, Les Rumburg addressed the Commissioners to explain that this was not actually a preliminary plat but a proposed street dedication. This street is an extension of an existing street within Delany Cove Subdivision, which requires city approval as a formality.

Commissioner Cash made a motion to recommend to City Council approval for the Proposed Street Dedication at Landing at Delany Cove, Being 0.6 + Acres of Land out of the S.F. Austin League No. 4 survey, A-2 City of La Marque Galveston County, Texas being the continuation of Meadow Lake Village Drive. Commissioner Washington seconded. **MOTION PASSED UNANIMOUSLY.**

- b. **Preliminary Plat** of Landing at Delany Cove Section 7, Being 12.5 + Acres of Land containing 57 lots (50' x 120'TYP.) and five reserves in five blocks out of the S.F. Austin League No. 4 survey, A-2 City of La Marque Galveston County, Texas, and allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60' x 120' to 50' x 120' in size. West of Delany Rd. & North of FM 1765.

Commissioner Washington made a motion to recommend to City Council approval for the Preliminary Plat of Landing at Delany Cove Section 7, Being 12.5 + Acres of Land containing 57 lots (50' x 120'TYP.) and five reserves in five blocks out of the S.F. Austin League No. 4 survey, A-2 City of La Marque Galveston County, Texas, and allowing a

variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60' x 120' to 50' x 120' in size. West of Delany Rd. & North of FM 1765. Commissioner Cash seconded. **MOTION PASSED UNANIMOUSLY.**

- c. **Preliminary Plat** of Landing at Delany Cove Section 8, Being 11.8 + Acres of Land containing 47 lots (50' x 120'TYP.) and four reserves in three blocks out of the S. F. Austin League No. 4 survey, A-2 City of La Marque Galveston County, Texas, and allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60' x 120' to 50' x 120' in size. West of Delany Rd. & North of FM 1765.

Commissioner Cash made a motion to recommend to City Council approval for the Preliminary Plat of Landing at Delany Cove Section 8, Being 11.8 + Acres of Land containing 47 lots (50' x 120'TYP.) and four reserves in three blocks out of the S. F. Austin League No. 4 survey, A-2 City of La Marque Galveston County, Texas, and allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60' x 120' to 50' x 120' in size. West of Delany Rd. & North of FM 1765. Commissioner Washington seconded. **MOTION PASSED UNANIMOUSLY.**

- d. **Final Plat** of Painted Meadows Section 5, a subdivision of 27.317 acres located in the J.R. Pace Survey, Abstract – 161 Galveston County, Texas, City of La Marque, Galveston County, Texas, and allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60' x 120' to 50' x 110' in size. East of intersection at Autry Rd. and Ave. A.

Director of Development Services, Les Rumburg informed the Commissioners that the developers will be requesting annexation of Section 5 in February 2017. A meeting was held January 5, 2017, to discuss staff concerns regarding the Drainage District 2's approved drainage plans and the condition of Autry Road after the completion of Section 5 of Painted Meadows. A lengthy discussion ensued.

Commissioner Cash made a motion to recommend to City Council approval for the Final Plat of Painted Meadows Section 5, a subdivision of 27.317 acres located in the J.R. Pace Survey, Abstract – 161 Galveston County, Texas, City of La Marque, Galveston County, Texas, and allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60' x 120' to 50' x 110' in size. East of intersection at Autry Rd. and Ave. A. Commissioner Washington seconded. **MOTION PASSED UNANIMOUSLY.**

(8) CHAIRPERSON'S REPORT

There was no report.

(9) EXECUTIVE SESSION

There was no Executive Session.

(10) REQUESTS AND ANNOUNCEMENTS

None.

(11) ADJOURNMENT

Commissioner Cornett made a motion to adjourn the meeting at 4:46 p.m. Commissioner Washington seconded. **MOTION PASSED UNANIMOUSLY.**

Greg Cornett, Commissioner
Planning & Zoning Commission

DRAFT



**City of La Marque
Economic Development
1130 1st Street
La Marque, Texas 77568**

January 10, 2017

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

Dear Mayor and City Council:

On January 10, 2017, the Planning and Zoning Commission conducted a meeting for the (Meadow Lake Village Drive) street construction and dedication at Landing at Delany Cove, being 0.6 + Acres of Land out of the S.F. Austin League No. 4 survey, A-2 City of La Marque Galveston County, Texas, West of Delany Rd. & North of FM 1765

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

Thank You,

Greg Cornett
Commissioner, Planning and Zoning Commission

**CITY OF LA MARQUE
PLANNING AND ZONING COMMISSION
PUBLIC HEARING NOTICE**

Notice is hereby given that the City of La Marque Planning and Zoning Commission will hold a Public Hearing on Tuesday, January 10, 2017 at 4:00 p.m. in the Council Chambers, located at 1109-B Bayou Road, La Marque, Texas regarding:

A proposed Preliminary Plat for Street construction for dedication; Landing at Delaney Cove, Being 0.6 + Acres of Land out of the S.F. Austin League No. 4 survey, A-2 City of La Marque Galveston County, Texas, West of Delany Rd. & North of FM 1765

A proposed Preliminary Plat of Landing at Delaney Cove Section 7, Being 12.5 + Acres of Land containing 57 lots (50' x 120'TYP.) and five reserves in five blocks out of the S.F. Austin League No. 4 survey, A-2 City of La Marque Galveston County, Texas, and allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60'X 120' to 50' X 120' in size. West of Delany Rd. & North of FM 1765

A proposed Preliminary Plat of Landing at Delaney Cove Section 8, Being 11.8 + Acres of Land containing 47 lots (50' x 120'TYP.) and four reserves in three blocks out of the S.F. Austin League No. 4 survey, A-2 City of La Marque Galveston County, Texas, and allowing a variance to Code Section 41-107(e), for the dimension of the lots to be reduced from 60'X 120' to 50' X 120' in size, West of Delany Rd. & North of FM 1765

For further information please contact Erica Grundmann, Developmental Services at 409.938.9204.

Robin Eldridge, TRMC
City Clerk
City of La Marque



CITY COUNCIL AGENDA FORM

Meeting Date: February 13, 2017

Prepared by: Suzy Kou

Department: Finance

Agenda item: 9g

Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding adopting **Ordinance No. O-2017-007**, amending the City of La Marque 2016-2017 Budget for Year-end Encumbrances, personnel, and related Capital Outlays by increasing certain expenditures to individual budget accounts in certain funds as set forth in Exhibit "A". **THIS IS THE FIRST READING.**

X

1. Ordinance
2. Exhibit A

STAFF BRIEFING:

- Year End Encumbrances-these are outstanding purchase orders issued in previous fiscal year but not paid or closed until new fiscal due to work in progress or goods were not delivered as of September 30th of previous fiscal year.
- Funds were budgeted in previous fiscal year but cash was not paid until new fiscal year. Budgeted funds do not carry over to new fiscal year except capital projects.
- For budgeted funds to be available in new fiscal year, staff is proposing a budget amendment to appropriate for previous fiscal year's commitments.
- Unanticipated events since October 1, 2016 include personnel with final payout as well as other capital related items deemed necessary for current fiscal year.

HISTORY:

TARGET IMPLEMENTATION: March 13, 2017

SIGNIFICANT ACTION DATES:

February 13, 2017- First Reading of Ordinance

March 13, 2017 – Second and Final Reading of Ordinance

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)	Various
Line Items #	Various
Other Funding	



CITY COUNCIL AGENDA FORM

STAFF'S RECOMMENDATION: Motion to adopt Ordinance No. **O-2017-007**, amending the City of La Marque 2016-2017 Budget for Year-end Encumbrances, personnel, and related Capital Outlays by increasing certain expenditures to individual budget accounts in certain funds as set forth in Exhibit "A" **THIS IS THE FIRST READING.**

FISCAL IMPACT: see Ordinance Exhibit A

ORDINANCE O-2017-007

AN ORDINANCE AMENDING THE CITY OF LA MARQUE 2016-2017 BUDGET FOR YEAR-END ENCUMBRANCES, PERSONNEL, AND RELATED CAPITAL OUTLAYS BY INCREASING CERTAIN EXPENDITURES TO INDIVIDUAL BUDGET ACCOUNTS IN CERTAIN FUNDS AS SET FORTH IN ATTACHED EXHIBIT “A” BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS;

SECTION 1. That the City La Marque 2016-2017 Fiscal Year Budget is hereby amended for year-end encumbrances, personnel, and related capital outlays by increasing certain expenditures to the individual budget accounts in certain funds set forth in Exhibit “A” attached hereto and made a part hereof.

SECTION 2. Open Meetings Act. It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, *Chapter 551, Tex. Gov’t Code*.

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 Final reading this the ____ day of _____, 2017.

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor

ATTEST:

APPROVED AS TO FORM:

Robin Eldridge, TRMC
City Clerk

Ellis J. Ortego,
City Attorney

EXHIBIT A
FY 2016 Year End Encumbrances:

Accounts	Increase Debit	Increase Credit	Descriptions	PO	Issued Dates
01-4040-03-00	6,499.50		PROFESSIONAL FEES	160699	02/23/16
01-6091-03-00	11,775.00		WEED CONTROL/MOWING	161878	09/01/16
01-4040-04-00	2,322.25		PROFESSIONAL FEES	160062	10/21/15
01-4040-04-00	2,293.00		PROFESSIONAL FEES	160062	10/21/15
01-4040-04-00	159.17		PROFESSIONAL FEES	161564	07/19/16
01-3030-05-00	25.50		REPAIR & MAINT--MOTOR VEHICLES	161905	09/06/16
01-3020-12-00-LNDSCP-20	49,840.00		REPAIR & MAINT-BLDG FURN & FIX	170261	09/30/16
01-4042-99-00	6,308.50		LEGAL SERVICES	161276	05/31/16
01-2401-00-00		79,222.92	FUND BALANCE		
10-4070-00-02-XMAS	4,150.00		CHRISTMAS EVENT	161875	09/01/16
10-2401-00-00		4,150.00	FUND BALANCE		
19-3010-00-00	12,838.69		REPAIR & MAINT -- FACILITIES	161880	09/01/16
19-3010-00-00	7,138.25		REPAIR & MAINT -- FACILITIES	170260	09/30/16
19-3020-00-00	500.00		Mowing/Landscaping/Maintenance	160970	04/07/16
19-4040-00-00	3,862.50		PROFESSIONAL FEES	161139	05/05/16
19-4040-00-00	30,000.00		PROFESSIONAL FEES	161680	08/08/16
19-6000-00-00	160,000.00		GRANTS	160971	04/07/16
19-2401-00-00		214,339.44	FUND BALANCE		
39-7100-24-00-GLOKIR	479,927.25		CAPITAL PROJ	160547	01/26/16
39-2401-00-00		479,927.25	FUND BALANCE		
46-7123-24-00	40,000.00		SEWER PLANT CLEAN OUT	161890	09/01/16
46-2401-00-00		40,000.00	FUND BALANCE		
52-3030-05-00	11,004.72		R & M-VEHICLES	161686	08/08/16
52-3030-05-00	5,929.90		R & M-VEHICLES	161933	09/12/16
52-2401-00-00		16,934.62	FUND BALANCE		
81-2011-00-00	15,000.00		PARKS IMPROVEMENTS	161773	08/16/16
81-2401-00-00		15,000.00	FUND BALANCE		
82-2017-04-00	14,000.00		COURT TECHNOLOGY EXPENSE	161176	05/12/16
82-2401-00-00		14,000.00	FUND BALANCE		
87-4041-01-00	383.70		CLEAN CITY PROGRAM EXPENSE	161694	08/09/16
87-4041-01-00	255.80		CLEAN CITY PROGRAM EXPENSE	161722	08/10/16
87-4041-01-00	511.60		CLEAN CITY PROGRAM EXPENSE	161728	08/10/16
87-4041-01-00	255.80		CLEAN CITY PROGRAM EXPENSE	161732	08/10/16
87-4041-01-00	511.60		CLEAN CITY PROGRAM EXPENSE	161739	08/10/16
87-4041-01-00	511.60		CLEAN CITY PROGRAM EXPENSE	161833	08/29/16
87-4041-01-00	255.80		CLEAN CITY PROGRAM EXPENSE	161836	08/29/16
87-4041-01-00	57.00		CLEAN CITY PROGRAM EXPENSE	161937	09/15/16
87-4041-01-00	383.70		CLEAN CITY PROGRAM EXPENSE	161938	09/15/16
87-2401-00-00		3,126.60	FUND BALANCE		

FY 2017 Budget:

Accounts	Increase Debit	Increase Credit	Fund Balance	Descriptions
01-7011-01-01	8,500.00			Mahan Park electrical
81-2011-00-00	10,000.00			Mahan Park electrical
01-6091-03-00	56,292.00			Mowing of 128 vacant lots
01-6091-03-00	10,000.00			Contingency for unanticipated projects
10-4070-00-04-WREATH	3,305.00			Wreath Across America
01-3020-05-00	6,500.00			Regular maintenance of Police building
01-1010-02-00	6,998.34			Personnel finals
01-1060-02-00	535.37			Personnel finals
01-1065-02-00	1,027.36			Personnel finals
01-1075-02-00	22.38			Personnel finals
02-1010-21-00	5,327.25			Personnel finals
02-1060-21-00	407.54			Personnel finals
02-1075-21-00	17.05			Personnel finals
02-1065-21-00	782.04			Personnel finals
01-1010-03-00	26,011.50			Development Coordinator
01-1060-03-00	1,989.88			Development Coordinator
01-1065-03-00	4,143.63			Development Coordinator
01-1070-03-00	3,000.00			Development Coordinator
01-3312		35,145.01		Building permits revenue
01-3901-00-00		13,047.86		Lease proceeds additional
01-7030-16-00	1,000.00			Generator additional
01-7040-05-00	19,513.00			Police OSSI
01-7030-06-00	10,875.00			Fire Medic Unit Additional
01-7040-06-00	4,085.00			SCBA additional
48-3801-00-00		24,782.00		County contract revenue; other contributions
48-3020-060-00	24,782.00			Fire Reserve expenditure
01-2401-00-00			160,493.46	Fund Balance draw
02-2401-00-00			6,533.88	Fund Balance draw
10-2401-00-00			3,305.00	Fund Balance draw
81-2401-00-00			10,000.00	Fund Balance draw



CITY COUNCIL AGENDA FORM

Meeting Date: February 13, 2017

Agenda item: 9h

Prepared by: Suzy Kou

Reviewed by: Carol Buttler

Department: Finance

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding adopting Resolution No. **R- 2017-003**, awarding to Government Capital a financing agreement for the purpose of procuring “vehicles, water meters, and equipment” in the amount of \$662,330.88

X

Attach for reference

1. Resolution
2. List of equipment under financing agreement
3. Financing agreement
4. Proposed amortization schedule of debt payments

STAFF BRIEFING:

- Per 2017 adopted budget, this list of Capital Outlay was approved by Council for a financing plan.
- Government Capital is a member of TIPS cooperative group.
- Proposed lease purchase duration is 10 years at rate of _____; unknown until Council meeting due to fluctuation in rates
- List of equipment was submitted by each appropriate department based on current need.
- If Resolution is approved on February 13, 2017, projected date to receive proceeds is March 1, 2017.

HISTORY:

- **September 19, 2016** – Council adopted 2017 budget for financing plan to fund proposed list of vehicles, water meters, and equipment.
- **January 24, 2017** – City Manager and Finance Director met with staff to discuss equipment list being placed on financing plan.

TARGET IMPLEMENTATION: February 13, 2017

SIGNIFICANT ACTION DATES:

September 19, 2016 - Council adopted 2017 budget with equipment financing plan



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	\$0.00
Actual Bid	
Estimated Expenditure	\$662,330.88
Acct. Name(s)	
Line Items #	
Other Funding – Finance Plan	Government Capital

STAFF'S RECOMMENDATION – Motion to adopt Resolution No. **R-2017-003**, awarding to Government Capital a financing agreement for the purpose of procuring “vehicles, water meters, and equipment” in the amount of \$662,330.88

FISCAL IMPACT: First debt payment will be March 2018

RESOLUTION NO. R-2017-003

**A RESOLUTION REGARDING A FINANCING AGREEMENT FOR THE PURPOSE OF
PROCURING “VEHICLES, WATER METERS, AND EQUIPMENT”**

WHEREAS, City of La Marque desires to enter into a certain Financing Agreement, by and between Government Capital Corporation and the City of La Marque, for the purpose of financing “vehicles, water meters, and equipment.” The City of La Marque desires to designate this Agreement as a "qualified tax exempt obligation" of the City of La Marque for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended. The City of La Marque desires to designate the Mayor, as an authorized signer of the Agreement.

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

SECTION 1. That the City of La Marque enters into a Financing Agreement with Government Capital Corporation for the purpose of procuring “vehicles, water meters, and equipment”.

SECTION 2. That the Financing Agreement, by and between the City of La Marque and Government Capital Corporation is designated by the City of La Marque as a "qualified tax exempt obligation" for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

SECTION 3. That the City of La Marque designates the Mayor, as an authorized signer of the Financing Agreement, by and between the City of La Marque and Government Capital Corporation.

This Resolution has been **PASSED and APPROVED** by the City Council of the City of La Marque in a meeting held on 13th day of February, 2017.

City of La Marque	Witness Signature
X	X
Mayor Signature	City Clerk Signature
<u>Printed</u> Name: Bobby Hocking	<u>Printed</u> Name: Robin Eldridge
<u>Title</u> : Mayor	<u>Title</u> : City Clerk

GOVERNMENTAL CAPITAL OUTLAY-FINANCING PLAN

Equipment	Previously Listed	Found	Vendor
OSSI	\$19,513.00	\$19,513.00	SunGuard
Ticket writers	\$19,660.00	\$19,660.00	Tyler Technologies
Medic unit	\$151,000.00	\$161,875.00	Frazer
Apparatus	\$35,250.00	\$39,334.86	MES
Generator	\$55,000.00	\$55,000.00	Crescent
Slope mower	\$90,000.00	\$88,088.00	Lansdowne-Moody Co
	\$370,423.00	\$383,470.86	

UTILITIES CAPITAL OUTLAY-FINANCING PLAN

Water meters	\$200,000.00	\$200,000.00	Accurate Utility
Jet machine	\$50,000.00	\$49,975.15	Texas Underground
Vacuum truck	\$40,000.00	\$28,884.87	Kinloch Equip. & Supply
	\$420,000.00	\$278,860.02	

Total **\$662,330.88**

PUBLIC PROPERTY FINANCE ACT CONTRACT

THIS Public Property Finance Act Contract **No.7672** (hereafter referred to as the "Finance Contract") is dated as of **February 13, 2017**, by and between **Government Capital Corporation**, a Texas corporation (herein referred to as "GCC"), and the **City of La Marque**, a political sub-division or agency of the State of Texas (hereinafter referred to as the "Issuer").

WITNESSETH: In furtherance of the providing by GCC of financing to the Issuer in connection with the Issuer's acquisition from Various Vendors that is more fully described on EXHIBIT A attached hereto (the "Property"), and in consideration of the mutual covenants and conditions hereinafter set forth, pursuant to the provisions of the Public Property Finance Act, Chapter 271, Subchapter A, Texas Local Government Code, as amended (the "Act"), the parties agree as follows:

1. Term and Payments. The Issuer hereby covenants and agrees to pay to the order of GCC and GCC's successors and assigns those principal and interest installment amounts in those sums set forth on EXHIBIT B attached hereto (the "Payments") on or before those dates per installment that are more fully set forth on EXHIBIT B (the "Payment Dates"). It is acknowledged and understood that GCC may assign its rights hereunder to a third party and that notice of said assignment shall be provided to the Issuer and that the Issuer, thereafter, shall look to and consider said assignee as the party to whom all of the Issuer's duties hereunder are owed. The obligation of the Issuer to make the Payments shall not be subject to set-off, counterclaim, or recoupment to the extent permitted by law. The interest is calculated on the basis of a 30/360-day year on the unpaid principal amounts from the Schedule Date of the EXHIBIT B.

2. Security, Levy of Taxes, Budgeting.

(a) During the term of this Finance Contract, the Issuer covenants that prior to adopting a budget for any ensuing fiscal year it shall place in its proposed budget for such ensuing fiscal year an amount necessary to pay the Finance Contract Payments for such ensuing fiscal year, and that the final budget for each fiscal year shall set aside and appropriate out of Ad Valorem Taxes and other revenues and funds lawfully available therefore an amount sufficient to pay the Finance Contract Payments. The Issuer hereby agrees to assess and collect, a continuing direct annual Ad Valorem Tax on all taxable property within the boundaries of the Issuer, within the limitations prescribed by law, at a rate from year to year sufficient, together with such other revenues and funds lawfully available to the Issuer for the payment of the Payments, to provide funds each year to pay the Payments, full allowance being made for delinquencies and costs of collection. Such taxes and such revenues and funds in an amount sufficient to make the Payments are pledged to GCC and GCC's successors and assigns for such purpose as the same shall become due and payable under this Finance Contract.

(b) The Issuer waives all rights of set-off, recoupment, counterclaim and abatement against GCC and GCC's successors and assigns with respect to the amounts due under this Finance Contract, and the Issuer's obligation to pay amounts due under this Finance Contract is absolute and unconditional and not subject to set-off, recoupment, counterclaim or abatement for any reason whatsoever.

3. Deposit into the Payment Fund.

(a) Upon this Finance Contract taking effect the Issuer shall establish a Payment Fund, which shall be maintained by the Issuer as long as any Payments are unpaid. The Issuer hereby pledges the Payment Fund for the exclusive purpose of securing the Payments and shall apply the funds therein to the payment of Payments as such payments come due.

(b) Each year in which Payments come due, the Issuer shall, not later than the day preceding any such due date, deposit into the Payment Fund, from the Issuer's Ad Valorem taxes or other lawfully available funds (within the limits prescribed by law) an amount sufficient to make such payment. To the extent permitted by law, the Issuer hereby pledges its Ad Valorem tax as security for this obligation. To the extent required by the Texas Constitution the Issuer agrees during each year of the term of this Finance Contract to assess and collect annually a sufficient sum to pay the greater of (1) interest on the debt created by this Finance Contract and a sinking fund of at least two percent of the principal amount of such debt, or (2) the payments required by Exhibit B attached hereto.

(c) The Payment Fund shall be depleted at least once a year except for a carryover amount not to exceed one twelfth (1/12) of the amount of the Payments expected to come due in the following year.

4. Taxes. The Issuer agrees to directly pay all taxes, insurance and other costs of every nature associated with its ownership of the Property.

5. The Issuer's Covenants and Representations. The Issuer covenants and represents as follows:

(a) The Issuer will provide an opinion of its counsel to the effect that, it has full power and authority to enter into this Finance Contract which has been duly authorized, executed, and delivered by the Issuer and is a valid and binding obligation enforceable in accordance with its terms, and all requirements for execution, delivery and performance of this Finance Contract have been, or will be, complied with in a timely manner;

(b) All Payments hereunder for the current fiscal period have been duly authorized and will be paid when due;

(c) There are no pending or threatened lawsuits or administrative or other proceedings contesting the authority for, authorization of performance of, or expenditure of funds pursuant to this Finance Contract;

(d) The information supplied and statements made by the Issuer in any financial statement or current budget prior to or contemporaneously with this Finance Contract are true and correct;

(e) The Issuer has complied or will comply with all bidding/proposal laws applicable to this transaction and the purchase of the Property.

(f) No contract, rental agreement, lease-purchase agreement, payment agreement or contract for purchase under the Act to which the Issuer has been a party at any time during the past ten (10) years has been terminated by the Issuer as a result of insufficient funds being appropriated in any Fiscal Year. No event has occurred which would constitute an event of default under any debt, revenue bond or obligation which the Issuer has issued during the past ten (10) years.

(g) The Issuer will pay the Contract Payment Due by check, wire transfer, or ACH only.



GOVERNMENT CAPITAL
CORPORATION

6. Use and Licenses. The Issuer shall pay and discharge all operating and other expenses of every nature associated with its use of the Property. The Issuer shall obtain, at its expense, all registrations, permits and licenses, if any, required by law for the installation and operation of the Property.

7. Maintenance. The Issuer agrees to be solely responsible for all maintenance and operating costs of every nature associated with its ownership of the Property and the Issuer acknowledges that GCC or GCC's successors or assigns shall have no responsibility for the payment of any such costs.

8. Damage to or Destruction of Property. The Issuer shall bear the entire risk of loss, damage, theft, or destruction of the Property from any and every cause whatsoever, and no loss, damage, destruction, or other event shall release the Issuer from the obligation to pay the full amount of the payments or from any other obligation under this Finance Contract.

9. No Warranty. EXCEPT FOR REPRESENTATIONS, WARRANTIES, AND SERVICE AGREEMENTS RELATING TO THE PROPERTY MADE OR ENTERED INTO BY THE MANUFACTURERS OR SUPPLIERS OF THE PROPERTY, IF ANY, ALL OF WHICH ARE HEREBY ASSIGNED TO THE ISSUER, GCC HAS MADE AND MAKES NO REPRESENTATION OR WARRANTY, EXPRESS OR IMPLIED, AND ASSUMES NO OBLIGATION WITH RESPECT TO THE TITLE, MERCHANTABILITY, CONDITION, QUALITY OR FITNESS OF THE PROPERTY DESCRIBED IN EXHIBIT A FOR ANY PARTICULAR PURPOSE OR THE CONFORMITY OF THE PROPERTY TO SPECIFICATION OR PURCHASE ORDER. All such risks shall be borne by the Issuer without in any way excusing it from its obligations under this Finance Contract, and GCC shall not be liable for any damages on account of such risks. All claims or actions on any warranty so assigned shall be made or prosecuted by the Issuer, at its sole expense, upon prior written notice to GCC. GCC or its assigns may, but shall have no obligation whatsoever to, participate in a claim on any warranty. Any recovery under such a warranty shall be made payable jointly to both parties.

10. Evidence of Indebtedness and Security Agreement.

(a) An executed copy of this Finance Contract shall evidence the indebtedness of the Issuer as provided herein and shall constitute a security agreement pursuant to applicable law, with GCC, its successors or assigns as the secured party. The grants, lien, pledge and security interest of GCC, its successors or assigns created herein shall become effective immediately upon and from the Delivery Date, and the same shall be continuously effective for so long as any Finance Contract Payments are outstanding.

(b) A fully executed copy of this Finance Contract and the proceedings authorizing same shall be kept at all times and shall be filed and recorded as a security agreement among the permanent records of the Issuer. Such records shall be open for inspection to any member of the general public and to any individual, firm, corporation, governmental entity or other person proposing to do or doing business with, or having or asserting claims against the Issuer, at all times during regular business hours.

(c) If, in the opinion of counsel to the Issuer or to GCC, its successors or assigns, applicable law ever requires filings additional to the filing pursuant to subsection (b) of this section in order to preserve and protect the priority of the grants, assignments, lien, pledge and security interest of GCC, its successors or assigns created herein as to all Payments, then the Issuer shall diligently and regularly make such filings to the extent required by law to accomplish such result.

11. Default and Remedies.

(a) Each of the following occurrences or events for the purpose of this Finance Contract is hereby declared to be an Event of Default:

(1) the failure to make payment of the Payment when the same becomes due and payable; or

(2) default in the performance or observance of any other covenant agreement or obligation of the Issuer, which default materially, adversely affects the rights of GCC or its successors or assigns, including, but not limited to, its prospect or ability to be repaid in accordance with this Finance Contract, and the continuation thereof for a period of 20 days after notice of such default is given by GCC or any successors or assigns of GCC to the Issuer.

(b) Remedies for Default.

(1) Upon the happening of any Event of Default, then and in every case GCC or its successors or assigns, or an authorized representative thereof, including, but not limited to, an attorney or trustee therefore, may proceed against the Issuer for the purpose of protecting and enforcing the rights of GCC or its successors or assigns under this Finance Contract, by mandamus or other suit, action or special proceeding in equity or at law, in any court of competent jurisdiction, for any relief permitted by law, including the specific performance of any covenant or agreement contained herein, or thereby to enjoin any act or thing that may be unlawful or in violation of any right of GCC or its successors or assigns or any combination of such remedies; provided that none of such parties shall have any right to declare the balance of the Finance Contract Payments to be immediately due and payable as a remedy because of the occurrence of an Event of Default.

(2) The exercise of any remedy herein conferred or reserved shall not be deemed a waiver of any other available remedy, and no delay or omission to exercise any right or power occurring upon any Event of Default shall impair any such right or power or be construed to be a waiver thereof and all such rights and powers may be exercised as often as may be deemed expedient.

(c) Remedies Not Exclusive.

(1) No remedy herein conferred or reserved is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or under this Finance Contract or now or hereafter existing at law or in equity; provided, however, that notwithstanding any other provision of this Finance Contract, the right to accelerate the debt evidenced by this Finance Contract shall not be available as a remedy because of the occurrence of an Event of Default.

12. Assignment. Without GCC's prior written consent, the Issuer will not either **(a)** assign, transfer, pledge, hypothecate, grant any security interest in or otherwise dispose of this Finance Contract or the Property or any interest in this Finance Contract or the Property; or **(b)** sublet or lend the Property or permit it to be used by anyone other than the Issuer or the Issuer's employees and other authorized users. GCC may assign its rights, title and interest in and to this Finance Contract, and any other documents executed with respect to this Finance Contract and/or grant or assign a security interest in this Finance Contract, in whole or in part. Such successors and assigns of GCC shall have the right to further grant or assign a security interest in this Finance Contract, as well as the rights to Payments hereunder, in whole or in part, to any third party. No assignment or reassignment of GCC's rights, title or interest in this Finance Contract shall be effective with regard to the Issuer unless and until the Issuer shall have received a copy of the document by which the assignment or reassignment is made, disclosing the name and address of such assignee. The Issuer shall maintain written records of any assignments of the Finance Contract.

13. Personal Property. The Property is and shall at all times be and remain personal property, and will not be considered a fixture to any real property.

14. GCC's Right to Perform for The Issuer. If the Issuer fails to make any payment or perform or comply with any of its covenants or obligations hereunder, GCC or GCC's successors or assigns may, but shall not be required to, make such payment or perform or comply with such covenants and obligations on behalf of the Issuer, and the amount of any such payment and the expenses (including but not limited to reasonable attorneys' fees) incurred by GCC or GCC's successors or assigns in performing or complying with such covenants and obligations, as the case may be, together with interest thereon at the highest lawful rate under the State of Texas law, shall be payable by the Issuer upon demand.

15. Interest on Default. If the Issuer fails to pay any Payment specified herein within twenty (20) days after the due date thereof, the Issuer shall pay to GCC or any successor or assigns of GCC, interest on such delinquent payment at the highest rate allowed by Texas law.

16. Notices. Any notices to be given or to be served upon any party hereto in connection with this Finance Contract must be in writing and may be given by certified or registered mail, and shall be deemed to have been given and received forty-eight (48) hours after mailing. Such notice shall be given to the parties at their respective addresses designated on the signature page of this Finance Contract or at such other address as either party may hereafter designate.

17. Prepayment.

(a) The Issuer shall have the right, at its option, to prepay the Finance Contract in whole, on any payment date, in accordance with the Early Redemption Value stated on Exhibit B of the Contract. Any additional principal payments will be applied to reduce the early redemption values as shown in Exhibit B to this Finance Contract.

(b) As condition precedent to the Issuer's right to make, and GCC or any successor or assigns of GCC's obligation to accept, any such prepayment, GCC or any successor or assigns of GCC shall have actually received notice at least thirty (30) days in advance of the Issuer's intent to exercise its option to prepay.

18. Continuing Disclosure. Specifically and without limitation, the Issuer agrees to provide audited financial statements, prepared by a certified public accountant not later than six (6) months after and as of the end of each fiscal year. Periodic financial statements shall include a combined balance sheet as of the end of each such period, and a combined statement of revenues, expenditures and changes in fund balances, from the beginning of the then fiscal year to the end of such period. These reports must be certified as correct by one of the Issuer's authorized agents. If the Issuer has subsidiaries, the financial statements required will be provided on a consolidated and consolidation basis.

19. Tax Exemption.

(a) The Issuer certifies that it does not reasonably anticipate more than \$10,000,000 of "tax-exempt obligations", including this Finance Contract will be issued by it and any subordinate entities during the 2017 calendar year. Further, the Issuer designates this Finance Contract as "qualified tax exempt obligations" under Section 265 (b) 3 of the Internal Revenue Code of 1986, as amended (the "Code") eligible for the exception contained in Section 265 (b) 3 (D) of the Code allowing for an exception to the general rule of the Code which provides for a total disallowance of a deduction for interest expense allocable to the carrying of tax exempt obligations.

(b) The Issuer hereby represents and covenants that the proceeds of this Finance Contract are needed at this time to provide funds for the Issuer's purchase of the property for which this Finance Contract was executed and delivered, as specified in this Finance Contract; that (i) final disbursement of the proceeds of this Finance Contract will occur within three years from the Delivery Date, (ii) substantial binding obligations to expend at least five (5) percent of the net proceeds will be incurred within six months after the Delivery Date and (iii) the acquisition of such property will proceed with due diligence to completion; and that, except for the Escrow Agreement, if applicable, and the Payment Fund, no other funds or accounts have been or will be established or pledged to the payment of this Finance Contract.

(c) The Issuer will not directly or indirectly take any action or omit to take any action, which action or omission would cause the Finance Contract to constitute a "*private activity bond*" within the meaning of Section 141(a) of the Code.

(d) The Issuer will not take any action or fail to take any action with respect to the investment of the proceeds of this Finance Contract or any other funds of the Issuer, including amounts received from the investment of any of the foregoing, that would cause this Finance Contract to be an "*arbitrage bond*" within the meaning of such section 148 of the Code.

(e) There are no other obligations of the Issuer which are sold at substantially the same time as the Finance Contract, sold pursuant to the same plan of financing with the Finance Contract and are reasonably expected to be paid from substantially the same source of funds as the Finance Contract.

(f) The Issuer will not take any action, or as the case may be, knowingly omit to take any action within its control that, if taken or omitted, as the case may be, would cause the Finance Contract to be treated as "*federally guaranteed*" obligations for purposes of Section 149(b) of the Code.

(g) The Issuer will take all necessary steps to comply with the requirement that certain amounts earned by the Issuer on the investment of the "*gross proceeds*" of the Finance Contract (within the meaning of Section 148(f)(6)(B) of the Code), if any, be rebated to the federal government. Specifically, the Issuer will (i) maintain records regarding the investment of the gross proceeds of the Finance Contract as may be required to calculate and substantiate the amount earned on the investment of the gross proceeds of the Finance Contract and retain such records for at least six years after the day on which the last outstanding Finance Contract is discharged, (ii) account for all gross proceeds under a reasonable, consistently applied method of accounting, including any specified method of accounting required by applicable regulations to be used for all or a portion of the gross proceeds, (iii) calculate, at such times as are required by applicable regulations, the amount earned from the investment of the gross proceeds of the Finance Contract and (iv) timely pay all amounts required to be rebated to the federal government. In addition, the Issuer will correct any errors within a reasonable amount of time thereafter, including payment to the federal government of any delinquent amounts owed to it, including interest thereon and penalty, if any, as may be necessary or appropriate to assure that interest on the Finance Contract is not includable in the gross income for federal income tax purposes.

(h) The Issuer will timely file with the Secretary of the Treasury of the United States the information required by Section 149(e) of the Code with respect to the Finance Contract on such form and in such place as the Secretary may prescribe. Notwithstanding any other provision of this Finance Contract, the Issuer's obligation under the covenants and provisions of this Section 19 shall survive the defeasance and discharge of this Finance Contract.

20. Miscellaneous.

(a) Time is of the essence. No covenant or obligations hereunder to be performed by the Issuer are waived, except by the written consent of GCC or its successors or assigns. GCC's or its successors or assigns' rights hereunder are cumulative and not alternative.

(b) This Finance Contract shall be construed in accordance with, and governed by the state of Texas laws.

(c) This Finance Contract constitutes the entire agreement between the parties and shall not be modified, waived, discharged, terminated, amended, altered or changed in any respect except by a written document signed by both GCC and the Issuer.

(d) Any term or provision of this Finance Contract found to be prohibited by law or unenforceable shall not affect the legality the remainder of this Finance Contract.

(e) Use of the neuter gender herein is for purposes of convenience only and shall be deemed to mean and include the masculine or feminine gender whenever appropriate.

(f) The captions set forth herein are for convenience of reference only, and shall not define or limit any of the terms or provisions hereof.

(g) Issuer agrees to equitably adjust the payments payable under this Finance Contract if there is a determination by the IRS that the interest payable pursuant to this Finance Contract (as incorporated within the schedule of payments) is not excludable from income in accordance with the Internal Revenue Code of 1986, as amended, such as to make GCC and its assigns whole.

(h) Except as otherwise provided, this Finance Contract shall be binding upon and inure to the benefit of the Parties hereto and their respective heirs, executors, administrators, legal representatives, successors and assigns, where permitted by this Finance Contract.

(i) THIS CONTRACT IS EVIDENCE OF A PRIVATELY PLACED BANK LOAN, IS NOT IN REGISTERED FORM, AND MAY NOT BE TRANSFERRED TO BEARER. TRANSFERS OF THIS CONTRACT ARE NOT REGISTERED ON BOOKS MAINTAINED FOR THAT PURPOSE BY THE ISSUER.

[Signature page follows]

IN WITNESS WHEREOF, the parties have executed this Finance Contract as of the ____ day of _____ in the year 2017.

Government Capital Corporation

Authorized Signature
345 Miron Dr.
Southlake, TX 76092

Witness Signature _____

Print Name _____

Print Title _____

The Issuer: City of La Marque

Bobby Hocking, Mayor
1111 Bayou Road
La Marque, TX 77568

Witness Signature _____

Print Name _____

Print Title _____

EXHIBIT A

Public Property Finance Act Contract **No.7672** (THE "FINANCE CONTRACT")
By And Between
Government Capital Corporation and **the Issuer**, City of La Marque
Dated as of February 13, 2017

DESCRIPTION

Personal Property Property Cost: \$ 662,330.88 Payback Period: Twenty (20) Semi- Annual Payments

Vehicles, Software, and Miscellaneous Equipment as listed:

Slope Mower, Generator, 6x SBCA's, Ambulance, Ticket Writers, OSSI, Water Meters, Jet Machine Vacuum Truck Equipment.

PROPERTY LOCATION:

City Wide
La Marque, TX

EXHIBIT B

>> SCHEDULE OF PAYMENTS & EARLY REDEMPTION VALUE <<

PUBLIC PROPERTY FINANCE ACT CONTRACT **NO.7672** (THE "FINANCE CONTRACT")

BY AND BETWEEN

Government Capital Corporation and the **Issuer**, City of La Marque

Schedule Dated as of February 24, 2017

PMT NO.	PMT DATE MO. DAY YR	TOTAL PAYMENT	INTEREST PAID	PRINCIPAL PAID	EARLY REDEMPTION VALUE after pmt on this line
1	1/31/2018	\$40,117.51	\$21,814.44	\$18,303.07	N/A
2	7/31/2018	\$40,117.51	\$11,238.29	\$28,879.22	N/A
3	1/31/2019	\$40,117.51	\$10,734.34	\$29,383.17	N/A
4	7/31/2019	\$40,117.51	\$10,221.61	\$29,895.90	N/A
5	1/31/2020	\$40,117.51	\$9,699.92	\$30,417.59	N/A
6	7/31/2020	\$40,117.51	\$9,169.14	\$30,948.37	N/A
7	1/31/2021	\$40,117.51	\$8,629.09	\$31,488.42	N/A
8	7/31/2021	\$40,117.51	\$8,079.61	\$32,037.90	N/A
9	1/31/2022	\$40,117.51	\$7,520.55	\$32,596.96	N/A
10	7/31/2022	\$40,117.51	\$6,951.74	\$33,165.77	N/A
11	1/31/2023	\$40,117.51	\$6,372.99	\$33,744.52	\$337,599.97
12	7/31/2023	\$40,117.51	\$5,784.15	\$34,333.36	\$302,090.70
13	1/31/2024	\$40,117.51	\$5,185.03	\$34,932.48	\$266,096.73
14	7/31/2024	\$40,117.51	\$4,575.46	\$35,542.05	\$229,611.44
15	1/31/2025	\$40,117.51	\$3,955.25	\$36,162.26	\$192,628.13
16	7/31/2025	\$40,117.51	\$3,324.22	\$36,793.29	\$155,139.99
17	1/31/2026	\$40,117.51	\$2,682.18	\$37,435.33	\$117,140.14
18	7/31/2026	\$40,117.51	\$2,028.93	\$38,088.58	\$78,621.59
19	1/31/2027	\$40,117.51	\$1,364.29	\$38,753.22	\$39,577.26
20	7/31/2027	\$40,117.51	\$688.09	\$39,429.42	\$0.00
Grand Totals		\$802,350.20	\$140,019.32	\$662,330.88	

Interest Rate: 3.49%

INCUMBENCY CERTIFICATE

Public Property Finance Act Contract **No.7672** (THE "FINANCE CONTRACT")

By And Between

Government Capital Corporation and ***the Issuer***, City of La Marque

Dated as of February 13, 2017

I, Robin Eldridge, do hereby certify that I am the duly elected or appointed and acting City Clerk, of City of La Marque, Issuer, a political subdivision or agency of the State of Texas, duly organized and existing under the laws of the State of Texas, that I or my designee have custody of the records of such entity, and that, as of the date hereof, the individual(s) named below are the duly elected or appointed officer(s) of such entity holding the office(s) set forth opposite their respective name(s). I further certify that (i) the signature(s) set opposite their respective name(s) and title(s) are their true and authentic signature(s), and (ii) such officers have the authority on behalf of such entity to enter into that certain Public Property Finance Act Contract No.7672, between City of La Marque (the "Issuer") and Government Capital Corporation ("GCC").

Name

Title

Signature

Bobby Hocking

Mayor

IN WITNESS WHEREOF, I have duly executed this certificate hereto this _____ day of _____, 2017.

By: _____
Robin Eldridge, City Clerk

City of La Marque 10yr Amortization Schedule**Interest Rate: 3.490%**

	Date	Payment	Interest	Principal
Loan	02/24/2017			
1	01/31/2018	40,117.51	21,814.44	18,303.07
2	07/31/2018	40,117.51	11,238.29	28,879.22
3	01/31/2019	40,117.51	10,734.34	29,383.17
4	07/31/2019	40,117.51	10,221.61	29,895.90
5	01/31/2020	40,117.51	9,699.92	30,417.59
6	07/31/2020	40,117.51	9,169.14	30,948.37
7	01/31/2021	40,117.51	8,629.09	31,488.42
8	07/31/2021	40,117.51	8,079.61	32,037.90
9	01/31/2022	40,117.51	7,520.55	32,596.96
10	07/31/2022	40,117.51	6,951.74	33,165.77
11	01/31/2023	40,117.51	6,372.99	33,744.52
12	07/31/2023	40,117.51	5,784.15	34,333.36
13	01/31/2024	40,117.51	5,185.03	34,932.48
14	07/31/2024	40,117.51	4,575.46	35,542.05
15	01/31/2025	40,117.51	3,955.25	36,162.26
16	07/31/2025	40,117.51	3,324.22	36,793.29
17	01/31/2026	40,117.51	2,682.18	37,435.33
18	07/31/2026	40,117.51	2,028.93	38,088.58
19	01/31/2027	40,117.51	1,364.29	38,753.22
20	07/31/2027	40,117.51	688.09	39,429.42
Grand Totals		802,350.20	140,019.32	662,330.88



CITY COUNCIL AGENDA FORM

Meeting Date: February 13, 2017

Agenda item: **9i**

Prepared by: Gerald Grimm

Reviewed by: *Carol Buttler*

Department: Fire Department

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding award of one (1) Frazer Type 1 Modular Medic Unit to Mac Haik Dodge Chrysler Jeep through H-GAC in the amount of \$161,875.00

☒ **X**

Attachments for reference

1. HGAC Contract Pricing Worksheet
2. Frazer Quote No. 11069A, Dated 12-05-2016

STAFF BRIEFING:

- City Council authorized the acquisition of a new Medic Unit in the FY 2017 Budget.
- Frazer is an H-GAC Cooperative contract manufacturer for Medic Units conforming to all state and federal GSA standards for Emergency Medical Transport Vehicles.
- Frazer incurred price increases from vehicle manufacturer and components since the quote was provided during the FY2017 budget process.
- This acquisition has been discussed with Finance Director.
- Due to the cost of the Medic Unit, this Capital Outlay purchase is included in the Financing Plan for funding as presented by the Finance Director.
- Funding for the additional cost will be absorbed by the Fire Reserve Fund with proceeds from grants/donations from external agencies.

HISTORY:

- The Medic Unit quoted by Frazer will be built on a 2017 Dodge chassis utilizing the same specifications as our current Medic Units providing functional standardization and operator familiarization.
- Frazer is a leader in the production of EMS Vehicles in the greater Houston/Galveston area.
- Frazer provides warranty and non-warranty service and repairs in the Houston area minimizing service disruption.
- Due to the cost of the medic unit, this Capital Outlay purchase is included in the Financing Plan for funding as presented by the Finance Director.

TARGET IMPLEMENTATION: February 14, 2017

SIGNIFICANT ACTION DATES:

09-19-2016 – City Council Adopted FY- 2017 Budget



CITY COUNCIL AGENDA FORM

ACTION:

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

Cost Details:	
Budgeted	\$151,000.00
Actual Bid	\$161,875.00
Estimated Expenditure	\$161,875.00
Acct. Name(s)	10 Year Life Assets
Line Items #	01-7030-06-00
Other Funding	Budget Amendment Transfer from 48-3801 \$10,875.00

STAFF'S RECOMMENDATION: Motion to award one (1) Frazer Type 1 Modular Medic Unit to Mac Haik Dodge Chrysler Jeep through H-GAC in the amount of \$161,875.00

FISCAL IMPACT: \$161,875.00

Exhibit “A”

1. Galveston County Commissioner’s Court - \$22,500.00
2. East Texas Gulf Coast Regional Trauma Advisory Council - \$1,482.00
3. Firefighters Charitable Foundation, Inc - \$300.00
4. Brewster Procurement Group on Behalf of Shell Pipeline - \$500.00

TOTAL: \$24,782.00



December 5, 2016

Gerald Grimm
Fire Chief
La Marque Fire Department
Email: g.grimm@cityoflamarque.org

Quote # 11069A

Chief Grimm,

Per your request we are quoting (1) Frazer Type I 12' Generator Powered Module mounted on a Dodge Ram 3500 diesel chassis with a Liquid Spring suspension. For your convenience all pricing has been itemized below.

Frazer Type I 12' Generator Powered Module	\$ 91,000.00
2017 Dodge Ram 3500 6.7L diesel chassis	\$ 45,250.00
LiquidSpring suspension	\$ 10,000.00
Heat shielding for diesel chassis	\$ 1,500.00
Chassis Exterior	\$ 4,650.00
Chassis Interior	\$ 325.00
Module Exterior	\$ 6,225.00
Module Interior	\$ 1,925.00
Subtotal	\$ 160,875.00
HGAC fee	\$ 1,000.00
Total	\$ 161,875.00

Items included in above total:

Chassis Exterior:

1 . Stainless steel wheel covers	\$ incl.
2 . Black nerf bars on chassis	\$ 450.00
3 . Black Ranch Hand powder coated grille guard (discuss this with Ford chassis)	\$ incl.
4 . (2) Federal Signal ASI24 speakers on grille guard	\$ incl.
5 . (4) Whelen M4 series red grille & intersect LEDs w/ clear lenses (R-C-R-C)	\$ incl.
6 . Frazer aluminum rear window pass through plate (discuss this with Ford chassis)	\$ incl.
7 . Route chassis exhaust to standard location under passenger's side bumper end cap	\$ incl.
8 . Provide weight slip with delivery book	\$ incl.
9 . (2) Mega fuses on chassis frame rail	\$ incl.
10 . Paint chassis red to match your fleet (paint code to be determined)	\$ 4,200.00
Total	\$ 4,650.00

Chassis Interior:

11 . Custom powder coated 6-slot aluminum center console:	\$ incl.
Slot 1: MDT plate (no swivel)	\$ 50.00

Slot 2: Radio plate #22667	\$	incl.
Slot 3: Whelen 295SLSA1 siren (Tap-2) w/ mic on passenger's side of console slot 1	\$	incl.
Slot 4 & 5: Double switch panel	\$	incl.
Layout: PRIMARY – SECONDARY – Blank – Blank – SIDE SCENE (1 way switch – controls one side) – SIDE SCENE (1 way switch – controls one side) – REAR LOAD – INTERIOR LIGHT – START STOP (Genset)	\$	incl.
Slot 6: Single blank plate	\$	incl.
12 . Large aluminum map holder at rear of console	\$	175.00
13 . Spotlight sent loose	\$	incl.
14 . Exhaust warning buzzer inside the console w/ Genset shutdown circuit	\$	incl.
15 . CLMR195 coax 2 terminates inside console under radio plate	\$	100.00
16 . Coax runs: (2) terminating in electrical compartment, (2) terminating under the driver's side seat in the chassis (Verify this)	\$	incl.
Total	\$	325.00

Module Exterior:

17 . Paint module red to match chassis (paint code to be determined)	\$	1,200.00
18 . *Striping and lettering to match your fleet	\$	3,000.00
19 . 3M diamond grade conspicuity in a chevron pattern on entire rear of module including entry doors (discuss colors)	\$	1,500.00
20 . All clear lenses on emergency LEDs	\$	N/C
21 . (8) Whelen M6 series red LED box lights	\$	incl.
22 . (5) Whelen M6 series LEDs on front wall (B-R-C-R-B)	\$	incl.
23 . (3) Whelen M6 series LEDs on rear wall (B-A-B)	\$	incl.
24 . (2) Whelen M6 series LED load lights with flanges on rear of module (come ON w/ reverse)	\$	incl.
25 . (2) Whelen M6 series red brake/tail/turn LEDs	\$	incl.
26 . (2) Whelen M6 series red/clear split wheel well LEDs	\$	incl.
27 . (2) Fire Research Corp. 900 series Spectra LED scene lights – on 2 switches	\$	incl.
28 . ICC clearance lights above corner/box lights	\$	incl.
29 . (2) Grote 4" round BTT red LEDs in the rear bumper panel on each side	\$	incl.
30 . (2) Grote 4" round back-up clear LEDs in the rear bumper panel on each side	\$	incl.
31 . Cummins Onan 5.5kW commercial generator system w/ fuel gauge on console & locking gas cap	\$	incl.
32 . Single 30 amp Meltric shore receptacle on driver's side front wall of module w/ pigtail shipped loose	\$	incl.
33 . Diamond plate on front corners, wheel wells, and rear	\$	incl.
34 . Outside only rear storage compartment w/ 1" x 3" angle on ceiling	\$	N/C
35 . (4) Coat hooks - (2) on angle on ceiling of compartment, (1) mounted on a plate on rear wall, (1) mounted on a plate & shipped loose	\$	100.00
36 . O2 compartment with a laydown "H" cylinder & shelf 20" from floor of compartment	\$	incl.
37 . 3 high "D" cylinder holder in O2 compartment next to laydown O2	\$	225.00
38 . Standard long lower storage compartment w/ gas hold open	\$	incl.
39 . Standard radio compartment	\$	incl.
40 . Electrical system decal applied to interior of compartment access door	\$	incl.
41 . Standard electrical compartment w/ 30 amp On-board chassis battery charger	\$	incl.
42 . Standard rear backboard compartment	\$	incl.
43 . LED flex strip lighting in applicable compartments	\$	incl.

44 . Single step well	\$	incl.
45 . Spare tire – loose	\$	incl.
46 . Eberhard “automotive style” latches w/ J236 keys and J102 keys	\$	incl.
47 . Double 6061-T6 structural members welded at all vertical and horizontal wall intersections	\$	incl.
48 . Blue Akro bins - (6) large, (22) small	\$	200.00
Total	\$	6,225.00

Module Interior:

49 . 120VAC Dometic filtered air conditioning and heat w/ thermostat at the action wall – Location 3	\$	incl.
50 . Aluminum powder coated interior cabinets	\$	incl.
51 . Powder coated aluminum countertops	\$	incl.
52 . SpecTape-Insulfab insulation and sound deadening material in ceiling, walls and doors	\$	incl.
53 . Double-pane entry door windows	\$	incl.
54 . Stainless steel grab handles	\$	incl.
55 . SSCOR brand suction at action wall – Location 6	\$	incl.
56 . 3 place switch panel (Interior lights, Front interior light, blank switch) – Location 1	\$	incl.
57 . Standard dump bypass/rear load switch plate	\$	incl.
58 . Sharps container and bracket at the action wall in standard location	\$	incl.
59 . Small acrylic holder at the end of the action wall	\$	incl.
60 . Large acrylic holder aft of the CPR seat	\$	incl.
61 . Stainless steel squad bench and action wall wrappers	\$	incl.
62 . (8) Grote LED interior ceiling lights	\$	incl.
63 . Standard overhead grab rails	\$	incl.
64 . (2) IV hangers in ceiling	\$	incl.
65 . Lonseal “Lonfloor” vinyl flooring-sapphire	\$	incl.
66 . Alucabond aluminum & polyethylene plastic sub-floor	\$	incl.
67 . 175-3 single position cot mount	\$	incl.
68 . Cot plates & cot hook for Stryker Power-PRO cot	\$	incl.
69 . Single O2 outlet at action wall - Location 2, single O2 outlet above squad bench & in ceiling raceway in lieu of standard	\$	150.00
70 . 5 lb. ABC fire extinguisher on shelf in front I/O	\$	N/C
71 . Magnetically attached seamless cushions	\$	incl.
72 . 120VAC duplex outlet 24" from the floor of the I/O compartment above the shelf	\$	incl.
73 . 120VAC duplex at the laydown O2 box in standard location	\$	incl.
74 . 120 VAC quad outlet at the action wall – Location 7	\$	incl.
75 . 3 receptacle 12VDC outlet w/ medical diode isolator at action wall - Location 3	\$	incl.
76 . Standard laydown O2 box w/ Lexan lid	\$	incl.
77 . Standard front wall cabinets	\$	incl.
78 . Standard front corner area	\$	incl.
79 . Grey trash can in the top opening at the head of the squad bench	\$	incl.
80 . 3 high glove box holder / end rail combination at head of squad bench	\$	450.00
81 . Squad bench cabinet w/ padded trim	\$	600.00
82 . Standard Front I/O w/ compartment below	\$	incl.
83 . Ribbed rubber on front I/O shelf/shelves	\$	incl.
84 . Ribbed rubber on floor of front I/O	\$	25.00
85 . Blue captain's chair w/ built-in child safety seat	\$	700.00

- 86 . Blue cushions including single CPR seat w/ non-locking lid, squad bench & cushion above the rear entry door (to be determined)

	\$	N/C
Total	\$	1,925.00

Additional items for your consideration (not included in above total):

Black Ranch Hand grille guard w/ wrap-arounds (discuss this on the Ford chassis)	\$	700.00
ArcRite running boards on chassis	\$	850.00
Arm rests on console	\$	200.00
MDT plate w/ swivel	\$	450.00
Whelen 295HFSC9 siren in lieu of standard	\$	250.00
Dual aluminum cup holder mounted on console (discuss location)	\$	100.00
3 high glove box holder on rear wall of truck cab	\$	150.00
3M Diamond Grade 2'x2' white conspicuity squares on inside of side and rear entry doors panels	\$	300.00
Dual 20 amp Kussmaul auto-eject shore power outlets in lieu of standard (discuss location) OR	\$	550.00
30 amp Kussmaul auto-eject shore power outlet in lieu of standard (discuss location) OR	\$	450.00
Shore power ignition kill switch	\$	250.00
Whelen Pioneer Plus dual panel scene lights (floodlight PFP2) on two switches in lieu of standard	\$	2,700.00
Voyager back up camera system w/ color LCD monitor mounted in cab	\$	1,600.00
Voyager camera mounted inside module	\$	550.00
22 pocket acrylic organizer above the squad bench	\$	600.00
Engel 15 qt. refrigerator w/ 120VAC adapter and locking hasp	\$	900.00
Knox MedVault w/ WiFi	\$	2,700.00
Knox MedVault software (this is a one time charge and will not be necessary on future units).	\$	275.00
Double locking aluminum drug box	\$	300.00
Lip at shelf and bottom of front I/O	\$	200.00
Air Liquide electric oxygen system with digital monitor and oxygen regulator	\$	1,700.00
Single oxygen outlets at action wall, in ceiling above patient, and above squad bench in lieu of standard double outlet at action wall	\$	300.00
Extra O2 outlet in the ceiling raceway	\$	300.00
Oxygen regulator	\$	150.00
Radio speakers in module off chassis radio w/ volume control at action wall	\$	650.00
Stryker antler and bar	\$	750.00
Ferno LifePak 12/15 bracket at action wall	\$	800.00
Extra overhead grab rail	\$	200.00

Terms and Conditions

- 1 . This quote is valid for 90 days.
- 2 . All pricing is F.O.B. Houston.
- 3 . Per TMVCC we are quoting this through our licensed franchise dealer, Mac Haik Dodge Chrysler Jeep.
- 4 . Please make your purchase order out to Mac Haik Dodge Chrysler Jeep (11000 North Freeway, Houston, TX 77037). Please email a copy of your purchase order and this quote to sales@frazerbilt.com.

- 5 . Please note, payment for the entire purchase is due upon receipt and acceptance of completed unit.
- 6 . To minimize delays, customer provided items should be present prior to unit production start.
- 7 . Frazer will provide a weight slip with accompanying scale calibration certification. Your local vehicle registration office may require a state certified weight slip for registration. Should that be the case, you will need to weigh the vehicle at a local weigh station that provides a weight slip with the department of agriculture seal prior to registration.
- 8 . *Striping and lettering pricing may be adjusted based on the company's scheme. Striping and lettering pricing includes two hours' design time in the base price. Additional design time for more extensive graphics and/or multiple changes is quoted at \$100/hour.

Thank you for the opportunity to quote this job. If you have any questions please call me at 888-372-9371.

Best Regards,

Sheri Cohen Heyman

Sheri Cohen Heyman
Inside Sales Representative
Frazer, Ltd.

Gerald Grimm

From: Sheri Heyman <sheyman@frazerbilt.com>
Sent: Monday, December 5, 2016 3:52 PM
To: Gerald Grimm
Subject: Re: La Marque Fire Department quote 11069
Attachments: La Marque 11069A.pdf; La Marque 11069A-HGAC.pdf

Good afternoon Chief.

I have attached your revised quote and the HGAC quote worksheet.

So I gave you a worst case completion date, so there is room for moving up in the schedule. With a Letter of Intent I can reserve a space now and that would probably be for completion in April. If we wait for the Purchase Order in January there should be May spaces available, I don't think we would get the chassis in enough time for the April completion.

If you have any questions please don't hesitate to call or email.

Thank you so much Chief! Sheri

On Mon, Dec 5, 2016 at 2:23 PM, Gerald Grimm <g.grimm@cityoflamarque.org> wrote:

Sheri,

Work up an HGAC Worksheet for the total cost including the Chevron striping as well.

Any chance you could manipulate the schedule and move us up a bit?

Any consideration will be greatly appreciated.

I will work on the {new} color scheme for lettering, etc.

Thx

Gerald

From: Sheri Heyman [mailto:sheyman@frazerbilt.com]
Sent: Monday, December 5, 2016 9:36 AM
To: Gerald Grimm <g.grimm@cityoflamarque.org>
Subject: Re: La Marque Fire Department quote 11069

Good morning Chief Grimm.

Yes, quote 11069 is still valid. It does include painting both the chassis and module red.

The cost for 3M diamond grade conspicuity in a chevron pattern on the entire rear of the module is \$1,500.00.

Currently, it looks like you would have a completed unit in May/June for an order placed in January.

Please *don't hesitate* to call or email if you have any questions or need any additional information.

Thank you so much Chief! Sheri

On Mon, Dec 5, 2016 at 9:24 AM, Gerald Grimm <g.grimm@cityoflamarque.org> wrote:

Good morning, Sheri,

Am I to presume the attached quote is still valid?

Does this quote for the Dodge include the costs to have the cab and module painted RED as we discussed some time ago?

Finally, what would be the cost associated with painting CHEVRONS on the rear of the vehicle?

If I order the apparatus in the 2nd or 3rd week of January, what will the anticipated delivery date?

Thanks,

Gerald

From: Sheri Heyman [mailto:sheyman@frazerbilt.com]
Sent: Wednesday, September 21, 2016 4:30 PM
To: Gerald Grimm <g.grimm@cityoflamarque.org>
Cc: Department - Sales <sales@frazerbilt.com>
Subject: La Marque Fire Department quote 11069

Good afternoon Chief Grimm.

I have attached a copy of your new unit quote, #11069. Both the Dodge and Ford chassis are included in this quote. A few things about the 2017 Ford chassis:

- 1) The 2017 Fords do not offer a power driver's seat, so it is a manual slide forward and back and manual recline.
- 2) The 2017 Fords do not offer a sliding rear window. We have the first of the 2017 models at Frazer now, our Engineering team is working to fabricate a pass through window plate.
- 3) The 2017 Fords have a different front end design, at the beginning of the model year Ranch Hand will only produce the grille guard with wrap arounds for this chassis. Later in the year we should see our standard grille guard, the grille guard with wrap arounds may be required for this chassis model.

This is a lot of information, so if you have any questions or need any additional information please do not hesitate to call or email.

Thank you so much! Sheri

--

Sheri Cohen Heyman | Inside Sales Representative
Frazer, Ltd. | sheyman@frazerbilt.com

P: [\(713\) 772-5511](tel:(713)772-5511) | C: [\(281\) 652-7609](tel:(281)652-7609)



Defining the future of Mobile Healthcare.™

Please Note: Frazer's mailing address has recently changed. Please send mail to:

7219 Rampart, Houston, TX 77081

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--

Sheri Cohen Heyman | Inside Sales Representative
Frazer, Ltd. | sheyman@frazerbilt.com

P: [\(713\) 772-5511](tel:(713)772-5511) | C: [\(281\) 652-7609](tel:(281)652-7609)



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--

Sheri Cohen Heyman | Inside Sales Representative
Frazer, Ltd. | sheyman@frazerbilt.com

P: (713) 772-5511 | C: (281) 652-7609



Defining the future of Mobile Healthcare.™ eet.

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CITY COUNCIL AGENDA FORM

Meeting Date: February 13, 2017

Prepared by: Gerald Grimm

Department: Fire

Agenda item: 9j

Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding awarding the purchase of six (6) SCOTT Self Contained Breathing Apparatus to Municipal Emergency Services through H-GAC in the amount \$39,292.86

X

Attach for reference

1. HGAC Contract Pricing Worksheet, Dated 01-31-2017
2. MES (Municipal Emergency Services) Unit Quote No. QT1070248, Dated 01-17-2017

STAFF BRIEFING:

- City Council authorized the acquisition of Breathing Apparatus in the FY 2017 Budget.
- MES is an approved HGAC Cooperative contract vendor for this product.
- The acquisition has been discussed and reviewed by the Finance Director.
- Due to the cost of SCBA equipment, this Capital Outlay purchase is included in the Financing Plan for funding as presented by the Finance Director.

HISTORY:

- The Fire Department has undertaken the incremental replacement of the current inventory of SCBA appliances to maintain compliance with the Texas Fire Commission standards.

TARGET IMPLEMENTATION: February 14, 2017

SIGNIFICANT ACTION DATES:

09-19-2016 – City Council Adopted FY 2017 Budget

ACTION:

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

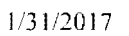
Cost Details:	
Budgeted	\$35,250.00
Actual Bid	\$39,292.86
Estimated Expenditure	\$39,334.86
Acct. Name(s)	5 Year Life Assets
Line Items #	01-7040-06-00
Other Funding	



CITY COUNCIL AGENDA FORM

STAFF'S RECOMMENDATION: Motion to award the purchase of six (6) SCOTT Self Contained Breathing Apparatus to Municipal Emergency Services through H-GAC in the amount \$39,292.86

FISCAL IMPACT: \$39,292.86



39292.86



MES - Texas
16511 Hedgecroft
Suite 200
Houston, TX 77060

Quote

Date 1/17/2017
Quote # QT1070248
Expires 2/16/2017
Sales Rep Powell, Ronald M
PO #
Shipping Method FedEx Ground

Bill To
CITY OF LAMARQUE
LAMARQUE F.D.
1111 BAYOU RD.
LAMARQUE TX 77568
United States

Ship To
LAMARQUE FIRE RESCUE
1109A BAYOU ROAD
La Marque TX 77568
United States

X3314022200201	SCBA Model: Air-Pak X3 with CGA Harness: Standard Harness Pressure: 4500 Belt Type: Standard Escape Rope: No Escape Rope Regulator Type: Quick Connect Hose EBSS: Dual EBSS Airline Option: None Console Type: PASS Case: No Case Packaging: 1 SCBA Per Box	1	5,368.60	5,368.60
804722-01	CYL&VLV ASSY,CARB,45MIN,4500	1	938.40	938.40
201215-02	AV-3000 HT (M), KVL R	1	248.81	248.81

Subtotal	6,555.81
Shipping Cost (FedEx Ground)	0.00
Total	\$6,555.81

This Quotation is subject to any applicable sales tax and shipping & handling charges that may apply. Tax and shipping charges are considered estimated and will be recalculated at the time of shipment to ensure they take into account the most current local tax information.

All returns must be processed within 30 days of receipt and require a return authorization number and are subject to a restocking fee.

Custom orders are not returnable. Effective tax rate will be applicable at the time of invoice.



QT10702..



CITY COUNCIL AGENDA FORM

Meeting Date: February 13, 2017

Prepared by: Chief Kirk Jackson

Department: Police

Agenda item: 9k

Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding awarding to Crescent Electric, through the BuyBoard, the purchase of a replacement generator for the Police Department's building in an amount up to \$56,000.00



Attach for reference (All reference items in the order of importance)

1. Pricing proposal from Crescent Electric for the purchase and installation of a 200 KW generator at the Police Department's building under BuyBoard contract number 461-14.

STAFF BRIEFING:

- The La Marque Police Department has occupied the police station building since the beginning of 1994.
- The current emergency generator has been in place for 23 years.
- The generator is essential for the functionality of the Police Department and certain other City services during emergency power outages.
- Some of the generator's components are no longer repairable and will not function if any of these components fail.
- Replacement of the generator has been a priority of the Police Department for two years, however funding restrictions have prevented replacement.
- Crescent Electric will conduct a load and needs assessment to determine appropriate wattage.
- Due to the cost of the generator, this Capital Outlay purchase is included in the Financing Plan for funding as presented by the Finance Director.

HISTORY:

- The Police Department moved from Laurel Street to the current building in January of 1994.
- When the building was modified from the City Hall to the Police Department, the generator was installed adjacent to the addition (housing records and the jail).
- The current generator has 1030 hours on its meter.

TARGET IMPLEMENTATION: May 2017

SIGNIFICANT ACTION DATES:

July 28, 2016 - Council authorizes the replacement of the generator within the financing package proposed by the Finance Director during budget workshops.



CITY COUNCIL AGENDA FORM

ACTION:

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

Cost Details:	
Budgeted	\$55,000.00
Actual Bid	\$56,000.00
Estimated Expenditure	\$56,000.00
Acct. Name(s)	10 Yr life asset
Line Items #	01-7030-16-00
Other Funding	\$1,000.00

STAFF'S RECOMMENDATION: Motion to award to Crescent Electric, through the BuyBoard, the purchase of a replacement generator for the Police Department's building in an amount up to \$56,000.00

FISCAL IMPACT: Outside of the initial purchase price, annual maintenance cost estimate of \$1,200 would begin at the end of manufacturer's warranty.

Quality Work by Qualified Workers

Date: 1/30/17

Customer: City of La Marque

Location: Police Department

Thank you for the opportunity to budget the following scope of work. This 200KW generator has been sized based on existing.

1. Provide drawings for permitting and construction purposes.
2. Install grounding as per NEC.
3. Install branch circuit conduit and wire for battery charger for generator.
4. Install control wiring from automatic transfer switch to generator control cabinet.
5. Set and anchor generator.
6. Set parameters for generator exercise circuit.
7. Test and commission generator.

The budget price for this scope is \$56,000.00. Tax not included.

Thank you,

Grady Mack

This price is guaranteed for thirty days unless otherwise noted.

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



CITY COUNCIL AGENDA FORM

Meeting Date: February 13, 2017

Prepared by: Chief Kirk Jackson

Department: Police

Agenda item: 91

Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding adopting Resolution No. **R-2017-004**, ratifying the City Manager's authorization for the La Marque Police Department to apply for a CJD grant to fund new body worn cameras and committing a 20% funding match of \$1,983.60



Attach for reference

1. Resolution
2. Grant application submitted through egrants.
3. Pricing quote for TASER BODY 2 body worn cameras.
4. Funding announcement from the Office of the Governor's Criminal Justice Division.

STAFF BRIEFING:

- The La Marque Police Department currently employs twelve (12) body worn cameras that have been in use since June of 2015.
- Ten (10) of them are in constant circulation with two (2) in reserve.
- The body worn cameras are checked in and out daily.
- Body worn camera grant funding was announced in mid-November of 2016, however actual notice was not received at LMPD until mid-December.
- The grant application is requesting funding for 25 body worn cameras.
- The City of La Marque Grant Committee met on January 6th and agreed to recommend application.
- The Finance Director has reviewed the item and it complies with La Marque purchasing policy.
- The grant does require a 20% funding match of \$1,983.60, which will be absorbed by Fund 12.
- The City Attorney reviewed the item and created the attached resolution.

HISTORY:

- **April 27, 2015** – Council authorized the purchase of twelve (12) body worn cameras for use by La Marque Police Department patrol officers, as well as the work stations and storage server used to upload the videos.
- **November 15, 2016** – the Office of the Governor's Criminal Justice Division (CJD) announced the opening of the Body Worn Camera funding program.
- **January 6, 2017** – the La Marque Grant Committee met and agreed to recommend to the City Manager application for the grant.

TARGET IMPLEMENTATION: Upon award of CJD grant funding.



CITY COUNCIL AGENDA FORM

SIGNIFICANT ACTION DATES:

November 15, 2016 – Grant funding announced by CJD

January 6, 2017 – La Marque Grant Committee met and agreed to recommend grant application

January 9, 2017 – Grant application submitted via egrants

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	\$9,918.00
Estimated Expenditure	80% Grant \$7,934.40 20% City \$1,983.60
Acct. Name(s)	Equipment
Line Items #	12-7040-05-00
Other Funding	CJD Grant

STAFF'S RECOMMENDATION: Motion to adopt Resolution No. **R-2017-004**, ratifying the City Manager's authorization for the La Marque Police Department to apply for a CJD grant to fund new body worn cameras and committing a 20% funding match of \$1,983.60

FISCAL IMPACT: \$1,983.60 (20% match) from Drug Seizure Fund.

RESOLUTION NO. R-2017-00__

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, APPROVING THE SUBMISSION OF THE GRANT APPLICATION TO THE GOVERNOR'S CRIMINAL JUSTICE DIVISION BODY WORN CAMERA FUNDING PROGRAM ON BEHALF OF THE LA MARQUE POLICE DEPARTMENT, AND DESIGNATING THE CITY MANAGER AS THE AUTHORIZED OFFICIAL ON BEHALF OF THE LA MARQUE POLICE DEPARTMENT TO HAVE THE POWER TO APPLY FOR, ACCEPT, REJECT, ALTER OR TERMINATE THE GRANT FROM THE OFFICE OF THE GOVERNOR'S CRIMINAL JUSTICE DIVISION FOR THE PURPOSE OF PURCHASING TASER BODY 2 BODY WORN CAMERAS.

WHEREAS, the City Council of the City of La Marque, Texas, finds it in the best interest of the citizens of the City of La Marque, Texas, that the Governor's Criminal Justice Division Body Worn Camera funding program be authorized for the year 2017; and

WHEREAS, the City Council of the City of La Marque, Texas, agrees to provide applicable matching funds for the said project as required by the Governor's Criminal Justice Division grant application; and

WHEREAS, the City Council of the City of La Marque, Texas, agrees that in the event of loss or misuse of the Office of the Governor funds, the City Council assures that the funds will be returned to the Office of the Governor in full; and

WHEREAS, the City Council of the City of La Marque, Texas, designates the City Manager as the City of La Marque's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the grant for the purpose of purchasing the TASER BODY 2 body worn cameras on behalf of the La Marque Police Department.

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

That the City Council of the City of La Marque, Texas, approves the submission of the grant application for the purpose of purchasing the TASER BODY 2 body worn cameras on behalf of the La Marque Police Department.

PASSED AND APPROVED 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

Snapshot Description: Application - Submitted by Applicant
Created: 1/9/2017 3:15:13 PM

Agency Name: La Marque, City Of
Grant/App: 3243101 **Start Date:** 5/1/2017 **End Date:** 5/31/2018

Project Title: Body Camera's
Status: Application Pending AO Certification

Eligibility Information

Your organization's Texas Payee/Taxpayer ID Number:
746012995

Application Eligibility Certify:
Created on:12/20/2016 2:12:56 PM By:Kenneth Cagnon

Profile Information

Applicant Agency Name: La Marque, City Of
Project Title: Body Camera's
Division or Unit to Administer the Project: Police Department
Address Line 1: 1111 Bayou Road
Address Line 2:
City/State/Zip: La Marque Texas 77568-4160
Start Date: 5/1/2017
End Date: 5/31/2018

Regional Council of Governments(COG) within the Project's Impact Area: Houston-Galveston Area Council
Headquarter County: Galveston
Counties within Project's Impact Area: Galveston

Grant Officials:

Authorized Official

User Name: Carol Buttler
Email: c.buttler@cityoflamarque.org
Address 1: 1111 Bayou Road
Address 1:
City: La Marque, Texas 77568
Phone: 409-938-9202 **Other Phone:**
Fax:
Title: Ms.
Salutation: Ms.
Position: City Manager

Project Director

User Name: Kenneth Cagnon
Email: k.cagnon@cityoflamarque.org
Address 1: 431 Bayou Road
Address 1:
City: La Marque, Texas 77568
Phone: 409-938-9241 **Other Phone:** 832-315-1596
Fax: 409-935-0002
Title: Mr.
Salutation: Lieutenant

Position: Administration Lieutenant

Financial Official

User Name: Suzy Kou

Email: financedirector@cityoflamarque.org

Address 1: 1111 Bayou Road

Address 1:

City: La Marque, Texas 77568

Phone: 409-938-9205 Other Phone: 832-226-8211

Fax: 409-877-5020

Title: Ms.

Salutation: Ms.

Position: Interim Finance Director

Grant Writer

User Name: Kenneth Cagnon

Email: k.cagnon@cityoflamarque.org

Address 1: 431 Bayou Road

Address 1:

City: La Marque, Texas 77568

Phone: 409-938-9241 Other Phone: 832-315-1596

Fax: 409-935-0002

Title: Mr.

Salutation: Lieutenant

Position: Administration Lieutenant

Grant Vendor Information

Organization Type: Unit of Local Government (City, Town, or Village)

Organization Option: applying to provide services to all others

Applicant Agency's State Payee Identification Number (e.g., Federal Employer's Identification (FEI) Number or Vendor ID): 746012995

Data Universal Numbering System (DUNS): 074175282

Narrative Information

Introduction

Information related to this program is in the CJD funding announcement for the Body-Worn Camera Program.

Section 1: Program-Specific Questions

A. Uploads

In the Summary.Upload Files subtab of this application, please upload a letter from the local district or county attorney who prosecutes felony crimes in your jurisdiction expressing that they intend to actively use the evidence created through the use of body cameras and will participate in the law enforcement agency's BWC policy development.

If applicable, also upload a letter from the county sheriff regarding participation in U.S. Department of Homeland Security programs (see below under Certifications "J").

Before filing for reimbursement funds under this grant program, upload a copy of a resolution from the governing body of the applicant containing the text of the sample resolution available [here](#).

B. Project Information

Proposed number of officers to be equipped:

25

Number of cameras to purchased in project budget (number reported cannot exceed the number of officers equipped):

25

C. Organization Information

The number of licensed officers directly employed by the applicant agency:

31

The number of licensed, front-line officers who are engaged in traffic or highway patrol or otherwise regularly detain or stop motor vehicles, or are primary responders who respond directly to calls for assistance from the public:

25

Section 2: Certifications

In addition to the requirements found in existing statute, regulation, and the funding announcement, this program requires applicant organizations to certify compliance with the following:

A. Eligible Grantees and Eligible Personnel to Equip

Applicant assures that grant funds will be used only to equip full-time, paid officers of a municipal police department or sheriff's office, who are engaged in traffic or highway patrol, otherwise regularly detain or stop motor vehicles; or are primary responders who respond directly to calls for assistance from the public.

B. Eligible Purchases

Applicant assures that grant funds will be used only to purchase body-worn cameras, digital video storage, and retrieval systems or services; that grant funds will only be used to purchase a maximum of one year's service, support, or warranty separate from the equipment or video services; and grant funds will not be used to fund the salary or pay of any employee.

C. Equipment Standards

To maximize the effectiveness of purchased BWCs, applicant assures that cameras will meet the minimum standards set forth by DOJ in the "Body-Worn Camera Pilot Implementation Program Competitive Grant Announcement".

D. Sustainability Requirement

Applicant assures that it will maintain the cameras and video storage systems purchased with grant funds for a period of three years after their purchase. If the applicant purchases replacement cameras or video storage systems with other funds, this requirement shall be satisfied if the applicant maintains at least the number of operable cameras funded under this grant.

E. Reporting Requirements

Applicant assures that it will file reports with the Texas Commission on Law Enforcement regarding arrest statistics, expended project funds and other required information at the time of and then 12, 24, and 36 months after submitting the final request for reimbursement to the Criminal Justice Division.

F. Contract Management

Grantees must be able to ensure that contractors comply with all applicable rules and regulations.

G. CJD Regulations

Grantees must comply with the standards applicable to this funding source cited in the Texas Administrative Code (1 TAC Chapter 3), and all statutes, requirements, and guidelines applicable to this funding.

H. Uniform Crime Reports

Eligible applicants operating a law enforcement agency must be current on reporting Part I violent crime data to the Texas Department of Public Safety (DPS) for inclusion in the annual Uniform Crime Report (UCR). To be considered eligible for funding, applicants must have submitted a full twelve months of accurate data to DPS for the most recent calendar year.

I. Criminal History Reporting

The county (or counties) in which the applicant is located must have a 90% average on both adult and juvenile criminal history dispositions reported to the Texas Department of Public Safety for calendar years 2010 through 2014.

J. Immigration and Customs Enforcement Requests

If Grantee is a county or municipality and includes a department or other subdivision that detains individuals after arrest for a criminal violation, such Grantee certifies that it participates fully, and will continue throughout the grant period to participate fully, in all aspects of the programs and procedures utilized by the U.S. Department of Homeland Security (DHS) to: (1) notify DHS of all information requested by DHS related to illegal aliens in the custody of the Grantee; and (2) detain such aliens in accordance with requests by DHS. Grantee certifies that it does not have, and will throughout the grant period not have, any policy, procedure, or agreement (written or unwritten) that in any way limits or impedes Grantee's receipt of or DHS's issuance of detainer requests. Grantee further certifies that it does not have, and will throughout the grant period not have, any policy, procedure, or agreement (written or unwritten) that in any way limits or restricts the Grantee's full participation in all aspects of the programs and procedures utilized by DHS to: (1) notify DHS of all information requested by DHS related to illegal aliens in the custody of the Grantee; and (2) detain such aliens in accordance with requests by DHS. Grantee agrees that failure to comply with this certification may result in OOG, in its sole discretion, terminating this grant and any other grant made by the OOG to the Grantee's county or municipality. Grantee agrees that it shall return all funds received by OOG for any grant terminated under this certification. Additionally, Grantee agrees that it will remain ineligible for future OOG funding until it can provide satisfactory evidence that the jurisdiction has been in compliance with this requirement for a period of at least one year.

K. Civil Rights Liaison

A civil rights liaison who will serve as the grantee's civil rights point of contact and who will be responsible for ensuring that the grantee meets all applicable civil rights requirements must be designated. The designee will act as the grantee's liaison in civil rights matters with CJD and with the federal Office of Justice Programs.

Enter the Name of the Civil Rights Liaison:

Lt. Kenneth Cagnon

Enter the Address for the Civil Rights Liaison:

431 Bayou Road La Marque, TX 77568

Enter the Phone Number for the Civil Rights Liaison [(999) 999-9999 x9999]:

409-938-9241

Overall Certification

Each applicant agency must certify to the content in this record as submitted to OOG, as well as the [Announcement](#) and the [Grantee Responsibilities Memo](#) requirements to be eligible for this program.

X I certify to all of the application content & requirements.

Project Abstract :

Body-worn cameras can help improve the high-quality public service expected of police officers and promote the perceived legitimacy and sense of procedural justice that communities have about their police departments. The presence of cameras often improves the performance of officers as well as the conduct of the community members who are recorded. This is an important advance in policing. And when officers or members of the public break the law or behave badly, body-worn cameras can create a public record that allows the entire community to see what really happened.

Problem Statement :

Both the public and the police increasingly feel the need to videotape every interaction can be seen both as a reflection of the times and as an unfortunate commentary on the state of police-community relationships in some jurisdictions. As a profession, policing has come too far in developing and strengthening relationships with its communities to allow encounters with the public to become officious and egalistic. Body-worn cameras can increase accountability in both officers and the community.

Supporting Data :

The Police Executive Research Forum (PERF), with support from the U.S. Department of Justice's Office of Community Oriented Policing Services (COPS Office), conducted research in 2013 on the use of body-worn cameras. This research project consisted of three major components: an informal survey of 500 law enforcement

agencies nationwide; interviews with police executives; and a conference in which police chiefs and other experts from across the country gathered to discuss the use of body-worn cameras.

Project Approach & Activities:

With the purchase of 25 cameras we can assign each field officer their own camera instead of officers having to check out cameras before each shift and returning cameras at the end of shift which causes issues of waiting for units to be downloaded and charged. Also Officers with own camera will be able to take units home and show up to shift with camera already on and ready to activate for early, urgent call for services that cant wait for equipment assignment alleviating the times officers go to these emergency calls without cameras.

Capacity & Capabilities:

LMPD already has server space and download software for cameras system.

Performance Management :

Performance and management of camera system and download software will be maintained by Administrative Services Division Commander and City IT.

Data Management:

Data Management will also be monitored and maintained by Administrative Services Division Commander and City IT.

Target Group :

Cameras will be utilized by all LMPD personnel who are engaged in traffic or highway patrol, otherwise regularly detain or stop motor vehicles, or are primary responders to calls for assistance from the public.

Evidence-Based Practices:

All recordings flagged as evidence are downloaded from the server by our evidence custodian and burned to DVD media to submit to DA's office for use in criminal proceedings.

Project Activities Information

TCOLE Reporting

Upon submission of the final Financial Status Report (FSR), grantees will be required to submit a programmatic online report to the Texas Commission on Law Enforcement (TCOLE) within 30 days. Please check CJD's [website](#) upon completion of the final FSR for a link to TCOLE's reporting tool.

Selected Project Activities:

ACTIVITY	PERCENTAGE:	DESCRIPTION
Body-Worn Camera Program Implementation	100.00	Body Cameras, intended for use by municipal police departments and county sheriff's departments that employ officers who are engaged in traffic or highway patrol, otherwise regularly detain or stop motor vehicles; or are primary responders who respond directly to calls for assistance from the public.

Measures Information

Objective Output Measures

OUTPUT MEASURE	TARGET LEVEL
----------------	--------------

Objective Outcome Measures

OUTCOME MEASURE	TARGET LEVEL
-----------------	--------------

Custom Output Measures

CUSTOM OUTPUT MEASURE	TARGET LEVEL

Custom Outcome Measures

CUSTOM OUTCOME MEASURE	TARGET LEVEL

Section 1: Resolution from Governing Body

Applications from nonprofit corporations, local units of governments, and other political subdivisions must include a resolution that contains the following:

1. Authorization by your governing body for the submission of the application to CJD that clearly identifies the name of the project for which funding is requested;
2. A commitment to provide all applicable matching funds;
3. A designation of the name and/or title of an authorized official who is given the authority to apply for, accept, reject, alter, or terminate a grant (Note: If a name is provided, you must update CJD should the official change during the grant period.); and
4. A written assurance that, in the event of loss or misuse of grant funds, the governing body will return all funds to CJD.

Upon approval from your agency's governing body, upload the approved resolution to eGrants by clicking on the **Upload Files** sub-tab located in the **Summary** tab.

Section 2: Contract Compliance

Will CJD grant funds be used to support any contracts for professional services?

☐ Yes

☒ No

For applicant agencies that selected **Yes** above, describe how you will monitor the activities of the sub-contractor(s) for compliance with the contract provisions (including equipment purchases), deliverables, and all applicable statutes, rules, regulations, and guidelines governing this project.

Section 3: Lobbying

For applicant agencies requesting grant funds in excess of \$100,000, have any federally appropriated funds been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress, or an employee of a member of Congress in connection with the awarding of any federal contract, the making of any federal grant, the making of any federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any federal contract, grant loan, or cooperative agreement?

☐ Yes

☒ No

☐ N/A

For applicant agencies that selected either **No** or **N/A** above, have any non-federal funds been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a member of Congress, an officer or employee of Congress in connection with this federal contract, loan, or cooperative agreement?

☐ Yes

☒ No

☐ N/A

Section 4: Fiscal Year

Provide the begin and end date for the applicant agency's fiscal year (e.g., 09/01/20xx to 08/31/20xx).

Enter the Begin Date [mm/dd/yyyy]:

10/1/2016

Enter the End Date [mm/dd/yyyy]:

9/30/2016

Section 5: Sources of Financial Support

Each applicant must provide the amount of grant funds expended during the most recently completed fiscal year for the following sources:

Enter the amount (\$) of Federal Grant Funds:

2321168

Enter the amount (\$) of State Grant Funds:

0

Section 6: Single Audit

Select the appropriate response below based on the Fiscal Year Begin Date as entered above.

For Fiscal Years Beginning Before December 26, 2014

Applicants who expend less than \$500,000 in federal grant funding or less than \$500,000 in state grant funding are exempt from the Single Audit Act and cannot charge audit costs to a CJD grant. However, CJD may require a limited scope audit as defined in OMB Circular A-133.

Has the applicant agency expended federal grant funding of \$500,000 or more, or state grant funding of \$500,000 or more during the most recently completed fiscal year?

OR

For Fiscal Years Beginning On or After December 26, 2014

Applicants who expend less than \$750,000 in federal grant funding or less than \$750,000 in state grant funding are exempt from the Single Audit Act and cannot charge audit costs to a CJD grant. However, CJD may require a limited scope audit as defined in CFR Part 200, Subpart F - Audit Requirements.

Has the applicant agency expended federal grant funding of \$750,000 or more, or state grant funding of \$750,000 or more during the most recently completed fiscal year?

☒ Yes

☐ No

Applicant agencies that selected **Yes** above, provide the date of your organization's last annual single audit, performed by an independent auditor in accordance with the Single Audit Act Amendments of 1996 and OMB Circular A-133; or CFR Part 200, Subpart F - Audit Requirements.

Enter the date of your last annual single audit [mm/dd/yyyy]:

5/12/2016

Section 7: Equal Employment Opportunity Plan

Type I Entity

Defined as an applicant that meets one or more of the following criteria:

- the applicant has less than 50 employees;
- the applicant is a non-profit organization;
- the applicant is a medical institution;
- the applicant is an Indian tribe;
- the applicant is an educational institution, or
- the applicant is receiving a single award of less than \$25,000.

Requirements for a Type I Entity

- The applicant is exempt from the EEOP requirements required to prepare an EEOP because it is a Type I Entity as defined above, pursuant to 28 CFR 42.302;
- the applicant must complete Section A of the [Certification Form](#) and send it to the Office for Civil Rights (OCR) to claim the exemption from developing an EEOP; and
- the applicant will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of services.

Type II Entity

Defined as an applicant that meets the following criteria:

- the applicant has 50 or more employees, and
- the applicant is receiving a single award of \$25,000 or more, but less than \$500,000.

Requirements for a Type II Entity - Federal law requires a Type II Entity to formulate an EEOP and keep it on file.

- The applicant agency is required to formulate an EEOP in accordance with 28 CFR 42.301, et seq., subpart E;
- the EEOP is required to be formulated and signed into effect within the past two years by the proper authority;
- the EEOP is available for review by the public and employees or for review or audit by officials of CJD, CJD's designee, or the Office of Civil Rights, Office of Justice Programs, U.S. Department of Justice, as required by relevant laws and regulations;
- the applicant will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of services; and
- the EEOP is required to be on file in the office of (enter the name and address where the EEOP is filed below):

Enter the name of the person responsible for the EEOP and the address of the office where the EEOP is filed:

Type III Entity

Defined as an applicant that is NOT a Type I or Type II Entity.

Requirements for a Type III Entity - Federal law requires a Type III Entity to formulate an EEOP and submit it for approval to the Office for Civil Rights, Office of Justice Programs, U.S. Department of Justice.

- The EEOP is required to be formulated and signed into effect within the past two years by the proper authority;
- the EEOP has been submitted to the Office of Civil Rights (OCR), Office of Justice Programs, U.S. Department of Justice and has been approved by the OCR, or it will be submitted to the OCR for approval upon award of the grant, as required by relevant laws and regulations; and
- the applicant will comply with applicable federal civil rights laws that prohibit discrimination in employment and in the delivery of services.

Based on the definitions and requirements above, the applicant agency certifies to the following entity type:

- ☐ Type I Entity
☐ Type II Entity
☒ Type III Entity

Section 8: Debarment

Each applicant agency will certify that it and its principals (as defined in 2 CFR Part 180.995):

- Are not presently debarred, suspended, proposed for debarment, declared ineligible, sentenced to a denial of Federal benefits by a State or Federal Court, or voluntarily excluded from participation in this transaction by any federal department or agency;
- Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (federal, state, or local) transaction or contract under a public transaction; violation of federal or state antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property; or
- Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (federal, state, or local) with commission of any of the offenses enumerated in the above bullet; and have not within a three-year period preceding this application had one or more public transactions (federal, state, or local) terminated for cause or default.

Select the appropriate response:

- ☒ I Certify
☐ Unable to Certify

If you selected **Unable to Certify** above, please provide an explanation as to why the applicant agency cannot certify the statements.

Fiscal Capability Information**Section 1: Organizational Information**

Enter the Year in which the Corporation was Founded:

Enter the Date that the IRS Letter Granted 501(c)(3) Tax Exemption Status:

Enter the Employer Identification Number Assigned by the IRS:

Enter the Charter Number assigned by the Texas Secretary of State:

Section 2: Accounting System

The grantee organization must incorporate an accounting system that will track direct and indirect costs for the organization (general ledger) as well as direct and indirect costs by project (project ledger). The grantee must establish a time and effort system to track personnel costs by project. This should be reported on an hourly basis, or in increments of an hour.

Is there a list of your organization's accounts identified by a specific number (i.e., a general ledger of accounts).

Select the appropriate response:

☐ Yes

☐ No

Does the accounting system include a project ledger to record expenditures for each Program by required budget cost categories?

Select the appropriate response:

☐ Yes

☐ No

Is there a timekeeping system that allows for grant personnel to identify activity and requires signatures by the employee and his or her supervisor?

Select the appropriate response:

☐ Yes

☐ No

If you answered 'No' to any question above in the Accounting System section, in the space provided below explain what action will be taken to ensure accountability.

Enter your explanation:

Section 3: Financial Capability

Grant agencies should prepare annual financial statements. At a minimum, current internal balance sheet and income statements are required. A balance sheet is a statement of financial position for a grant agency disclosing assets, liabilities, and retained earnings at a given point in time. An income statement is a summary of revenue and expenses for a grant agency during a fiscal year.

Has the grant agency undergone an independent audit?

Select the appropriate response:

☐ Yes

☐ No

Does the organization prepare financial statements at least annually?

Select the appropriate response:

☐ Yes

☐ No

According to the organization's most recent Audit or Balance Sheet, are the current total assets greater than the liabilities?

Select the appropriate response:

☐ Yes

☐ No

If you selected 'No' to any question above under the Financial Capability section, in the space provided below explain what action will be taken to ensure accountability.

Enter your explanation:

City of La Marque Annual Budget	Cash Match	\$1,983.60
---------------------------------	------------	------------

Summary Source of Match/GPI:

Total Report	Cash Match	In Kind	GPI Federal Share	GPI State Share
\$1,983.60	\$1,983.60	\$0.00	\$0.00	\$0.00

Budget Summary Information**Budget Summary Information by Budget Category:**

CATEGORY	CJD	CASH MATCH	IN-KIND MATCH	GPI	TOTAL
Equipment	\$7,934.40	\$1,983.60	\$0.00	\$0.00	\$9,918.00

Budget Grand Total Information:

CJD	CASH MATCH	IN-KIND MATCH	GPI	TOTAL
\$7,934.40	\$1,983.60	\$0.00	\$0.00	\$9,918.00

Condition Of Fundings Information

Condition of Funding / Project Requirement	Date Created	Date Met	Hold Funds	Hold Line Item Funds
--	--------------	----------	------------	----------------------

You are logged in as User Name: kcagnon

Section 4: Budgetary Controls

Grant agencies should establish a system to track expenditures against budget and / or funded amounts.

Are there budgetary controls in effect (e.g., comparison of budget with actual expenditures on a monthly basis) to include drawing down grant funds in excess of:

a) Total funds authorized on the Statement of Grant Award?

☐ Yes

☐ No

b) Total funds available for any budget category as stipulated on the Statement of Grant Award?

☐ Yes

☐ No

If you selected 'No' to any question above under the Budgetary Controls section, in the space provided below please explain what action will be taken to ensure accountability.

Enter your explanation:

Section 5: Internal Controls

Grant agencies must safeguard cash receipts, disbursements, and ensure a segregation of duties exist. For example, one person should not have authorization to sign checks and make deposits.

Are accounting entries supported by appropriate documentation (e.g., purchase orders, vouchers, receipts, invoices)?

Select the appropriate response:

☐ Yes

☐ No

Is there separation of responsibility in the receipt, payment, and recording of costs?

Select the appropriate response:

☐ Yes

☐ No

If you selected 'No' to any question above under the Internal Controls section, in the space provided below please explain what action will be taken to ensure accountability.

Enter your explanation:

Budget Details Information**Budget Information by Budget Line Item:**

CATEGORY	SUB CATEGORY	DESCRIPTION	CJD	CASH MATCH	IN-KIND MATCH	GPI	TOTAL	UNIT/%
Equipment	Body Camera and Accessories (valued over \$5,000 per unit)	Taser Axon 2 Body Camera	\$7,934.40	\$1,983.60	\$0.00	\$0.00	\$9,918.00	25

Source of Match Information**Detail Source of Match/GPI:**

DESCRIPTION	MATCH TYPE	AMOUNT
-------------	------------	--------

TASER International

Protect Life. Protect Truth.

17800 N 85th St.
Scottsdale, Arizona 85255
United States
Phone: (800) 978-2737
Fax: (480) 658-0673

Kenneth Cagnon
(409) 938-9241
k.cagnon@cityoflamarque.org



Quotation

Quote: Q-78017-3

Date: 12/22/2016 10:09 AM

Quote Expiration: 8/31/2016

Contract Start Date*: 9/1/2016

Contract Term: 1 year

AX Account Number:
121452

Bill To:
La Marque Police Dept. - TX
431 Bayou Road
La Marque, TX 77568
US

Ship To:
Kenneth Cagnon
La Marque Police Dept. - TX
431 Bayou Road
La Marque, TX 77568
US

SALESPERSON	PHONE	EMAIL	DELIVERY METHOD	PAYMENT METHOD
Kyle Panasewicz	(480) 905-2071	kylep@taser.com	Fedex - Ground	Net 30

*Note this will vary based on the shipment date of the product.

Hardware

QTY	ITEM #	DESCRIPTION	UNIT PRICE	TOTAL BEFORE DISCOUNT	DISCOUNT (\$)	NET TOTAL
25	74004	AXON CAMERA ASSEMBLY, OFFLINE, AXON BODY 2, BLK	USD 399.00	USD 9,975.00	USD 99.75	USD 9,875.25
25	74018	Z-BRACKET MOUNT, MENS, AXON BODY 2	USD 0.00	USD 0.00	USD 0.00	USD 0.00
25	74020	MAGNET MOUNT, FLEXIBLE, AXON BODY 2	USD 0.00	USD 0.00	USD 0.00	USD 0.00
25	74021	MAGNET MOUNT, THICK OUTERWEAR, AXON BODY 2	USD 0.00	USD 0.00	USD 0.00	USD 0.00
25	73004	WALL CHARGER, USB SYNC CABLE, FLEX	USD 0.00	USD 0.00	USD 0.00	USD 0.00
Hardware Total Before Discounts:						USD 9,975.00
Hardware Discount:						USD 99.75
Hardware Net Amount Due:						USD 9,875.25

Subtotal	USD 9,875.25
Estimated Shipping & Handling Cost	USD 42.75
Grand Total	USD 9,918.00

Axon Body 2 Shipping

Axon Body 2 is available for delivery between 8-10 weeks after purchase date. You will be notified if there are any delays. TASER reserves the right to make product changes without notice.

DIR - TSO - 3561. 1% Discount.

TASER International, Inc.'s Sales Terms and Conditions for Direct Sales to End User Purchasers

By signing this Quote, you are entering into a contract and you certify that you have read and agree to the provisions set forth in this Quote and TASER's Master Services and Purchasing Agreement posted at www.taser.com/legal. You represent that you are lawfully able to enter into contracts and if you are entering into this agreement for an entity, such as the company, municipality, or government agency you work for, you represent to TASER that you have legal authority to bind that entity. If you do not have this authority, do not sign this Quote.

Signature: _____ Name (Print): _____ PO# (if needed): _____	Date: _____ Title: _____
--	---

Quote: Q-78017-3

Please sign and email to Kyle Panasewicz at kylep@taser.com or fax to (480) 658-0673

THANK YOU FOR YOUR BUSINESS!

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Office of the Governor

Criminal Justice Division

Funding Announcement:

***Body-Worn Camera Program,
Second-Round Funding Announcement***

November 15, 2016

Opportunity Snapshot

Below is a high-level overview of many of the elements of this opportunity. Full information is provided in the funding announcement that follows.

Purpose

The purpose of this announcement is to aid municipal police departments and county sheriffs' offices in establishing or enhancing body-worn camera (BWC) programs.

Funds Available

It is anticipated that up to \$2.2 million may be funded under this announcement.

Process

Applicants first complete an application. CJD will then make funding decisions – including any limitations on costs or award amount – and notify each applicant. Selected applicants may then accept grant to receive those funds, as long as they meet all required conditions.

Budget

There is no minimum or maximum request under this program, however, applicants should consider the overall spending cap and CJD's desire to provide resources to as many departments as possible. CJD reserves the right to establish funding limits following receipt of all preliminary applications to provide for broad implementation of the program. Funds may only be used for the one-time purchase of cameras and to procure digital video storage resources (not to exceed one year).

Match

Grantees must provide matching funds equal to 20% of the total project cost. The match requirement can be met through cash or in-kind contributions. Match funds may not be in the form of discounts or contributions from camera or storage vendors.

Project Periods

A project funded may not exceed a 12-month period.

Organizational Eligibility

Applications may be submitted by municipal police departments and county sheriff's departments that employ officers who are engaged in traffic or highway patrol, otherwise regularly detain or stop motor vehicles, or are primary responders to calls for assistance from the public.

Contact Information

If additional information is needed, contact the eGrants help desk at eGrants@gov.texas.gov or (512) 463-1919.

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Body-Worn Camera Program

The goal of the Criminal Justice Division is to provide needed funding to improve public safety and support victims of crime by addressing system gaps and promoting innovative solutions to common problems. CJD is accepting applications for the purchase of body cameras and digital storage systems to serve as a tool in a law enforcement comprehensive problem-solving approach to enhance officer interactions with the public, build community trust, and gather important evidence for use in the prosecution of crimes.

If you are interested in applying for a grant under this program, follow the five-step process outlined below.

- **Step One - Review the Process:** Become familiar with this funding announcement and the process used for this particular program.
- **Step Two - Consider the Requirements:** Consider the eligibility requirements as well as what will be required of successful applicants.
- **Step Three - Apply in eGrants.** Compile and submit your application. For information on how to apply online, or to register for the system, go to <http://egrants.gov.texas.gov>.
- **Step Four - Review your Preliminary Funding Decision.** Receive a funding decision from CJD regarding whether you will be funded, how much funding you are eligible to receive, and any limitations.
- **Step Five – Accept the Award.** Upon notification of the final award, review the award notification and agreement and accept it along with its conditions.

Step 1: Review the Process

Overview

Applicants may submit an application through CJD's eGrants system at <https://eGrants.gov.texas.gov/>.

Timeline

Action	Date
Funding Announcement Release	November 15, 2016
Online System Opening Date	November 15, 2016
Application Deadline	January 16, 2017 at 5PM CST
Earliest Start Date	March 1, 2017
Latest End Date	April 30, 2018

Submission Methods

Per Rule §3.7 of the Texas Administrative Code, all applications must be submitted and certified to CJD via the eGrants system by the applicant's authorized official on or before the deadline listed above. CJD will strictly interpret this requirement and any application not submitted and certified by the deadline will be considered ineligible for funding under this solicitation. For assistance in certifying an application, please see the "Guide to Creating an Application" link located at <https://egrants.gov.texas.gov/>.

Step 2: Consider the Requirements

Organizational Eligibility

Applications may be submitted by municipal police departments and county sheriff's departments that employ officers who are engaged in traffic or highway patrol, otherwise regularly detain or stop motor vehicles; or are primary responders who respond directly to calls for assistance from the public. (See Chapter 1701, Occupations Code, Subchapter N as amended by SB 158, 84th Legislature.)

Funding and Project Period Limits

It is anticipated that up to \$2.2 million may be funded under this announcement. This amount represents the full level of funding available. No additional funding will be made available in state fiscal years 2016 or 2017. (Funds are authorized under SB 158 and appropriated in Sec. 18.73 of the General Appropriations Act of the 84th Legislature.) The number of awards will depend upon the quantity and reasonableness of costs of the applications received.

A project funded may not exceed a one-year grant period.

Match Requirement

Grantees must provide matching funds equal to 20% of the total project cost. The match requirement may be met through cash or in-kind contributions. Match funds may not be in the form of discounts or contributions from camera or storage vendors.

Eligible Expenses

Grant funds are restricted to the cost of body-worn cameras, digital video storage, and retrieval systems or services. CJD will not pay for any service or subscription-based support that exceeds the cost prorated to the one-year project period.

Grant funds must be used to equip officers employed directly by a municipal police department or a county sheriff's office who are regularly engaged in traffic or highway patrol, otherwise regularly detain or stop motor vehicles; or are primary responders who respond directly to calls for assistance from the public. Funds may not be used to equip officers employed by other agencies that are not eligible for this funding.

The Texas Department of Information Resources (DIR) has negotiated discounted prices on body camera equipment with several different vendors. Contacts and prices may be viewed at this link:

<http://dir.texas.gov/View-Search/Contracts.aspx?keyword=body%20cameras> . For more information, contact Dana L. Collins at dana.collins@dir.texas.gov or 512-936-2233. DIR is also actively seeking agencies wishing to test a cloud-based video storage system and may offer incentives to participate. For more information, contact Tere Shade at terese.shade@dir.texas.gov or 512-475-4700.

Ineligible Costs and Activities

Grant funds may not be used to support the services, activities, and costs designated as ineligible in CJD's *Guide to Grants*: Grant funds may also not be used to support the following services, activities, and costs:

1. salaries;
2. supplanting or use of grant funds to replace any other existing federal, state or local funds
3. any other prohibition imposed by federal, state or local law or regulation;
4. any portion of the salary of, or any other compensation for an elected or appointed government official;
5. indirect costs;
6. costs ancillary to the purchase of cameras, storage, or the program operation, such as policy development, training costs, staff, or any other item determined ineligible or unreasonable by CJD; and
7. any other prohibition imposed by federal, state, or local law.

Reporting Requirements

Financial and Progress Reports. At the end of each state fiscal quarter during the one-year grant period, grantees will be required to submit a financial status report via eGrants in the format required by CJD.

Performance Reports. Each grantee must agree to submit an online report to the Texas Commission on Law Enforcement (TCOLE) at <https://www.tcole.texas.gov/> within 30 days of the date the grantee submits its final request for reimbursement to CJD, indicating that all purchases are complete. As a condition of funding, each grantee must file follow-up reports via the TCOLE website 12, 24, and 36 months later, for a total of three annual reports. Each of these reports will include information covering the previous 12 months:

- 1) Any expenditures on cameras during the previous year, including the make, model and cost of cameras;
- 2) Any expenditures on video storage during the previous year, including the method and cost of video storage and the amount of storage required;
- 3) Impact evaluation information including the following incidents during the previous year:
 - number of public complaints filed against officers or the agency;
 - number of public complaints sustained (i.e. those that were not dismissed);
 - number of use of force incidents (as defined by the applicant);
 - number of arrests for resisting arrest, search, or transportation (Texas Penal Code Sec. 38.03);
 - number of arrests for evading arrest or detention (Texas Penal Code Sec. 38.04);
 - number of arrests for hindering apprehension or prosecution (Texas Penal Code Sec. 38.05); and
 - number of arrests for interference with public duties (Texas Penal Code Sec. 38.15).

Program-Specific Requirements

Statutory Requirements. Chapter 1701, Occupations Code, Subchapter N governs this grant program as well as the use of body-worn cameras by law enforcement in general. CJD strongly encourages all applicants to read this statute prior to applying for funds as it contains other legal requirements as well as criminal penalties for certain unapproved releases of digital information. It is critical that all law enforcement agencies using body-worn cameras have a clear understanding of this statute and all rules governing these programs as they are both state law and conditions of funding.

Department Policies. A grantee, before CJD can reimburse for any costs, must have developed and have in place all policies required under Subchapter N, Chapter 1701, Occupations Code, including the policy required under Sec. 1701.655. Such a policy must ensure that cameras are activated only for law enforcement purposes and must include:

- guidelines for when a peace officer should activate a camera or discontinue a recording in progress, including the need for privacy in certain situations or locations;
- provisions relating to data retention, including a minimum retention period of 90 days;
- provisions relating to storage of video and audio, including backup copies and data security;
- guidelines for public access, through open records requests, where the recordings are public information;
- provisions entitling an officer to access any recording of an incident involving that officer prior to being required to make a statement;
- procedures for supervisory or internal review;
- the methods for handling and documenting equipment and malfunctions of equipment;
- a provision that law enforcement officers may not be required to keep a body-worn camera activated for the full period of their duty shift; and
- all policies adopted must be consistent with the Federal Rules of Evidence and the Texas Rules of Evidence.

TCOLE has developed model policies for publication available at <https://www.tcole.texas.gov/content/body-worn-cameras>, which may be helpful in establishing agency policies. All policies adopted by grantees must abide by any minimum standards established by TCOLE.

Training. All officers who will be equipped with cameras purchased under the program must be trained before doing so in official duty and CJD cannot reimburse any costs until this training has occurred. Such training must comply with the requirements of Sec. 1701.656, Occupations Code, which requires that, prior to operating a body-worn camera program, the grantee must train the officers who will wear the cameras as well as any other personnel who will come into contact with the video and audio data obtained through the program.

To assist law enforcement agencies in this task, TCOLE has developed training programs for the use of body-worn cameras. Law enforcement agencies, however, may use their own training, that of another agency or department, an existing training curriculum, or that of TCOLE to satisfy the requirements of this program. However, all such training must meet any minimum standards established by TCOLE.

Sustainment. Grantees must agree to maintain the equipment, replace broken or nonworking equipment, and maintain adequate digital video storage for a period of not less than three years from the date of final grant award.

Standard CJD Requirements

CJD Regulations. Grantees must comply with the standards applicable to this funding source cited in the Texas Administrative Code (1 TAC Chapter 3), and all statutes, requirements, and guidelines applicable to this funding.

Immigration and Customs Enforcement Requests. An application requirement pertaining to full compliance with Department of Homeland Security detainer requests applies to all municipal or county governments that include a department that detains individuals after arrest for a criminal violation. This requirement is met when the applicant submits both a letter and a certification as part of their application.

The letter must contain text specified by OOG (available at http://gov.texas.gov/cjd/dhs_detainerrequest) and be signed and dated by the head of each relevant department that detains individuals after arrest. (In most cases, this will be the county sheriff.) The certification (text in eGrants and also available at http://gov.texas.gov/cjd/dhs_detainerrequest) is made by the authorized official submitting the application on behalf of the grantee, and pertains to the actions of the relevant department that detains individuals after arrest.

OOG, at its sole discretion, may accept a copy of any such the letter for all grants applied for by the county or municipality for a period of two years after the letter date. If that period expires during the project period, a grantee must submit an updated letter in order to remain in compliance with this requirement. The certification must be made by the authorized official for each application the county or municipality submits to OOG. Failure to submit a certification and to submit and maintain a valid letter will result in denial of all applications that benefit the department and may result in denial of applications submitted by other departments or subdivisions of the county or municipality, at OOG's sole discretion.

Uniform Crime Reports. Eligible applicants operating a law enforcement agency must be current on reporting Part I violent crime data to the Texas Department of Public Safety for inclusion in the annual Uniform Crime Report (UCR) and must have been current for the three previous years.

Criminal History Reporting. The county (or counties) in which the applicant is located must have a 90% average on both adult and juvenile criminal history dispositions reported to the Texas Department of Public Safety for calendar years 2010 through 2014.

Step 3: Apply via eGrants

Basics

To apply to CJD for these grants, you must complete or make sure you have already completed some standard requirements. All of the following are needed to apply within eGrants:

- Applicants must have a DUNS (Data Universal Numbering System) number assigned to its agency (to request a DUNS number, go to <http://fedgov.dnb.com/webform/displayHomePage.do>).
- Applicants must be registered in the federal System for Award Management (SAM) database located at <https://www.sam.gov/> and maintain an active registration throughout the grant period.
- Applicants must have or register for an account in eGrants at <https://eGrants.gov.texas.gov/>.

District Attorney Coordination Letter

Before an applicant can receive reimbursement funds, they must upload a letter from the local district attorney expressing that they actively use the evidence created through the use of body cameras and will participate in the law enforcement agency's BWC policy development. More information and a sample resolution are available at <http://gov.texas.gov/cjd/bodycams>.

Governing Board Letter

Before an applicant can receive reimbursement funds, they must upload a copy of a resolution from their governing body designating an individual as the responsible official for the grant, committing to work with the District Attorney in the development of BWC policies and trainings and granting access to video evidence. The resolution must also contain a commitment to maintain the cameras and equipment purchased under the grant for at least three years, and an estimated budget needed to accomplish that. More information and a sample resolution are available at <http://gov.texas.gov/cjd/bodycams>.

Step 4: Funding Decisions and Grant Acceptance

Selection and Fund Allocation Criteria

CJD will review the applications to understand the overall demand for the program and for significant variations in costs per unit (both for cameras and the cost for storage on a per camera basis). After this review, CJD will determine if all eligible applications can be funded based on funds available, if there are cost-effectiveness benefits to normalizing or setting limits on the range of costs, and if other fair share cuts may allow for broader distribution and a higher number of new body-worn camera programs while still remaining effective. Additionally, CJD may consider other factors in determining which programs to fund, such as geographic distribution, fairness among different sizes of population areas, need based on crime rate or other similar factors, including economic factors. If the interest in grant funds exceeds available funding, CJD may not fund all applications or may only award part of the amount requested.

Applications from prior recipients of body camera grant funds awarded by the Office of the Governor will be considered, but priority may be given to those agencies who have not yet received such awards.

Step 5: Accept the Award

Applicants that receive funding through the final award process will need to follow the instructions found within the award to accept the grant officially. CJD cannot reimburse grantees for funds until all training is provided and policies are in place (see Step 3). As a result, awards may include conditions requiring those activities to be completed and certified to CJD prior to release of funds.

Appendix: Research and Reference Material on Body-Worn Camera Programs

The Bureau of Justice Assistance has developed a Body-Worn Camera Toolkit that serves as a clearinghouse for information and available research on these programs. The toolkit includes a large set of reports and information including guidance, research, and project evaluations. Much of the information below about resources is excerpted from BJA's toolkit. The toolkit can be found at: <https://www.bja.gov/bwc/>

Resource Highlights

There are several useful resources on body-worn cameras (BWC). The Police Executive Research Forum (PERF) and the Office of Community Oriented Policing Services (COPS) Office published a report in 2014 that examined key issues and offered policy recommendations. The report was based on survey responses from 254 agencies, interviews with 40 law enforcement executives who have implemented BWCs, and outcomes from a one-day conference held on September 11, 2013, that included more than 200 law enforcement executives, scholars, and experts. In April 2014, the Office of Justice Programs Diagnostic Center published a report that described the core issues surrounding the technology and examined the state of research on those issues (White, 2014). In March 2014, the National Institute of Justice (NIJ) published a market survey that compared BWC vendors across a range of categories. There is also a growing number of published evaluations that examine the implementation, impact, and consequences of body-worn cameras. The BJA web site and toolkit is intended to be a clearinghouse of the latest available research, reports, and knowledge on the technology.

For additional information, see:

- BJA offers a variety of technology resources including a Market Survey on Body-Worn Cameras compares the different commonly available cameras against a variety of technology capabilities. <https://www.bja.gov/bwc/Topics-Technology.html>
- Police Executive Research Forum (PERF) for the Office of Community Oriented Policing Services, Implementing a Body-Worn Camera Program: Recommendations and Lessons Learned: <http://www.justice.gov/iso/opa/resources/472014912134715246869.pdf>
- Office of Justice Programs Diagnostic Center, Police Officer Body-Worn Cameras: Assessing the Evidence: <https://ojpdiagnosticcenter.org/sites/default/files/spotlight/download/Police%20Officer%20Body-Worn%20Cameras.pdf>
- National Law Enforcement and Corrections Technology Center (NLECTC) for the National Institute of Justice, Primer on Body-Worn Cameras for Law Enforcement: <https://www.justnet.org/pdf/00-Body-Worn-Cameras-508.pdf>

About CJD

Our mission at the Criminal Justice Division is to direct much needed resources to those who are committed to making Texas a safer place and those who help victims of crime to recover and feel safe again. In carrying out this mission, we are committed to helping our grantees by actively finding ways for them to accomplish their goals and by making sure that we always have our eye to identifying the approaches that work best. We envision positive and beneficial working relationships with our grantees where we provide as much assistance as is needed and where we are always ready with answers, not burdensome restrictions or requirements. CJD is providing over \$250 million in funding to hundreds of organizations during state fiscal year 2016 for juvenile justice, delinquency prevention, victims services, law enforcement, prosecution, courts, specialty courts, prevention of child sex trafficking, and other types of projects to benefit Texans.



CITY COUNCIL AGENDA FORM

Meeting Date: February 13, 2017

Prepared by: Les Rumburg

Department: Public Services

Agenda item: 9m

Reviewed by: *Carol Buttler*

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding adopting Resolution No. **R-2017-005** authorizing City of La Marque to enter into an agreement to construct improvements to the sanitary sewer connection for property located at 3195 Main Street, La Marque and subsequently impose reimbursement of costs through a Special Assessment.

X

1. Resolution
2. Improvement and Special Assessment Agreement
3. Exhibits "A" and "B"

STAFF BRIEFING:

- Staff was made aware in Spring of 2016, that there was an illegal/inadequate sewer connection at the residence – 3195 Main Street
- Owner/resident, when confronted, claimed he was unaware of the connection and that the property was sold to him in the condition found
- Apparently, previous property owner had installed a new sanitary sewer line from the house to the roadside storm drain (FM 519), in the TxDOT Right-Of-Way
- Working with the Galveston County Health District, the property owner, and City staff, a program was developed to disconnect the connection into the storm drain, and provide a legal, sanitary (albeit temporary) means of sanitary sewer collection and treatment, while a permanent solution could be reached
- Property owner has, since July, been connected to a holding tank that is periodically pumped – meeting the requirements of regulatory agencies involved
- One challenge to the permanent solution lies in the fact the connection to the City's sewer main requires boring under FM 519 and meeting TxDOT requirements for permitting
- As this initial capital outlay was more than the property owner could bear, the reimbursement program was developed
- LJA Engineering was obtained to secure the necessary permits, conduct the initial bid selection process, and will oversee installation and connection, upon approval
- Agreement and Resolution developed by the law firm Olson and Olson as they have experience in similar matters with other municipalities
- Agreement allows City to recoup 90% of expenses, providing reimbursement terms are met
- City has authority to place a lien on property if terms are not complied with
- Staff met with property owner on December 28, and obtained agreement with terms
- The Special Assessment will be attached to the property owner's tax statement.
- The Special Assessment was discussed with the Finance Director.

HISTORY:



CITY COUNCIL AGENDA FORM

TARGET IMPLEMENTATION: Contractor is prepared to commence upon City Council approval of Agreement

SIGNIFICANT ACTION DATES:

- **May, 2016** - City and Galveston County Health District became aware of issue
- **July, 2016** - LJA Engineering secured TxDOT permit
- **September, 2016** - Three (3) bids were obtained from contractors by LJA Engineering, while Olson and Olson developed the Agreement
- **December, 2016** - Agreement presented to property owner for review

ACTION:

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

Cost Details:	
Budgeted	\$60,000.00
Actual Bid	
Estimated Expenditure	\$2,196.00
Acct. Name(s)	R & M Sewer
Line Items #	02-3011-22-00
Other Funding	

STAFF'S RECOMMENDATION: Motion to adopt Resolution No. **R-2017-005** authorizing City of La Marque to enter into an agreement to construct improvements to the sanitary sewer connection for property located at 3195 Main Street, La Marque and subsequently impose reimbursement of costs through a Special Assessment

FISCAL IMPACT:

- Initial outlay of \$29,175.00 with a stipulated reimbursement schedule.
- Final cost to City should not exceed \$2,916.00, after 5 years
- Cash impact would be full cost of the project on the initial year but over the period of five years, 90% is anticipated to be recovered by the City.
- Per accounting requirement, \$26,257.50 will be recorded to a receivable account on the balance sheet until the City is fully reimbursed. Receivable is not a budgetary account.
- \$2,916 will be charged to an expenditure account which is subject to budgetary appropriation requirement. Current appropriation in the affected account should be sufficient to the request expenditure for this purpose.

RESOLUTION NO. R-2017-005

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF LA MARQUE AND THE OWNER OF 3195 MAIN STREET FOR THE CONSTRUCTION OF SEWER IMPROVEMENTS BENEFITTING 3195 MAIN STREET, LA MARQUE, TEXAS AND IMPOSING A SPECIAL ASSESSMENT ON 3195 MAIN STREET FOR REIMBURSEMENT OF THE ACTUAL COSTS OF CONSTRUCTION OF THE SEWER IMPROVEMENTS.

WHEREAS, Section 552.063 of the Texas Local Government Code provides authority for a municipality to improve a sanitary sewer system within the municipal boundaries by constructing, extending, enlarging, or reconstructing the system; and

WHEREAS, Section 552.063 also provides authority for a municipality to determine the need for improvements and to contract for such improvements; and

WHEREAS, the City of La Marque (the “City”), has determined the need for sewer improvements at 3195 Main Street, La Marque, Texas; and

WHEREAS, 3195 Main Street is within the municipal boundaries of the City; and

WHEREAS, 3195 Main Street is the only property benefitted by these improvements; and

WHEREAS, timely construction of these improvements is in the best interests of the health, safety and welfare of the citizens of La Marque; and

WHEREAS, the owner of 3195 Main Street is not able to fund the costs of the needed improvements at this time; and

WHEREAS, the attached agreement provides for construction of the needed improvements by the City or its contractor; and

WHEREAS, the attached agreement also provides for reimbursement by the owner of 9/10ths of the construction costs of the needed improvements over a 5-year period in the form of a special assessment, in accordance with the authority granted to municipalities under Section 552.065 of the Texas Local Government Code; **NOW THEREFORE**,

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

Section I. That the Sewer Funding Agreement between the City of La Marque and the owner of 3195 Main Street, attached hereto as Exhibit A (the “Agreement”), is hereby authorized for execution by the Mayor and City Clerk of the City of La Marque, Texas.

Section 2. That the City Manager is authorized to contract for the construction of sewer improvements as provided for in the Agreement.

Section 3. That 9/10ths of the actual costs of construction of the sewer improvements provided for in the Agreement are hereby assessed as special against 3195 Main Street, to be paid in not less than five (5) annual payments.

Section 4. That a certified copy of this resolution shall be filed in the Public Records of the Galveston County Clerk's Office and shall serve to attach a lien to the above-listed property in accordance with Chapter 552 of the Texas Local Government Code.

Section 5. That it is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551, TEX. GOV'T CODE.

Section 6. That this Resolution shall become effective upon its adoption.

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

**CITY OF LA MARQUE
SEWER IMPROVEMENT AND SPECIAL ASSESSMENT AGREEMENT**

This Sewer Improvement and Special Assessment Agreement (the "Agreement") is made and entered into on this the ____ day of _____, 2017 (the "Effective Date"), by and between _____ ("Owner") and the City of La Marque, Texas, a home rule municipal corporation of the State of Texas (the "City") for the purposes of providing for construction and funding of sewer improvements needed at 3195 Main Street in La Marque, Texas (the "Property"), in accordance with Subchapter D, Chapter 552 of the Texas Local Government Code. In consideration of the mutual promises, covenants, obligations, and benefits in this Agreement, the parties agree upon the following terms:

**ARTICLE I
SEWER IMPROVEMENTS**

1.1 Construction of Sewer Improvements. The City agrees to construct or contract for construction of the following improvements at the Property: make the bore, install the tap, and connect the line into the public main across TxDOT right-of-way, as more specifically described by Exhibit A, attached and incorporated herein by reference ("Sewer Improvements").

1.2 Assessment of Construction Costs. The Owner shall reimburse the City through a special assessment on the Property to be paid in not less than five (5) annual payments. The City will impose an assessment on the Property of nine-tenths (9/10ths) of all construction costs arising from or related to Sewer Improvements. These construction costs include the estimated construction costs of twenty-one thousand dollars (\$21,000), more specifically described by Exhibit B, attached and incorporated herein by reference, and any actual costs over and above the estimated construction costs.

1.3 Filing of Lien on Property. The filing of this Agreement and the Resolution approving this Agreement in the real property records of Galveston County shall also bind any successors or future owners of the Property if sold prior to termination of this Agreement and shall serve as a lien and encumbrance on the Property until the actual construction costs have been reimbursed in full.

**ARTICLE II
DEFAULT; REMEDIES**

2.1 Default. Failure of the Owner to pay the assessments shall result in default under this Agreement. The City shall give the Owner notice of default and an opportunity to cure the default at least fifteen (15) days prior to exercising any remedies under Section 2.2.

2.2 Remedies. If the Owner is in default, the City may, at its option and without prejudice to any other right or remedy, seek any relief available at law or in equity, including but not limited to: i) the City foreclosing its lien on the Property; ii) the City refusing water and sewer service to the Property; and iii) the City disconnecting sewer and water services to the Property.

**ARTICLE III
ADDITIONAL PROVISIONS**

3.1 Choice of Law; Venue. This Agreement shall be governed by and construed and enforced under the laws of the State of Texas in the venue of Galveston County.

3.2 Modification. This Agreement shall be subject to change or modification only with the written mutual consent of each of the parties hereto.

3.3 Assignability of this Agreement. This Agreement shall be binding upon the parties hereto and their respective successors, heirs, representatives, and assigns. This Agreement, and all rights, duties, and obligations hereunder, shall not be assignable by either Party without the prior written consent of the other Party.

3.4 Relationship of Parties. Neither party shall be considered the agent, partner, fiduciary or employee of any other party, in its performance of any and all duties under any transactions contemplated by this Agreement. No Party shall be deemed to have any fiduciary relationship to any other party.

3.5 Severability. Should and provision of this Agreement be declared void by a court of competent jurisdiction, the remaining provisions of this Agreement shall remain in full force and effect.

3.6 Parties in Interest. This Agreement shall be for the sole and exclusive benefit of the parties, and shall not be construed to confer any benefit or right upon any third party. This Agreement is for the sole benefit of, and may be enforced only by, the parties to this Agreement. No other third party shall have standing to enforce any provision of this Agreement.

3.7 Merger. This Agreement, together with the exhibits attached hereto, constitutes the entire agreement between the parties relative to the subject matter hereof.

3.8 Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original instrument, but all such counterparts together shall constitute but one agreement.

Exhibit A – Estimate of construction and engineering costs

Exhibit B – Bid results to show description of sewer improvements

CITY OF LA MARQUE

ATTEST:

Bobby Hocking, Mayor

Robin Eldridge, City Clerk

OWNER

By: _____

Exhibit "A"

LJA Engineering, Inc.



1 East Freeway
Suite 300
Houston, Texas 77029
TSPB No. F-1385

Fax: 714-01385
www.lja.com

July 21, 2016

Les Rumburg
Public Works Director
City of La Marque
1500 Municipal Drive
La Marque, Texas 77568

Re: Assignment Letter for Engineering Services for the Design and Approval of a Sanitary Sewer Service Crossing FM 519 Just East of Duroux Road
LJA Proposal No. 16-01149

Dear Mr. Rumburg:

LJA Engineering Inc. (LJA) is pleased to present this Assignment Letter for Engineering Services for the design and approval of a 4-inch Sanitary Sewer Service Crossing FM 519. This proposed service is to serve the residence located at 3195 Main Street. The Agreement, dated June 17, 2004, specifies the general requirements, terms and other conditions, while this letter details the specific Elements of Service to be performed under this authorization.

ELEMENTS OF SERVICE

1. Prepare plans including layout locating proposed sanitary service, details, and TxDOT standard traffic control sheet.
2. Submit plans to TxDOT for construction permit.
3. Submit plans to City for review and approval.
4. Once approvals have been received help the City in soliciting contractors to bid the work.
5. Once a contractor has been selected by the City prepare construction contracts for Contractor and City to sign

As additional service, if so desired by the City, LJA can provide project representation during construction.

Les Rumburg
City of La Marque
July 21, 2016
Page 2

BASIS OF COMPENSATION

For the accomplishment of the above elements of service, we propose that our compensation be per the agreement Section 5.1.3 with a lump sum fee of \$5,500.

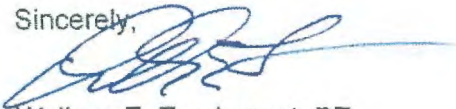
Additional Service:

Project Representative: Per Section 5, Paragraph 5.1.4.4, "Resident Project Services." Based on the project's estimated construction time, the fee will be approximately: \$3,000.00

ACCEPTANCE AND AUTHORIZATION

If the above Elements of Service and Basis of Compensation are satisfactory to you, we will consider your acceptance in the space provided below as our authorization to proceed.

Sincerely,



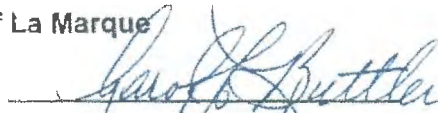
Wallace E. Trochesset, PE
Vice President

WET/mlh

ACCEPTED:

City of La Marque

By:



Date:

07/25/2016

City of La Marque
Force Main Rehabilitation
Emergency Sanitary Service Connection
3195 Main Street

Item No.	Quantity	Unit	Description	Unit Cost	Total Cost
1	20	LF	4" Sanitary Service Line, PVC, Sch. 40 (Open Cut Construction)	\$70.00	\$1,400.00
2	60	LF	4" Sanitary Service Line, PVC, Sch. 40 w/ 8" Steel Casing (Augured Construction)	\$170.00	\$10,200.00
3	1	EA	4" Deep Connection on 21" Sanitary Sewer Main, Inserta Tee w/ SS Bands	\$1,250.00	\$1,250.00
4	1	EA	Clean-Out at ROW, Including Connection to Existing Service Line	\$800.00	\$800.00
5	20	LF	Remove Portion of Existing Service Line	\$20.00	\$400.00
6	1	EA	Plug Opening in Storm Sewer Pipe	\$750.00	\$750.00
7	20	LF	Trench Safety System	\$2.00	\$40.00
8	1	LS	Traffic Control	\$3,500.00	\$3,500.00
9	50	SY	Turf Establishment, Full Sodding	\$5.00	\$250.00
10	15	SY	Surface Restoration, Asphalt Surface	\$80.00	\$1,200.00
11	15	SY	Surface Restoration, Concrete Surface	\$100.00	\$1,500.00
12	40	LF	SWPP, Reinforced Filter Fabric Barrier	\$3.00	\$120.00
SubTotal Estimated Construction Cost					\$21,410.00
Contingency (10%)					\$2,141.00
Total Estimated Construction Cost					\$23,551.00

Exhibit "B"

BID FORM

Lopez Utilities, LLC

ITEM NO.	DESCRIPTION	APPROX. QTY.	UNITS	UNIT PRICE IN WORDS	UNIT PRICE	TOTAL AMOUNT
1	4-Inch Sanitary Sewer Service Line (PVC, SCH 40) with PVC Fittings, Open Cut, All Depths, Complete in Place	20	LF	<u>fourty-five</u> <u>zero</u> Dollars Cents	\$ <u>45.00</u>	\$ <u>900.00</u>
2	4-Inch Sanitary Sewer Service Line (PVC, SCH 40) with 8-Inch Steel Casing (1/4-Inch Wall Thickness), Augered & Encased Construction, All Depths, Complete in Place	60	LF	<u>hundred eighty</u> <u>zero</u> Dollars Cents	\$ <u>180.00</u>	\$ <u>10,800.00</u>
3	4-Inch Deep Connection on 21-Inch Sanitary Sewer Main, Inserta Tee w/ SS Bands, Complete in Place	1	EA	<u>Three thousand five hundred</u> <u>zero</u> Dollars Cents	\$ <u>3,500.00</u>	\$ <u>3,500.00</u>
4	City Side Clean-Out at ROW for Sanitary Sewer Service Connection, Including Connection to Existing Sanitary Sewer Service Line, Complete in Place	1	EA	<u>eight hundred fifty</u> <u>zero</u> Dollars Cents	\$ <u>850.00</u>	\$ <u>850.00</u>
5	Remove Portion of Existing Service Line Not Utilized in Final Configuration, Complete in Place	20	LF	<u>Twenty-five</u> <u>zero</u> Dollars Cents	\$ <u>25.00</u>	\$ <u>500.00</u>
6	Plug Opening in Existing Storm Sewer Culvert, Complete in Place	1	EA	<u>nine hundred fifty</u> <u>zero</u> Dollars Cents	\$ <u>950.00</u>	\$ <u>950.00</u>
7	Trench Safety System, Complete in Place	20	LF	<u>five</u> <u>zero</u> Dollars Cents	\$ <u>5.00</u>	\$ <u>100.00</u>

ITEM NO.	DESCRIPTION	APPROX. QTY.	UNITS	UNIT PRICE IN WORDS	UNIT PRICE	TOTAL AMOUNT
8	Turf Establishment, Full Sodding, Complete in Place	50	SY	<u>nine</u> Dollars <u>zero</u> Cents	\$ <u>9.00</u>	\$ <u>450.00</u>
9	Asphalt Surface Restoration, Including 8-Inch Thick Asphalt Base, Gr. 2, PG-64, Per TXDOT Item 292, and 2-Inch Thick HML Surface Coarse, Type "D" per TXDOT Item 340, Includes Saw-Cut and Removal of Existing Pavement, Complete in Place	15	SY	<u>hundred sixty</u> Dollars <u>zero</u> Cents	\$ <u>160.00</u>	\$ <u>2,400.00</u>
10	Concrete Surface Restoration, Per Detail, Complete in Place	15	SY	<u>one hundred eighty five</u> Dollars <u>zero</u> Cents	\$ <u>185.00</u>	\$ <u>2,775.00</u>
11	Traffic Control, as Necessary, Includes Acquiring Permits, Installation, Maintenance, & Removal of All Traffic Control Devices Required by Permit and as Shown on Project Plans, Complete in Place	1	LS	<u>four thousand and five hundred</u> Dollars <u>zero</u> Cents	\$ <u>4,500.00</u>	\$ <u>4,500.00</u>
12	SWPPP, Reinforced Filter Fabric Barrier, Installed, Maintained, And Removed, Complete in Place	40	LF	<u>ten</u> Dollars <u>zero</u> Cents	\$ <u>10.00</u>	\$ <u>400.00</u>

TOTAL AMOUNT BID 28,125.00
(Items 1 thru 12)

Lopez Utilities, LLC

BID FORM

Teconstruction, LLC

ITEM NO.	DESCRIPTION	APPROX. QTY.	UNITS	UNIT PRICE IN WORDS	UNIT PRICE	TOTAL AMOUNT
1	4-Inch Sanitary Sewer Service Line (PVC, SCH 40) with PVC Fittings, Open Cut, All Depths, Complete in Place	20	LF	<u>Sixty Five</u> Dollars Cents	\$ <u>65.⁰⁰</u>	\$ <u>1,300.⁰⁰</u>
2	4-Inch Sanitary Sewer Service Line (PVC, SCH 40) with 8-Inch Steel Casing (1/4-Inch Wall Thickness), Augered & Encased Construction, All Depths, Complete in Place	60	LF	<u>One hundred Ten</u> Dollars Cents	\$ <u>110.⁰⁰</u>	\$ <u>6,600.⁰⁰</u>
3	4-Inch Deep Connection on 21-Inch Sanitary Sewer Main, Insert Tee w/ SS Bands, Complete in Place	1	EA	<u>Five Thousand Eight Hundred Fifty</u> Dollars Cents	\$ <u>5,850.⁰⁰</u>	\$ <u>5,850.⁰⁰</u>
4	City Side Clean-Out at ROW for Sanitary Sewer Service Connection, Including Connection to Existing Sanitary Sewer Service Line, Complete in Place	1	EA	<u>Eight Hundred</u> Dollars Cents	\$ <u>800.⁰⁰</u>	\$ <u>800.⁰⁰</u>
5	Remove Portion of Existing Service Line Not Utilized in Final Configuration, Complete in Place	20	LF	<u>Eighteen</u> Dollars Cents	\$ <u>18.⁰⁰</u>	\$ <u>360.⁰⁰</u>
6	Plug Opening in Existing Storm Sewer Culvert, Complete in Place	1	EA	<u>Five Hundred Sixty</u> Dollars Cents	\$ <u>560.⁰⁰</u>	\$ <u>560.⁰⁰</u>
7	Trench Safety System, Complete in Place	20	LF	<u>Thirty Seven</u> Dollars Cents	\$ <u>37.⁰⁰</u>	\$ <u>740.⁰⁰</u>

ITEM NO.	DESCRIPTION	APPROX. QTY.	UNITS	UNIT PRICE IN WORDS	UNIT PRICE	TOTAL AMOUNT
8	Turf Establishment, Full Sodding, Complete in Place	50	SY	<u>Ten</u> Dollars Cents	\$ <u>10.00</u>	\$ <u>500.00</u>
9	Asphalt Surface Restoration, Including 8-Inch Thick Asphalt Base, Gr. 2, PG-64, Per TXDOT Item 292, and 2-Inch Thick HMHL Surface Coarse, Type "D" per TXDOT Item 340, Includes Saw-Cut and Removal of Existing Pavement, Complete in Place	15	SY	<u>Ninety Three</u> Dollars Cents	\$ <u>93.00</u>	\$ <u>1,395.00</u>
10	Concrete Surface Restoration, Per Detail, Complete in Place	15	SY	<u>Fifty eight</u> Dollars Cents	\$ <u>58.00</u>	\$ <u>870.00</u>
11	Traffic Control, as Necessary, Includes Acquiring Permits, Installation, Maintenance, & Removal of All Traffic Control Devices Required by Permit and as Shown on Project Plans, Complete in Place	1	LS	<u>One Thousand one hundred</u> Dollars Cents	\$ <u>1,100.00</u>	\$ <u>1,100.00</u>
12	SWPPP, Reinforced Filler Fabric Barrier, Installed, Maintained, And Removed, Complete in Place	40	LF	<u>Fifteen</u> Dollars Cents	\$ <u>15.00</u>	\$ <u>600.00</u>

TOTAL AMOUNT BID \$ 20,675.00
(Items 1 thru 12)

T CONSTRUCTION, LLC

Wagner Construction

BID FORM

ITEM NO.	DESCRIPTION	APPROX. QTY.	UNITS	UNIT PRICE IN WORDS	UNIT PRICE	TOTAL AMOUNT
1	4-Inch Sanitary Sewer Service Line (PVC, SCH 40) with PVC Fittings, Open Cut, All Depths, Complete in Place	20	LF	forty no Dollars Cents	\$ 40.00	\$ 800.00
2	4-Inch Sanitary Sewer Service Line (PVC, SCH 40) with 8-Inch Steel Casing (1/4-Inch Wall Thickness), Augered & Encased Construction, All Depths, Complete in Place	60	LF	one hundred fifty no Dollars Cents	\$ 150.00	\$ 9,000.00
3	4-Inch Deep Connection on 21-Inch Sanitary Sewer Main, Inserta Tee w/ SS Bands, Complete in Place	1	EA	five thousand no Dollars Cents	\$ 5,000.00	\$ 5,000.00
4	City Side Clean-Out at ROW for Sanitary Sewer Service Connection, Including Connection to Existing Sanitary Sewer Service Line, Complete in Place	1	EA	five hundred no Dollars Cents	\$ 500.00	\$ 500.00
5	Remove Portion of Existing Service Line Not Utilized in Final Configuration, Complete in Place	20	LF	thirty no Dollars Cents	\$ 30.00	\$ 600.00
6	Plug Opening in Existing Storm Sewer Culvert, Complete in Place	1	EA	five hundred no Dollars Cents	\$ 500.00	\$ 500.00
7	Trench Safety System, Complete in Place	20	LF	one no Dollars Cents	\$ 1.00	\$ 20.00

ITEM NO.	DESCRIPTION	APPROX. QTY.	UNITS	UNIT PRICE IN WORDS		UNIT PRICE	TOTAL AMOUNT
8	Turf Establishment, Full Sodding, Complete in Place	50	SY	ten no	Dollars Cents	\$ 10.00	\$ 500.00
9	Asphalt Surface Restoration, Including 8-Inch Thick Asphalt Base, Gr. 2, PG-64, Per TXDOT Item 292, and 2-Inch Thick HMHL Surface Coarse, Type "D" per TXDOT Item 340, Includes Saw-Cut and Removal of Existing Pavement, Complete in Place	15	SY	one hundred no	Dollars Cents	\$ 100.00	\$ 1,500.00
10	Concrete Surface Restoration, Per Detail, Complete in Place	15	SY	fifty no	Dollars Cents	\$ 50.00	\$ 750.00
11	Traffic Control, as Necessary, Includes Acquiring Permits, Installation, Maintenance, & Removal of All Traffic Control Devices Required by Permit and as Shown on Project Plans, Complete in Place	1	LS	three thousand no	Dollars Cents	\$ 3,000.00	\$ 3,000.00
12	SWPPP, Reinforced Filter Fabric Barrier, Installed, Maintained, And Removed, Complete in Place	40	LF	five no	Dollars Cents	\$ 5.00	\$ 200.00

TOTAL AMOUNT BID \$22,370.00
(Items 1 thru 12)

Wagner Construction



CITY COUNCIL AGENDA FORM

Meeting Date: February 13, 2017

Agenda item: 9n

Prepared by: Amanda Hobby

Reviewed by: Carol Buttler

Department: Public Services

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding award of purchase to Texas Underground, through the BuyBoard, for major repairs of the vactor truck blower component, including 20% for contingencies, in the amount of \$30,000.00.

X

Attach for reference:

1. BuyBoard Form
2. Texas Underground
3. Kinloch Equipment
4. ASCO Equipment
5. HUB Form

STAFF BRIEFING:

- Texas Underground is a local BuyBoard vendor.
- Council approved \$40,000.00 for vactor truck repairs during budget.
- The vactor truck is essential to the utility department in removing raw sewage from backed up mains and overflow.
- Discussion with Finance Director indicates this Capital Outlay item to be a part of the Financing Plan as presented by the Finance Director.

HISTORY:

- The City has been conducting business with Texas underground since 2000.
- The City has purchased equipment from Texas Underground in the past.
- Texas Underground has performed labor on City equipment at discounted rates.

TARGET IMPLEMENTATION: February 13, 2017

SIGNIFICANT ACTION DATES:

ACTION:

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

Cost Details:	
Budgeted	\$40,000.00
Actual Bid	\$24,120.00
Estimated Expenditure	\$30,000.00
Acct. Name(s)	10 Year Life Assets (Vehicle)
Line Items #	02-7030-22-00
Other Funding	Repairs & Vehicle Maint. 02-3030-22-00



CITY COUNCIL AGENDA FORM

STAFF'S RECOMMENDATION: Motion to award purchase to Texas Underground, through the BuyBoard, for major repairs of the vactor truck blower component, including 20% for contingencies, in the amount of \$30,000.00

FISCAL IMPACT:

- Funds were already approved by Council during budget, but will be included into the debt service loan for the purchase of the blower component.
- The debt service loan will cover the quoted amount of \$24, 120.00 and Public Services is asking for a 20% contingency in case Texas Underground runs across additional repairs that were not originally quoted.



Administration

RFQ

Reports

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Vendor Contract Information

Search:

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- ☐ Vendor Discounts Only
- ☐ Catalog Pricing Only

Refine Your Search:

Vendors

Texas Underground, Inc.[X]

Price Range

Show all prices

Category

None Selected

Contract

None selected

Additional Searches:

[Search by Vendor](#)
[Browse Contracts](#)

Additional Resources

Vendor Name: Texas Underground, Inc.**Address:** 1617 Garden Road

Pearland, TX 77581

Phone Number: (800) 373-1318**Extension:** 206**Email:** sales@pipehunter.com**Website:** <http://texasundergroundinc.com>**Federal ID:** 76-0201375**Contact:** Stan Stoneman**Accepts RFQs:** Yes**Minority Owned:** No**Women Owned:** No**Service-Disabled Veteran Owned:** No**EDGAR:** Yes**Contract Name:** Sewer Inspection and Cleaning Products**Contract Description:** Complete line of combination sewer cleaners, jetter units, trailer jetter, vacuum excavator equipment; sewer inspection camera systems; lateral reinstatement cutters and cleaning systems; service/repair and installation**Contract#:** 513-16**Effective Date:** 10/01/2016**Expiration Date:** 09/30/2019**Payment Terms:** Net 30 days**Delivery Days:** 90**Shipping Terms:** Pre-paid and added to invoice**Freight Terms:** FOB Destination**Ship Via:** Common Carrier**Region Served:** All Texas Regions**States Served:** All States**Additional Info:** EDGAR Compliance documents (2 CFR Part 200 & Appendix II) are included in the Vendor response document, and can be found in the Vendor Proposal File link near the bottom of page.**Quote Reference Number:** 513-16**Return Policy:** 25% restocking fee**Additional Dealers:** Texas Underground, Inc., Dallas TX

Contract Documents

EDGAR Notice: [Click to view EDGAR Notice](#)**Proposal Documents:** [Click to view BuyBoard Proposal Documents](#)**Regulatory Notice:** [Click to view Bonding Regulatory Notice](#)**Construction Services Advisory:** [Click to view the Construction Related Goods and Services Advisory](#)**Proposal Files:** [Click to view Vendor Proposal Files Documents](#)

Contact us 800-695-2919

Req # 2979

Re: Label info-P Bush

sent email
12-6-16
PBush

SC Service Center
James Leonard <james@pipehunter.com>

Reply all

Mr. Leonard,,

Thank you for your help. We picked up the truck on Monday (7-11-16). I have the Blower replacement quote for: \$22,500.00 for parts and the Labor is: 18 hours @ \$90.00/hour= \$
24,120.00. Does this include all Oils/Fluids, Shop Supplies and any other damaged parts/installation labor in the Blower Area? (the Blower explosion was pretty violent) We would like to look at these Vactor Truck repairs as TWO PR's. One for the replacement of the Blower and One for the rest of the items you found while the truck was at your location. If you have any questions call Me at 409.750.5193. Thank you again.

Sincerely,
Philip Bush
C 409.750.5193

From: Service Center
Sent: Monday, June 6, 2016 11:01:46 AM
To: James Leonard
Subject: Re: Label info P Bush

Mr. Leonard,

Please resend it with the date updated. Thank you for your help.

Sincerely,
Philip Bush
C 409.750.5193

From: James Leonard <james@pipehunter.com>
Sent: Monday, June 6, 2016 9:36:34 AM
To: Service Center
Cc: Stan Stoneman; Dropbox
Subject: Re: Label info-P Bush

Mr. Bush,

Kirch Equipment & Supply Inc

3320 Pasadena Blvd.
Pasadena, TX 77503

Estimate Number: 12914

Quote Date: Dec 6, 2016

Page: 1

Voice: 713-473-6213

Fax: 713-473-3855

Contact Name

Phil Bush

Unit / Serial #

Miles

Hours

Phone

409-750-5193

Fax

Email: SERVICECENTER@CITYOFLAMARQUE
TX 77568

Customer ID	Good Thru	Payment Terms	Sales Rep
LA MARQUE, CITY OF	1/5/17	Net 30 Days	14

Item Qty	Line Item ID	Description	Price Each	Amount
1.00	VA-230294	BLOWER,ROOTS.824RCSV-18	24,844.87	24,844.87
1.00	NSN8800	OILS & FLUIDS	105.00	105.00
1.00	NSN3800	CONSUMABLE STOCK, NON TAX	275.00	275.00
28.00	99-70000	SHOP LABOR	120.00	3,360.00
		This quote includes est freight of \$300.00		

Subtotal	28,584.87
Sales Tax	
TOTAL	28,884.87

*** THIS IS AN ESTIMATE ONLY AND MAY NOT INCLUDE ANY FREIGHT CHARGES

IF OKAY TO PROCEED WITH WORK, PLEASE SIGN AND FAX TO
713-473-3855

CUSTOMER SIGNATURE _____

DATE _____

PO# _____

for 2016 - END OF 2016
P/H ROPS 7C1RBC RB

37,664.84
ASCE
Cost for
Blower

CITY OF LA MARQUE, TEXAS

**HISTORICALLY UNDERUTILIZED BUSINESS (HUB) CONTACT AND QUOTATION
DOCUMENTATION**

For all purchases over \$3,000 and below \$25,000

In compliance with Chapter 252.0215 of the Texas Local Government Code the department originating this purchase requisition certifies that:

1. Requisition Date:	1-17-17
2. Description of the Goods or Services:	Repair to Vector Truck
3. Requesting Department:	Public Services
4. Requisition By:	Amanda Holby
5. Total Amount of Purchase:	\$30,000.00

SELECT ONLY ONE (6, 7 or 8)

 6. The following Galveston County Historically Underutilized Businesses were identified and contacted concerning this purchase:

HUB Name:		HUB Name:	
HUB Quote:		HUB Quote:	

 7. No applicable Galveston County HUB's were identified from the General Services Commission listing; therefore the City is exempt from HUB contact requirements for this purchase.

 X 8. This purchase is exempt from HUB contact requirements because it is covered under General Exemption Number 12 d. (See below)

Local Government Code Chapter 252.022 General Exemptions

1. A purchase made because of a public calamity that requires the immediate appropriation of money to relieve the necessity of the City residents or to preserve the property of the City.
2. A purchase necessary to preserve or protect the public health or safety of the City's residents.
3. A purchase necessary because of unforeseen damage to public machinery, equipment or other property.
4. A purchase for personal, professional or planning services.
5. A purchase for work that is performed and paid for by the day as the work progresses.
6. A purchase of land or right-of-way.
7. A purchase of items that are available from only one source.
8. A purchase of rare books, papers and other library materials for a public library.
9. Paving drainage, street widening, and other public improvements, or related matters, if at least 1/3 of the cost is to be paid by or through special assessments levied on the property that will benefit from the improvements.
10. A public improvement project, authorized by the voters of the City, for which there is a deficiency of funds for completing the project in accordance with the plans and purposes authorized by the voters.
11. A payment under contract by which a developer participates in the construction of a public improvement as provided by Subchapter C, Chapter 212 of the Texas Local Government Code.
12. A Personal Property sold:
 - a. At an auction by a state licensed auctioneer;
 - b. At a going out of business sale held in compliance with Subchapter F, Chapter 17, Business Commercial Code;
 - c. By a political subdivision or state agency of Texas, or the federal government;
 - d. Under an interlocal contract for cooperative purchasing (e.g. State Contract, H-GAC, Texas Association of School Boards)
13. Services performed by blind or severely disabled persons.
14. Goods purchased by a municipality for subsequent retail sale by the municipality.
15. Electricity.



CITY COUNCIL AGENDA FORM

Meeting Date: February 13, 2017
Prepared by: Les Rumburg
Department: Development Services

Agenda item: 9o
Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding approval of the upgrade of an existing but unfunded position within the Development Services Department to “Development Coordinator” effective March 14, 2017

X

Attach for reference

1. Position Description

STAFF BRIEFING:

- Position is provided for (though not titled as such) in both the current budget and Organizational Charts as an “Unfunded” position.
- Position is necessary to meet increasing demand of planning, zoning, and development-related issues and projects that the City is experiencing.
- Finance Director has been involved with City Manager and Department Director in formulating this approach to meet increasing demands for City services.
- Reorganization of both Development Services and Code Compliance will enable a more effective/efficient means of meeting individualized concerns of the citizens/residents and development community.
- Funding for this position is anticipated to come from the budget amendment presented by Finance Director.

HISTORY:

- Position was in the City organizational structure 18 months ago when it was titled “Code Enforcement Clerk” and removed from last year’s budget in an effort to concentrate funding on other operations.

TARGET IMPLEMENTATION: Position will begin upon City Council approval.

SIGNIFICANT ACTION DATES:

January, 2017 – Staff discussion regarding the new position and funding thereof



CITY COUNCIL AGENDA FORM

ACTION:

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

Cost Details:	
Budgeted	\$0.00
Actual Bid	
Estimated Expenditure	\$35,145.01
Acct. Name(s)	See Exhibit A of Budget Amendment Ord
Line Items #	See Exhibit A of Budget Amendment Ord
Other Funding	

STAFF'S RECOMMENDATION: Motion to approve the upgrade of an existing but unfunded position within the Development Services Department to "Development Coordinator" effective March 14, 2017.

FISCAL IMPACT: \$35,145.01, including benefits, through September 30, 2017



*City of La Marque Position Description
Development Coordinator
Development Services*

Title: Development Coordinator

Department: Development Services

Grade Level:

FLSA Statuses: Non-Exempt

Reports To: Director of Public Services

Immediate Subordinates: None

Job Summary

Under direct supervision with independent execution of duties, performs a variety of specialized clerical duties in support of the Development Services and provides information and guidance to developers, engineers, architects, designers, builders, real estate agents, citizens and others regarding land development. Work involves greeting customers, scheduling/processing pre-development meetings, and preparing and distributing reports and agendas for Planning and Zoning Commission and Zoning Board of Adjustment. Position provides support as needed to Permit Specialist.

Essential Job Duties

- Adhere to all City policies and procedures as outlined in the Employee Handbook, in particular:
 - Attendance Policy
 - All Safety Policies and Procedures
- Appropriate business casual attire for office personnel and proper uniform attire for those departments that are so designated (Police, Fire, and Public Works Departments);
- Provide assistance throughout the land development process by answering inquiries regarding zoning, platting and commercial site development;
- Guides citizens, developer's engineers, architects, builders, real estate agents, designers, other employees and agencies where to obtain development-related information such as floodplain, utility location and availability, building and fire code requirements as well as other issues;
- Coordinates the review and approval of construction plans, plats, and commercial site plans with the Development Services Department, Fire Marshal, Police Department, Galveston County Drainage District 1 and/or 2, City of La Marque utilities, other involved utility companies, and the City Manager, where applicable;
- Contacts engineer, architect, surveyor, agent and/or applicant regarding required corrections to plan submittals; Reviews planning and zoning documents for compliance with City ordinances;
- Provides assistance in the preparation of agenda items for the City Council, Planning and Zoning Commission, Zoning Board of Adjustments; Review items and verifies by check list the status of items;
- Attends Planning and Zoning Commission meetings and Zoning Board of Adjustment meetings; Prepares minutes of meetings, and assists in answering questions regarding ordinance compliance;

- Accepts complete applications and required documents submitted for consideration by staff, Planning and Zoning Commission, Zoning Board of Adjustment, and/or City Council;
- Updates Maps and record files; Maintains files of planning division;
- Conducts plan reviews and site inspections when required;
- Assists with maintaining and updating information for the planning portion of the Public Services section of the City's website;
- Assists Permit Specialist and relieves when needed;
- Obtain a working knowledge of permits and ordinances;
- Receives and responds to customers requests for Public Information and forwards those requests to the City Clerk's office;
- Schedule and coordinate Pre-development committee meetings, and prepare information necessary for each meeting;
- Recommends specific expenditures for inclusion in the Department's budget;
- Position must possess and maintain a valid Texas Driver's License;
- All other duties as assigned.

Education, Training, and Experience

- High School diploma or GED;
- Two years of college in business, public administration or a related field, or
- Two to five years' experience in municipal planning and development, or
- Five to ten years related experience AND
Formal training equivalent to a maximum of 1000 in-class hours
- Very strong organizational skills;
- Municipal or County/State experience preferred;

Emergency Operation Classification: TIER 2 Employees not at work are responsible for maintaining contact with their supervisor regarding assignments, to stay abreast of the situation by monitoring radio and television for instructions, and by calling the Emergency Operations Center daily.

NOTE: The above statements are intended to describe the general nature and level of work being performed by the person assigned to this job. They are not intended to be an exhaustive list of all responsibilities, duties, skills and physical demands required of personnel classified.

APPLICANT: Are you capable of performing in a reasonable manner the activities involved in the job or application for which you have applied? Yes/No _____

**The City of La Marque is an Equal Opportunity Employer of Qualified Individuals
(Circle One)**

I have read the job description above and can perform the job duties **with** **without**
any reasonable accommodation.

Witness: Supervisor's Signature	Date	Employee's Signature	Date



CITY COUNCIL AGENDA FORM

Meeting Date: February 13, 2017

Prepared by: Les Rumburg

Department: Public Services

Agenda item: 10a

Reviewed by: *Carol Buttler*

AGENDA ITEM DESCRIPTION: Discussion / staff report regarding the status of Water and Sewer Utility projects, both in-process and proposed, including the following:

1. Disaster Recovery Project – Sanitary Sewer Rehab
2. CO Bond Funds Schedule
3. CDBG Application – Water Infrastructure improvements
4. MOTCO water line removal/replacement



NO ATTACHMENTS

STAFF BRIEFING:

- Sanitary Sewer Rehab utilizes the remainder of the Disaster Recovery Funds allocated to the City following Hurricane Ike.
- The CO Bond Funds have been approved and allocated.
- The CDBG Application will have been submitted by February 9th.
- A potential 3rd “take point” for Gulf Coast Water Authority (GCWA)-supplied water to the City could provide an alternative for service to the MOTCO facility, enabling the discontinuance of the 6” line that has been a source of water loss and controversy.
- LJA Engineering is the City’s engineer of record and remains available to engineer and oversee construction of all projects.

HISTORY:

- The City has been using Disaster Recovery Funds since 2009
- The CO Bond funds were approved through the 2016/2017 Budget process

TARGET IMPLEMENTATION: Some projects have been engineered and are awaiting bidding. Others have an extensive review process, while the water projects are awaiting the results of the application – all projects should be in construction by mid-summer, 2017

SIGNIFICANT ACTION DATES:



CITY COUNCIL AGENDA FORM

ACTION:

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

Cost Details:	
Budgeted	\$2,500,000 \$558,000
Actual Bid	
Estimated Expenditure	\$4,170,000
Acct. Name(s)	2016 CO SSO 2016 CO Infrastructure Improv
Line Items #	47-7003-2400-SSO 47-7004-22-00-LEAKS
Other Funding	Line repairs project-Utility Fund CDBG grant Other grants

STAFF'S RECOMMENDATION: No action required; staff report only

FISCAL IMPACT: Estimated costs and funding source:

<u>Project</u>	<u>Estimated Cost</u>	<u>Source of Funds</u>
1. Sanitary Sewer Rehab	\$ 800,000	Grant
2. SSO Project	2,500,000	CO Bonds
3. Water System Impvmts	500,000	CO Bonds
4. Water System Impvmts	350,000	CDBG Grant
5. Motco Line elimination	20,000	Utility Funds



**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: February 13, 2017
SUBJECT: City Manager Report - **January 2017 Activity**

a. Judicial

- See report attached.

b. Police

• **Staffing Levels**

There are six (6) full-time vacancies in the Telecommunications Section. We have two (2) full-time operational TCOs and four (4) part-time TCOs. The Police Department is actively interviewing and vetting applicants for Telecommunicator.

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 January of 2017:

- Sgt. Samuelson - Canine Encounters
- Sgt. Samuelson - DLC Technician Certification

• **Operations**

In the month of January, the La Marque Police Department generated 1,772 calls for service. Of those calls for service, 818 (approximately 46%) were “self-initiated.” Citizen calls to the police department accounted for 951 of the total (approximately 54%) calls for service. There was an average response time of 6 minutes (5:55) and an average time spent on calls of about 30 minutes (30:15).

On January 21st 2017, La Marque’s Clean City Commission funded litter pick-up operation. The operation yielded forty-nine (49) bags of trash, nine (9) illegally posted “bandit” signs and one (1) vehicle tire.

Last month’s City Manager’s Report included the 2016 Crime Statistics report which included the 4th Quarter of 2016. During the preparation of the report, it was noted that there was a decline in the violent crimes within the categories of ‘Rape’ and ‘Robbery.’ The category of ‘Murder’

remained the same; however, the category of ‘Aggravated Assault’ reflected a significant increase. The Administrative Services Division Commander was tasked with conducting an analysis of the Aggravated Assaults to determine the relationship between the victims and offenders. This was done to determine how many offenders were familial or otherwise known to the victim, versus the number of victims who were “strangers” to the offender.

During the analysis, it was discovered that five (5) of the eighty-nine (89) reported Aggravated Assaults were in-fact not “Aggravated” and therefore, were re-classified. The number of actual Aggravated Assaults for calendar year 2016 was tallied at eighty-four (84) which still reflected a 68% increase from calendar year 2015. Those eighty-four (84) Aggravated Assaults were reported on seventy-one (71) offense reports (some of the reports documented more than one victim of the offense). Out of those seventy-one (71) reports, twelve (12), or 17%, involved a victim/offender relationship of “stranger.” Fifty-nine (59) of those reports (83%) documented a victim/offender relationship of family members or acquaintances.

The revised 2016 Crime Statistics Report is included with the City Manager’s Report.

The Police Department has two (2) functional Peace Officer vacancies (two Peace Officers are in training) and six (6) full-time Telecommunicator vacancies. Late calls, holidays, priority investigations, court appearances, training and occasional staff shortages also contribute to overtime expenditures.

c. **Fire**

- **Personnel:**

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. Final disposition of the Apparatus remains uncertain at this time. 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:**

Two 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 have commenced EMT-Advanced training / certification at Galveston College which began 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. ***Completion of the new Fire Station on the west side of our city and employment of additional Fire Fighters will enhance our prospects of retaining the Class 3 rating.***

- **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 intermittent vacancies throughout any given budgetary cycle.

FY 2017 YTD: \$32,465.45

Jan MTD: \$4,601.53

- **Other:**

- **Statistical information:**

Average Response Times: 5:46

- **Engine Company Responses for Service:**

MTD: 138

YTD: 518

- **Medic Responses for Service:**

MTD: 194

YTD: 768

- **Mutual Aid Given and Received:**

MTD Given: 16

YTD Given: 53

MTD Received: 20

YTD Received: 79

- **Detailed statistical information enclosed**

d. **Library**

- See report attached.

e. **Public Services**

- **Public Works Administrative Assistant** – For the month of December, compared to last year, there was an increase in calls for Water Leaks, Sewer Stops, Leaks at the Meter, Low Pressure/No Water, Dress-Ups, Trash Pick Up, Code Compliance, Culverts, Mowers/Mowing, Street Signs, Traffic Lights, Street Light Outage, Director, Human Resource, Animal Control, Locates, Customer @ the Window, Community Service, Gas Company, and Miscellaneous Calls; compared to last year there was a decrease in Billing Department, Dirt Request, Street Light Request, PW/Utility Department Supervisors, City Hall Administrative Assistant, and Inspections.
- **Parks** – For the month of December, compared to last year, there was a decrease in hours for Highland Bayou Park; compared to last year there was an increase in hours for Mahan Park.
- **Utility 12** – For the month of December, compared to last year there was an increase in hours for, Culverts-Linear Feet Set, Weed-Eat/Mowing, Check Drains & Ditches, Safety Meetings, Animal Services, and Hanging of Christmas Lights on the Poles & Signs; compared to last year there was a decrease in hours for Trimming Trees Limbs, Traffic Sign Repair/Install, Pot Holes Filled, and Sweeping.
- **UTILITY 12 - The 2016/17 Street Project is in the final stages. The Galveston County-supplied crew and equipment has experienced slowdowns with the holidays and equipment failure. They are now hoping to be complete by the first week of February.**
- **Utility 22 - Water & Sewer Maintenance** – For the month of December, compared to last year there was an increase in, Water Leaks Repaired, Low Pressure on Customers Side, Meter Boxes & Lids Replaced, Start Reads, Final Reads, Re-Reads, Drains Cleaned, Storm Drains Repaired, Pick Up Trash, Sewer Stoppages Resolved, Sewer Lines Repaired, Residential Sewer Taps, Sink Holes, Lines Locate for Water & Sewer, and Dress-Ups; compared to last year there was a decrease in Low Pressure City Side, and Water Turn On/Off-Citizens.
- **Utility 22 - The month of December was absolutely devastating to Public Services. An exorbitant number of line failures occurred directly resulting from flooding rains. The remaining Disaster Recovery funds are passing through the procedural review process and it is hoped that they can be bid out and awarded in the February-March time frame. The engineers are developing the programs for expenditure of the CO Bond fund monies allocated for water and sewer line repair/replacement, for Council review. These are designed to resolve the worst portions of the system and where we are currently receiving the most complaints.**
- **Virginia Street - Sewer line has over 45 boots/clamps on the line. From the flood waters, this has devastated the sewer and water mains. We have done 3 point repairs and the situation continues due to multiple collapsed lines. This street is in the comprehensive Sewer Repair/Replacement Project, but we will continue to monitor this area.**
- **Little/Lenz Street - Same issue as Virginia. From all the flood waters, the sewer main has collapsed in multiple positions making it difficult to complete point repairs. This line is being dug up and replaced by City crews currently.**

- **Due to the fact we only have 1 crew working on the water and sewer mains, we can only repair 1 line at a time.**
 - **City crews helped staff from City Hall move to the new EDC building off 1st Street.**
 - **Utility 24 – Water & Waste Water –** For the month of December, compared to last year there was an increase in, Distribution System-Total Surface Water, Total Well Water, Total Lift Station Pump Hours; compared to last year there was a decrease in Rainfall, Chemicals Used, Flow Totals, Plant Man Hours, Total Lift Station Pump Hours, Dead Ends Flushed, and Fire Hydrants Weed-Eat.
 - **Utility 24 – Water & Waste Water Maintenance –** For the month of December, there was an overall decrease in Preventive & Corrective Maintenance.
 - **Utility 24- There are continuing issues with the contractor who was awarded the bid for cleaning of the aeration basin at the Waste Water Treatment Plant. This is the necessary first step in the Siemens-sponsored system improvements at the plant. We have developed a work-around and will initiate the project in mid-January. Equipment has been ordered and some has already arrived, being stored at the plant.**
 - **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. Financials**
- See report attached.

JUDICIAL DEPARTMENT



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

Judicial Monthly Report December
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	5582	2	5	2310	2,015	542	10,456	31,560	9,870	31,589
Active Cases	1,080	1	3	251	235	186	1,756	5,740	2,157	8,944
Inactive Cases	4,502	1	2	2,059	1780	356	8,700	25,820	7,713	15,263
New Cases Filed	342	0	0	42	56	45	485	1,512	559	1,656
Cases Reactivated	64	0	0	41	35	3	143	569	157	208
All Other Cases Added	0	0	0	0	0	0	0	0	0	0
Total Cases on Docket	1,486	1	3	334	326	234	2,384	7,821	2,873	10,808
Dispositions Prior to Trial:										
Uncontested Dispositions	204	0	0	36	41	16	297	978	269	1178
Dismissed by Prosecution	15	0	0	2	2	19	38	140	24	99
Dispositions at Trial:										
Convictions:										
Guilty Plea or Nolo Contendere	11	0	0	1	1	0	13	64	8	30
By the Court	0	0	0	0	0	0	0	1	2	5
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	0	355
By the Jury	0	0	0	0	0	0	0	0	0	3
Dismissed by Prosecution	6	0	0	3	2	0	11	17	1	8
Compliance Dismissals:										
After Driver Safety Course	61						61	137	20	70
After Deferred Disposition	110	0	0	2	5	0	117	255	54	109
After Proof of Financial Responsibility	1						1	7	6	18
	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	30	0	0	0	0	0	30	53	6	37
All Other Dispositions	5	0	0	0	3	0	8	83	0	500
Total Cases Disposed	443	0	0	44	56	35	578	1,738	392	2,416
Cases Placed on Inactive Status	107	0	0	45	50	42	244	858	138	521
Total Cases Pending End of Month:	5,481	2	5	2,308	2,015	552	10,363	31,334	10,037	30,824
Active Cases	936	1	3	245	220	157	1,562	5,225	2,343	7,871
Inactive Cases	4,545	1	2	2,063	1,795	395	8,801	26,109	7,694	22,958
Show Cause Hearings Held	31	0	0	5	4	0	40	97	15	28
Cases Appealed:										
After Trial	0	0	0	0	0	0	0	0	369	380
Without Trial	1	0	0	0	0	0	1	4	100	116



**CITY OF LA MARQUE
COURT STATISTICS
December 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	5	0	2
Non-driving Alcoholic Beverage Code Cases Filed	0	1	2	3
Driving Under Influence of Alcohol Cases Filed	0	0	0	0
Drug Paraphernalia Cases Filed	0	0	1	1
Tobacco Cases Filed	0	1	1	2
Failure to Attend School Cases Filed	0	0	0	0
Education Code Cases Filed (except fail to attend)	0	0	0	0
Curfew Violation Cases Filed	0	2	0	0
All Other Non-traffic Fine-only Cases Filed	2	8	4	10
Additional Activity:				
Magistrate Warnings:				
Class C Misdemeanors	7	25	4	14
Class A and B Misdemeanors	4	9	6	17
Felonies	2	5	6	9
Arrest Warrants Issued:				
Class C Misdemeanors	183	762	60	202
Capias Pro Fine Issued:				
Class C Misdemeanors	21	252	32	147
Emergency Protection Orders Issued	1	1	0	0
Stolen Property Hearings Held	0	1	1	1
Cases Satisfied by Community Service:				
Partial Satisfaction	0	0	1	2
Full Satisfaction	10	21	5	17
Cases Satisfied by Jail Time Credit	70	254	39	160
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	\$50,061.79	\$157,960.15	\$56,696.30	\$144,385.57
Remitted to State	\$23,803.21	\$70,710.95	\$28,440.35	\$71,714.99
Total	\$73,865.00	\$228,671.10	\$85,136.65	\$216,100.56

POLICE DEPARTMENT



**2016 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	21	-19%	9	7	35%	33%
Aggravated Assault	32	10%	31	97%	41	10%	26	63%	45	10%	40	87%	50	9%	31	62%	50	84	68%	31	34	62%	40%
La Marque Violent Crime Total	70	10%	51	73%	73	10%	41	56%	75	3%	48	63%	94	24%	43	45%	94	119	27%	47	46	50%	39%
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	172	3%	14	22	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	842	6%	269	350	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

LA MARQUE POLICE DEPARTMENT
MONTHLY REPORTING STATISTICS

	CURRENT MONTH (JANUARY 2017)	CURRENT MONTH PREVIOUS YEAR (JANUARY 2016)	PREVIOUS MONTH (DECEMBER 2016)	YEAR TO DATE (2017)	PREVIOUS YEAR TO DATE (2016)
<u>PART I CRIMES</u>					
HOMICIDE	1	0	1	1	0
RAPE	1	1	0	1	1
ROBBERY	0	3	1	0	3
ASSAULT (*INCLUDES SIMPLE)	38	44	42	38	44
BURGLARY	15	14	28	15	14
THEFT	62	48	70	62	48
MV THEFT	2	5	2	2	5
<u>PART II CRIMES</u>	223	168	189	223	168
<u>CALLS FOR SERVICE</u>	1772	2822	1763	1772	2822
<u>ACCIDENTS</u>	21	38	37	21	38
INJURIES	6	8	6	6	8
NON-INJURY	15	30	31	15	30
FATALITIES	0	1	1	0	1
ALCOHOL RELATED	3	1	1	3	1
<u>ADULT ARRESTS</u>	132	133	117	132	133
<u>JUVENILE DETENTIONS</u>	0	5	0	0	5
<u>TRAFFIC STOPS</u>	282	559	267	282	559
CITATIONS	169	526	189	169	526
VIOLATIONS	220	615	240	220	615
WARNINGS	113	33	78	113	33
<u>DISTURBANCES</u>	101	99	107	101	99+

THIS MONTH THE POLICE DEPARTMENT ARRESTED 43 PEOPLE ON MUNICIPAL WARRANTS, SERVING 135 WARRANTS.

YEAR TO DATE, THE POLICE DEPARTMENT HAS ARRESTED 43 PEOPLE ON MUNICIPAL WARRANTS, SERVING 135 WARRANTS.

GALVESTON COUNTY SHERIFF

Events by Nature Code by Agency

Agency: LMPD, Event date/Time range: 01/01/2017 00:00:00 - 01/31/2017 23:59:59

Agency Code	Nature Code	Rpt Only	Self Init	CFS	Total	% Total	Avg Disp Time	Avg Resp Time	Avg Scene Time	Total Call Time	Avg Call Time
LMPD	ABANDONED VEHICLE	0	1	3	4	0%	0:05:40	0:06:06	0:14:34	1:33:34	0:23:24
	ALARM	0	2	106	108	6%	0:04:16	0:06:26	0:06:53	30:55:58	0:17:11
	ANIMAL ASTRAY	0	1	3	4	0%	0:11:22	0:10:31	0:28:43	3:00:34	0:45:09
	ANIMAL COMPLAINT DOMESTIC	0	3	24	27	2%	0:07:47	0:09:06	0:21:09	16:15:37	0:36:08
	ASSAULT	0	0	14	14	1%	0:08:08	0:08:30	0:50:28	14:33:29	1:02:24
	ASSIST CITIZEN	0	12	43	55	3%	0:07:41	0:07:14	0:13:50	24:23:37	0:26:37
	ASSIST EMS	0	0	4	4	0%	0:00:12	0:01:35	0:06:26	2:46:56	0:41:44
	ASSIST OTHER AGENCY	0	12	24	36	2%	0:02:04	0:06:49	0:33:56	24:13:39	0:40:23
	ATTEMPT TO SERVE WARRANT	0	1	2	3	0%	0:03:25	0:16:16	0:45:50	1:54:48	0:38:16
	BAR CHECK	0	2	0	2	0%	0:00:14	0:00:00	0:15:02	0:30:18	0:15:09
	BURGLARY OF BUILDING	0	1	7	8	0%	0:04:58	0:08:43	0:17:03	3:43:31	0:27:56
	BURGLARY OF HABITATION	0	0	14	14	1%	0:05:04	0:07:38	0:26:29	9:08:37	0:39:11
	BURGLARY OF MOTOR VEHICLE	0	4	24	28	2%	0:11:20	0:09:30	0:22:25	19:42:23	0:42:14
	BUSINESS CHECK	0	228	6	234	13%	0:00:05	0:03:36	0:10:10	42:28:06	0:10:53
	CHILD CUSTODY	0	0	4	4	0%	0:07:29	0:05:09	0:40:33	3:32:45	0:53:11
	CIVIL MATTER OR STANDBY	0	2	28	30	2%	0:09:22	0:07:36	0:21:00	18:19:28	0:36:39
	CORRECTIONS TRANSPORT	0	2	0	2	0%	0:00:01	0:00:00	1:04:07	2:08:15	1:04:08
	CRIMINAL MISCHIEF	0	0	8	8	0%	0:25:14	0:07:30	0:17:38	6:42:58	0:50:22
	DEAD ON SCENE	0	0	3	3	0%	0:05:03	0:00:32	1:29:42	4:45:54	1:35:18
	DISORDERLY CONDUCT	0	0	1	1	0%	0:05:22	0:00:03	0:11:48	0:17:13	0:17:13
	DISTURBANCE	0	1	47	48	3%	0:02:23	0:04:47	0:28:18	28:22:35	0:35:28
	DRUNK OR INTOXICATED PERSON	0	0	5	5	0%	0:02:25	0:06:10	0:14:08	1:53:38	0:22:44
	DUP	0	0	2	2	0%	0:00:06	0:07:30	1:15:35	2:46:21	1:23:11
	ESCORT	0	0	1	1	0%	0:15:09	0:00:00	0:00:00	0:36:58	0:36:58

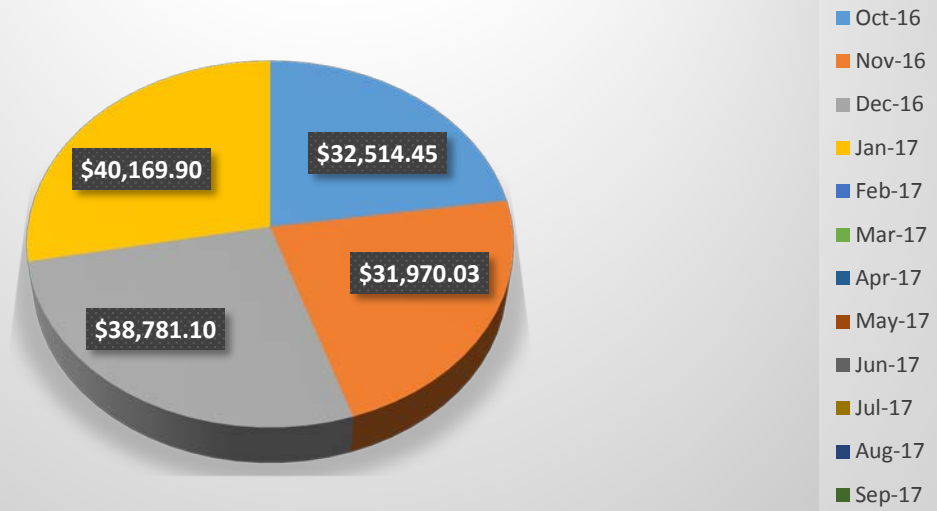
Agency Code	Nature Code	Rpt Only	Self Init	CFS	Total	% Total	Avg Disp Time	Avg Resp Time	Avg Scene Time	Total Call Time	Avg Call Time
	FALLEN SUBJECT	0	0	1	1	0%	0:00:34	0:01:49	0:07:28	0:09:51	0:09:51
	FIRE - NON SPECIFIC	0	0	2	2	0%	0:01:52	0:04:50	0:18:02	0:49:26	0:24:43
	FIREWORKS	0	0	11	11	1%	0:38:39	0:04:49	0:05:17	8:38:33	0:47:08
	FOOT PURSUIT	0	1	0	1	0%	0:00:01	0:00:00	0:44:46	0:44:47	0:44:47
	FRAUD - FORGERY - CC ABUSE	0	1	23	24	1%	0:10:00	0:09:26	0:22:02	15:28:38	0:38:42
	FSGI ACCIDENT	0	0	10	10	1%	0:05:51	0:07:04	0:24:24	6:13:12	0:37:19
	HARASSMENT - ALL TYPES	0	0	9	9	1%	0:18:40	0:09:00	1:36:39	14:40:29	1:37:50
	HAZMAT	0	0	1	1	0%	0:24:48	0:00:06	2:20:37	2:45:31	2:45:31
	JUVENILE PROBLEM	0	0	9	9	1%	0:07:23	0:05:04	0:13:34	3:49:15	0:25:28
	K-9 TRACK SUSPECT AOA	0	1	0	1	0%	0:00:00	0:00:00	0:36:21	0:36:21	0:36:21
	LINE DOWN	0	0	3	3	0%	0:01:32	0:03:24	0:13:31	0:51:32	0:17:11
	LOUD MUSIC OR NOISE	0	1	30	31	2%	0:07:05	0:06:21	0:09:31	11:41:34	0:22:38
	MENTAL HEALTH	0	0	13	13	1%	0:13:44	0:04:39	0:22:14	8:48:03	0:40:37
	MISCELLANEOUS	0	2	1	3	0%	0:00:11	0:10:14	0:20:22	0:51:38	0:17:13
	MISSING PERSON ADULT	0	0	1	1	0%	0:09:37	0:06:21	0:09:10	0:25:08	0:25:08
	NARCOTICS CRIMES	3	1	8	12	1%	0:05:28	0:04:05	0:11:23	2:54:51	0:19:26
	OPEN DOOR	0	0	2	2	0%	0:15:00	0:09:07	0:11:42	1:11:36	0:35:48
	OVERDOSE	0	0	3	3	0%	0:00:22	0:02:22	0:21:57	1:14:06	0:24:42
	PRISONER DETAIL	0	2	11	13	1%	0:05:19	0:02:41	0:29:50	7:21:35	0:33:58
	PRIVATE PROPERTY TOW	0	0	1	1	0%	0:01:34	0:00:00	0:00:00	0:01:51	0:01:51
	RECOVD CHILD/PERSON/RUNAWAY	0	0	3	3	0%	0:11:30	0:06:05	0:29:10	2:20:14	0:46:45
	REPOSESSION OF PERSONAL VEHICL	0	0	2	2	0%	0:01:22	0:05:25	0:16:43	0:46:58	0:23:29
	RESIDENTIAL CHECK	0	179	4	183	10%	0:02:30	0:02:54	0:12:24	39:22:36	0:12:55
	RUNAWAY JUVENILE	0	0	11	11	1%	0:09:30	0:07:43	0:31:31	8:56:17	0:48:45
	SEX CRIME	0	0	6	6	0%	0:17:20	0:10:00	1:00:21	8:46:04	1:27:41
	SHOTS FIRED	0	1	11	12	1%	0:04:51	0:05:55	1:16:54	17:26:11	1:27:11
	SICK CALL	0	0	1	1	0%	0:02:46	0:06:45	0:01:24	0:10:55	0:10:55

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
	STRANDED MOTORIST	0	6	2	8	0%	0:01:47	0:08:02	0:22:16	3:23:12	0:25:24
	STRUCTURE FIRE	0	0	1	1	0%	0:00:10	0:05:04	1:26:38	1:31:52	1:31:52
	SUICIDE ATTEMPTED OR COMPLETED	0	0	3	3	0%	0:02:59	0:07:06	0:35:22	2:16:22	0:45:27
	SUPPLEMENTAL INFO TO PREV CASE	0	30	39	69	4%	0:06:12	0:05:44	0:34:30	46:54:36	0:40:47
	THEFT / LOST PROPERTY	0	0	52	52	3%	0:07:56	0:11:53	0:31:59	43:35:41	0:50:18
	THREATS ALL CATEGORIES	0	0	18	18	1%	0:07:43	0:07:56	0:31:46	14:13:25	0:47:25
	TRAFFIC COMPLAINT	0	1	34	35	2%	0:06:59	0:08:53	0:16:18	17:03:33	0:29:15
	TRAFFIC STOP	0	281	1	282	16%	0:00:02	0:00:00	0:15:21	72:15:00	0:15:22
	UNCONSCIOUS PERSON	0	0	1	1	0%	0:01:06	0:02:34	0:19:19	0:22:59	0:22:59
	UNDESIRABLE PERSON	0	1	37	38	2%	0:06:59	0:06:45	0:21:00	21:21:37	0:33:44
	UNKNOWN REQUIRES EMS	0	0	1	1	0%	0:00:09	0:03:25	0:30:50	0:34:24	0:34:24
	VEHICLE FIRE	0	1	2	3	0%	0:00:07	0:00:08	0:56:01	2:48:40	0:56:13
	VEHICLE PURSUIT	0	1	0	1	0%	0:00:00	0:00:59	0:57:36	0:58:35	0:58:35
	WARRANT ARREST ON VIEW	0	2	31	33	2%	0:09:58	0:11:10	0:28:43	26:19:35	0:47:52
	WELFARE CHECK	0	2	40	42	2%	0:10:25	0:06:31	0:19:26	24:49:15	0:35:28
	Subtotals for No Summary Code	3	786	812	1601	90%	0:06:38	0:06:10	0:30:47	710:13:10	0:40:37
	CHILD ABUSE NON SPECIFIC	0	0	1	1	0%	0:10:51	0:00:12	0:11:12	0:22:15	0:22:15
	MISSING CHILD - NOT RUNAWAY	0	0	1	1	0%	0:08:39	0:02:43	0:21:29	0:32:51	0:32:51
	Subtotals for CAC	0	0	2	2	0%	0:09:45	0:01:28	0:16:20	0:55:06	0:27:33
	AUTO PEDESTRIAN ACCIDENT	0	0	1	1	0%	0:03:50	0:05:22	0:23:59	0:33:11	0:33:11
	MAJOR ACCIDENT	0	0	7	7	0%	0:04:02	0:03:58	1:07:50	8:50:50	1:15:50
	MINOR ACCIDENT	0	1	31	32	2%	0:04:30	0:08:48	0:30:27	22:24:38	0:42:01
	Subtotals for MVA	0	1	39	40	2%	0:04:07	0:06:03	0:40:45	31:48:39	0:50:21
	CORRECTIONS TRANSPORT	0	1	0	1	0%	0:00:01	0:00:00	0:44:53	0:44:54	0:44:54
	TRESPASSING	0	0	8	8	0%	0:11:09	0:05:38	0:31:18	6:56:56	0:52:07

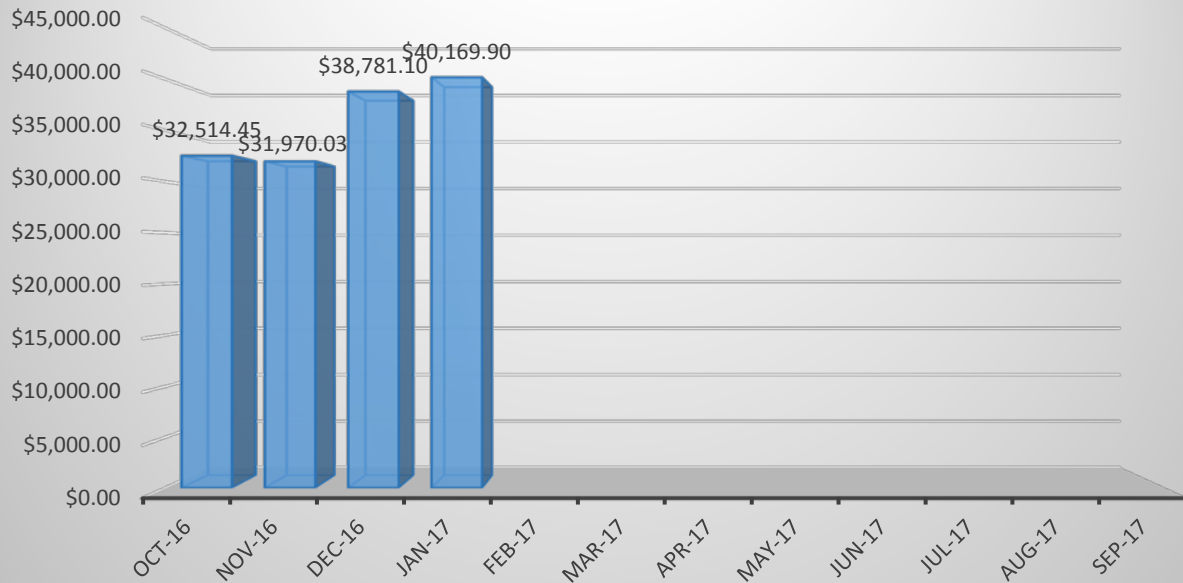
Agency Code	Nature Code	Rpt Only	Self Init	CFS	Total	% Total	Avg Disp Time	Avg Resp Time	Avg Scene Time	Total Call Time	Avg Call Time
	UNAUTH USE OF MOTOR VEHICLE	0	0	5	5	0%	0:11:29	0:13:29	0:24:43	3:46:38	0:45:20
	WARRANT ARREST ON VIEW	0	0	1	1	0%	0:01:55	0:00:04	0:43:21	0:45:20	0:45:20
	Subtotals for PROP	0	1	14	15	1%	0:06:08	0:06:24	0:36:04	12:13:48	0:46:55
	LOUD MUSIC OR NOISE	0	0	1	1	0%	0:01:43	0:08:34	0:05:38	0:15:55	0:15:55
	SUSPICIOUS CIRCUMSTANCES	0	1	24	25	1%	0:04:01	0:06:23	0:18:52	11:36:31	0:27:52
	SUSPICIOUS PERSON	0	14	18	32	2%	0:03:47	0:07:36	0:17:45	13:27:04	0:25:13
	SUSPICIOUS VEHICLE	0	15	24	39	2%	0:07:41	0:05:20	0:12:01	13:32:20	0:20:50
	Subtotals for SUSP	0	30	67	97	5%	0:04:18	0:06:58	0:13:34	38:51:50	0:22:28
	CIVIL MATTER OR STANDBY	0	0	1	1	0%	0:00:55	0:02:48	1:04:47	1:08:30	1:08:30
	FAMILY DISTURBANCE	0	0	13	13	1%	0:03:08	0:04:15	0:40:55	10:27:57	0:48:18
	KIDNAPPING	0	0	1	1	0%	0:03:46	0:07:31	0:25:38	0:36:55	0:36:55
	ROBBERY	0	0	1	1	0%	0:03:44	0:03:46	0:25:20	0:32:50	0:32:50
	SHOOTING	0	0	1	1	0%	3:59:51	0:00:02	0:00:07	4:00:00	4:00:00
	Subtotals for VICR	0	0	17	17	1%	0:50:17	0:03:40	0:31:21	16:46:12	1:25:19
	Subtotals for LMPD	3	818	951	1772	100%	0:09:09	0:05:55	0:30:15	810:48:45	0:42:45

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	\$38,781.10	\$40,169.90		
Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	YTD Total
						\$143,435.48

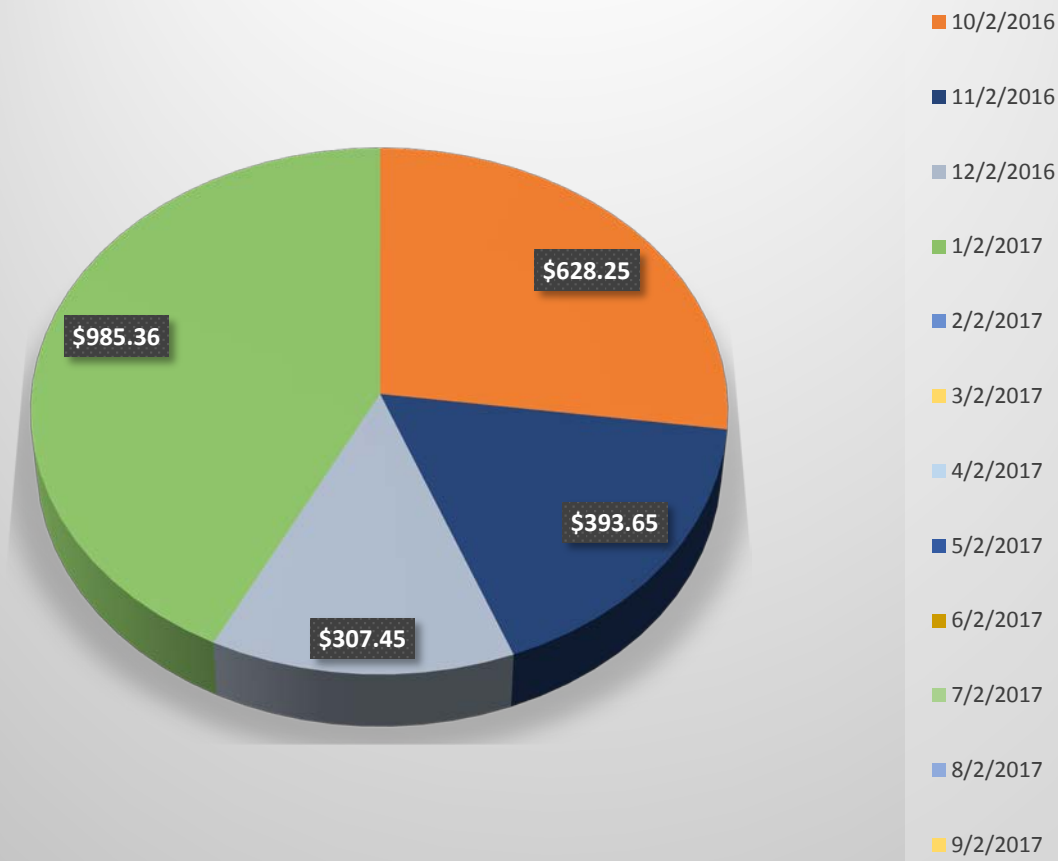
Collection Rate

21%

YTD FEES PAID TO INTERMEDIX

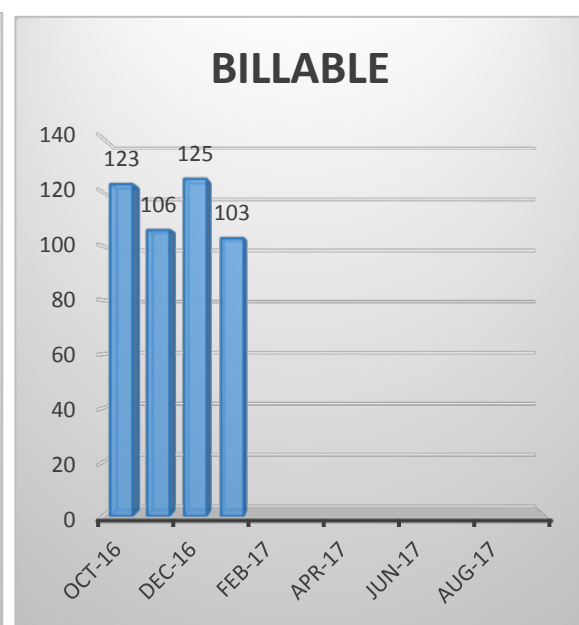
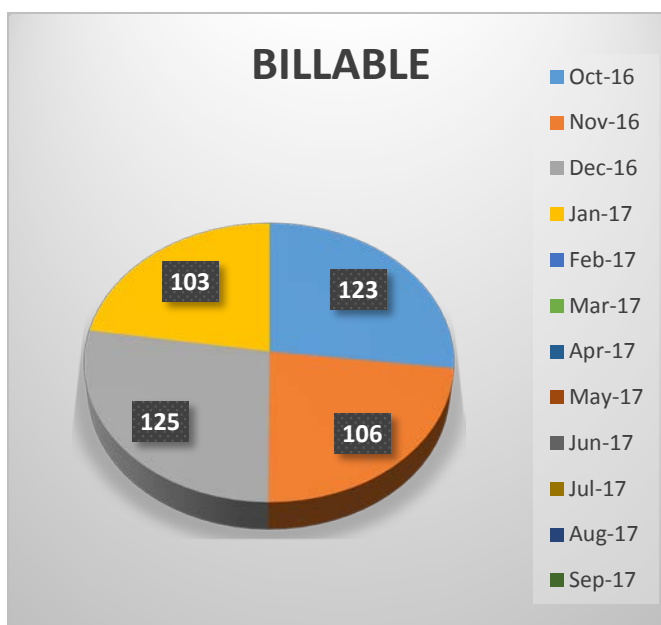
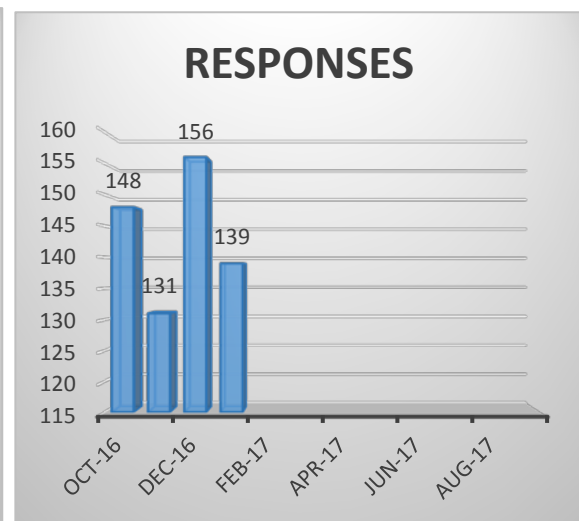
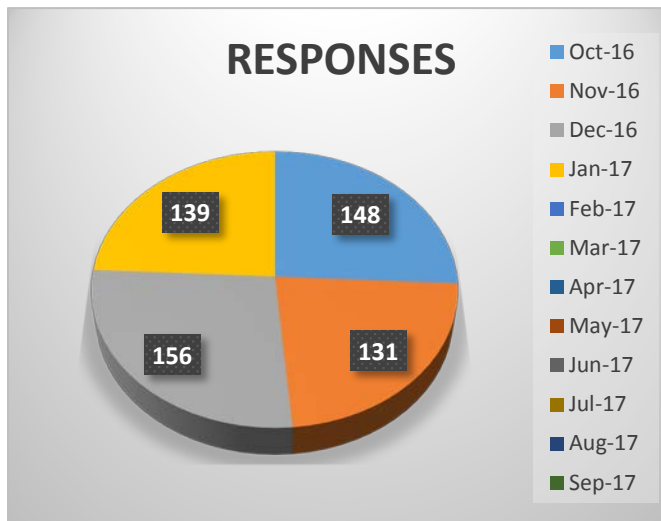
DATE	PAYMENT
10/2/2016	\$628.25
11/2/2016	\$393.65
12/2/2016	\$307.45
1/2/2017	\$985.36
2/2/2017	
3/2/2017	
4/2/2017	
5/2/2017	
6/2/2017	
7/2/2017	
8/2/2017	
9/2/2017	
YTD TOTAL	\$2,314.71
AVERAGE PAYMENT	\$578.68

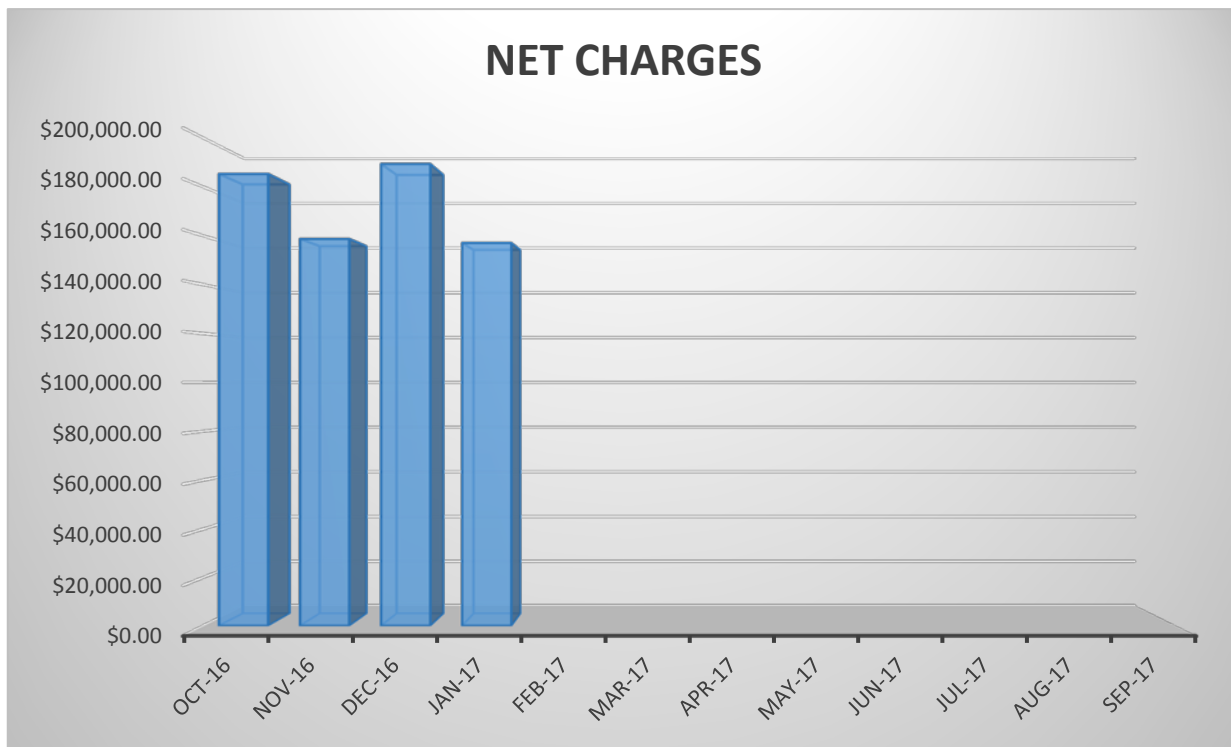
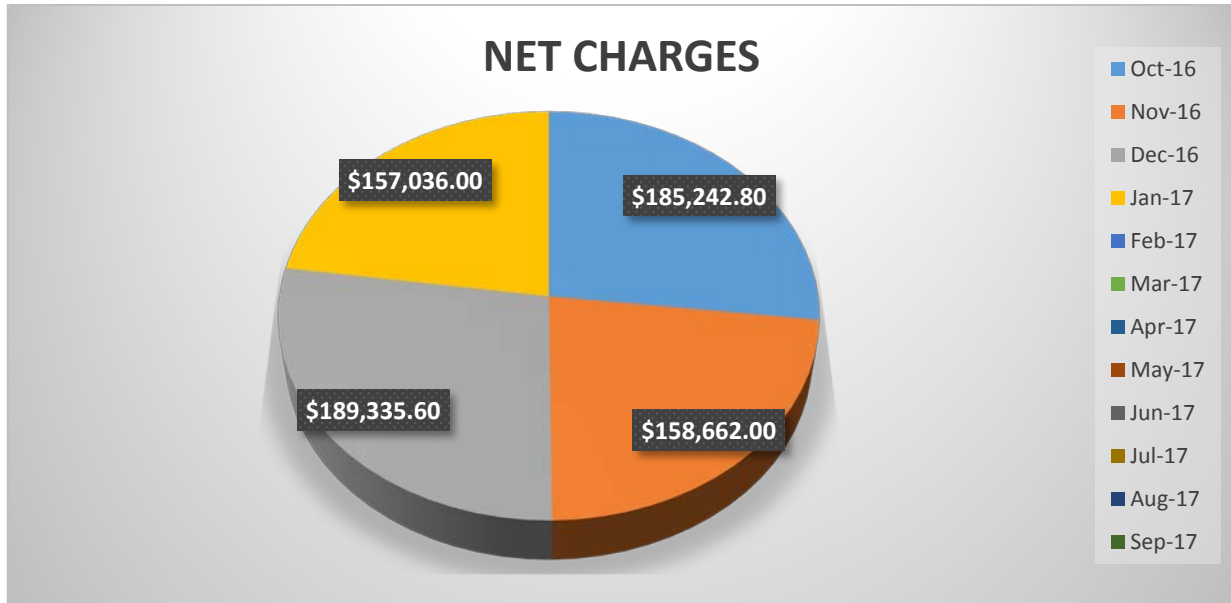
YTD FEES PAID TO INTERMEDIX



YTD RESPONSES - TOTAL CURRENT CHARGES - BILLAGE ACCOUNTS

MONTH	RESPONSES	NET CHARGES	BILLABLE
Oct-16	148	\$185,242.80	123
Nov-16	131	\$158,662.00	106
Dec-16	156	\$189,335.60	125
Jan-17	139	\$157,036.00	103
Feb-17			
Mar-17			
Apr-17			
May-17			
Jun-17			
Jul-17			
Aug-17			
Sep-17			
YTD TOTALS	574	\$690,276.40	457





City of La Marque

Fire Department

Month: Jan 1st to Jan 31st

Year: 2017

	<i>Current Month: 01/01/17 to 01/31/17</i>	<i>Current Month/ Previous Year: 01/01/16 to 01/31/16</i>	<i>Previous month: 12/01/16 to 12/31/16</i>	<i>Fiscal Year to Date: 2016-2017</i>	<i>Previous Year to Date: 2015-2016</i>
Fires-	13	8	6	30	23
Overpressures/ Explosions-	0	0	0	0	0
Rescue and EMS-	191	136	200	755	663
Haz-Mat-	7	6	6	28	25
Good Intent-	13	12	14	52	54
False Alarm-	12	8	8	46	40
Mutual Aid Received from(FIRE)-Texas City-	3				
Mutual Aid Given to (FIRE)- Texas City-	0				
Mutual Aid Received from(EMS)- Texas City-	13				
Mutual Aid Given to(EMS)- Texas City-	5				
Mutual Aid Received from(FIRE)-Bayou Vista-	0				
Mutual Aid Given to(FIRE)- Bayou Vista-	0				
Mutual Aid Received from (EMS)-Bayou Vista-	1				
Mutual Aid Given to (EMS)-Bayou Vista-	1				
Mutual Aid Rec'd (FIRE)-Galv. Fire-	0				
Mutual Aid Given to (FIRE)- Galv. Fire-	0				
Mutual Aid Rec'd (EMS)-Galv. EMS	2				
Mutual Aid Given to (EMS)-Galv. EMS	1				
Mutual Aid Rec. from(FIRE)Hitchcock	2				
Mutual Aid Given to (FIRE) – Hitchcock	0				
Mutual Aid Rec. (EMS) – Hitchcock	0				
Mutual Aid Given (EMS)-Hitchcock	5				
Mutual Aid Given to (EMS) – All Others	2				
Mutual Aid Received to (EMS) – All Others	1				
Mutual Aid Given (FIRE)- All Others-	0				
Mutual Aid Received from(FIRE)- All Others-	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	139								
<i>Transports</i>	116	108	123	122								
<i>Aeromedical</i>	0	0	0	0								
<i>Dead On Scene</i>	6	1	3	1								
<i>Refusals</i>	25	22	30	16								

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	5								
<i>Location - To Hospital</i>	16	16	15	14								
<i>To Hospital - At Hospital</i>	8	8	7	8								
<i>At Hospital - In Service</i>	28	28	27	27								
<i>Location - At Hospital</i>	21	22	21	21								
<i>Dispatch - At Hospital</i>	26	28	27	27								
<i>Dispatch - In Service</i>	50	52	49	52								

CALL STATISTICS 2017
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%
MD	0 0%												0 0%
WomenTx	0 0%												0 0%
MHSE	0 0%												0 0%
UTMBHosp	4 3%												4 3%
HouMeStJon	0 0%												0 0%
MHPB	0 0%												0 0%
MHCH	0 0%												0 0%
CLRH	1 0%												1 0%
St John	0 0%												0 0%
SanJac	0 0%												0 0%
MainInd	111 91%												111 91%
Bellaire	0 0%												0 0%
Hermann	0 0%												0 0%
ShrinrBH	0 0%												0 0%
Methodist	0 0%												0 0%
St Luke	0 0%												0 0%
TXChld	0 0%												0 0%

BayAreaMed	5 4%												5 4%
Methodist	0 0%												0 0%
TOTAL	121 100%												121 100%

PATIENT DISPOSITION BY MONTH													
Disposition	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOT
Encounters	139	1											140
Transports	122 87%	0 0%											122 87%
Aeromedical	0 0%	0 0%											0 0%
Dead On Scene	1 0%	0 0%											1 0%
Unfounded	0 0%	0 0%											0 0%
Refusals	16 11%	1 100%											17 12%

CALLS BY TIME OF DAY													
Time	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOT
0600-1159	52 37%	0 0%											52 37%
1200-1759	46 33%	0 0%											46 32%
1800-2359	24 17%	0 0%											24 17%
0000-0559	17 12%	1 100%											18 12%

PATIENT AGE BY MONTH													
Years Old	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOT

<1	0 0%	0 0%											0 0%
1-8	3 2%	0 0%											3 2%
9-12	1 0%	0 0%											1 0%
13-17	1 0%	0 0%											1 0%
18-25	12 8%	0 0%											12 8%
26-50	43 31%	0 0%											43 31%
51-75	50 36%	0 0%											50 36%
76-100	26 19%	1 100%											27 19%
>100	0 0%	0 0%											0 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%
Abd Pain	3 2%	0 0%											3 2%
Air Medical Transpor	0 0%	0 0%											0 0%
Allergic Rx	0 0%	0 0%											0 0%
Animal Bite	0 0%	0 0%											0 0%
Assault	0 0%	0 0%											0 0%
Auto Ped	0 0%	0 0%											0 0%
Automated Crash Noti	0 0%	0 0%											0 0%

Back Pain	1 0%	0 0%											1 0%
Burns	0 0%	0 0%											0 0%
CO Poison	0 0%	0 0%											0 0%
CPR	1 0%	0 0%											1 0%
Cardiac	18 12 %	0 0%											18 12%
Chest Pain (Non Trau	2 1%	0 0%											2 1%
Childbirth	1 0%	0 0%											1 0%
Choking	1 0%	0 0%											1 0%
DOS	0 0%	0 0%											0 0%
Diabetic	7 5%	0 0%											7 5%
Drowning	0 0%	0 0%											0 0%
Electrocution	0 0%	0 0%											0 0%
Eye Injury	0 0%	0 0%											0 0%
Falls	9 6%	0 0%											9 6%
Fire	0 0%	0 0%											0 0%
Fire/Hazmat	0 0%	0 0%											0 0%
GSW/Stab	0 0%	0 0%											0 0%
Headache	0 0%	0 0%											0 0%
Healthcare Professio	0 0%	0 0%											0 0%
Heat/Cold	0 0%	0 0%											0 0%

Hemorrhage	2 1%	0 0%											2 1%
Ind Accident	0 0%	0 0%											0 0%
MVA	11 7%	0 0%											11 7%
Medical	34 24 %	1 100 %											35 25%
Medical Alarm	0 0%	0 0%											0 0%
No Other Appropriate	0 0%	0 0%											0 0%
Other	7 5%	0 0%											7 5%
Overdose	5 3%	0 0%											5 3%
Pandemic/Epidemic/O u	0 0%	0 0%											0 0%
Person Down	0 0%	0 0%											0 0%
Psych	2 1%	0 0%											2 1%
Respiratory	11 7%	0 0%											11 7%
Seizures	9 6%	0 0%											9 6%
Service Call	0 0%	0 0%											0 0%
Standby	0 0%	0 0%											0 0%
Stroke	1 0%	0 0%											1 0%
Transfer/Interfacili	0 0%	0 0%											0 0%
Trauma	4 2%	0 0%											4 2%
Unconscious	10 7%	0 0%											10 7%
Unknown	0 0%	0 0%											0 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	7											5
Location - To Hospital	14	20											14
To Hospital - At Hospital	8												8
At Hospital - In Service	27												27

Location - At Hospital	21												21
Dispatch - At Hospital	27												27
Dispatch - In Service	52	27											51

LAMARQUE

Incident Type Report (Summary)

Alarm Date Between {01/01/2017} And {01/31/2017}

Incident Type	Count	Pct of Incidents	Total Est Loss	Pct of Losses
1 Fire				
111 Building fire	3	1.14%	\$0	0.00%
131 Passenger vehicle fire	5	1.90%	\$37,000	100.00%
143 Grass fire	1	0.38%	\$0	0.00%
150 Outside rubbish fire, Other	1	0.38%	\$0	0.00%
151 Outside rubbish, trash or waste fire	2	0.76%	\$0	0.00%
154 Dumpster or other outside trash receptacle	1	0.38%	\$0	0.00%
	13	4.96%	\$37,000	100.00%
3 Rescue & Emergency Medical Service Incident				
311 Medical assist, assist EMS crew	2	0.76%	\$0	0.00%
320 Emergency medical service, other	33	12.59%	\$0	0.00%
321 EMS call, excluding vehicle accident with	146	55.72%	\$0	0.00%
322 Motor vehicle accident with injuries	8	3.05%	\$0	0.00%
324 Motor Vehicle Accident with no injuries	2	0.76%	\$0	0.00%
	191	72.90%	\$0	0.00%
4 Hazardous Condition (No Fire)				
411 Gasoline or other flammable liquid spill	1	0.38%	\$0	0.00%
412 Gas leak (natural gas or LPG)	3	1.14%	\$0	0.00%
440 Electrical wiring/equipment problem, Other	1	0.38%	\$0	0.00%
444 Power line down	2	0.76%	\$0	0.00%
	7	2.67%	\$0	0.00%
5 Service Call				
500 Service Call, other	5	1.90%	\$0	0.00%
510 Person in distress, Other	2	0.76%	\$0	0.00%
531 Smoke or odor removal	1	0.38%	\$0	0.00%
550 Public service assistance, Other	10	3.81%	\$0	0.00%
551 Assist police or other governmental agency	1	0.38%	\$0	0.00%
554 Assist invalid	7	2.67%	\$0	0.00%
	26	9.92%	\$0	0.00%
6 Good Intent Call				
600 Good intent call, Other	4	1.52%	\$0	0.00%
611 Dispatched & cancelled en route	6	2.29%	\$0	0.00%
622 No Incident found on arrival at dispatch	1	0.38%	\$0	0.00%
651 Smoke scare, odor of smoke	1	0.38%	\$0	0.00%

LAMARQUE

Incident Type Report (Summary)

Alarm Date Between {01/01/2017} And {01/31/2017}

Incident Type	Count	Pct of Incidents	Total Est Loss	Pct of Losses
6 Good Intent Call				
661 EMS call, party transported by non-fire	1	0.38%	\$0	0.00%
	<u>13</u>	<u>4.96%</u>	<u>\$0</u>	<u>0.00%</u>
7 False Alarm & False Call				
700 False alarm or false call, Other	4	1.52%	\$0	0.00%
733 Smoke detector activation due to	1	0.38%	\$0	0.00%
743 Smoke detector activation, no fire -	5	1.90%	\$0	0.00%
744 Detector activation, no fire -	1	0.38%	\$0	0.00%
745 Alarm system activation, no fire -	1	0.38%	\$0	0.00%
	<u>12</u>	<u>4.58%</u>	<u>\$0</u>	<u>0.00%</u>

Total Incident Count: 262

Total Est Loss:

\$37,000

LAMARQUE

Unit Response Time Analysis

Alarm Date Between {01/01/2017} And {01/31/2017}

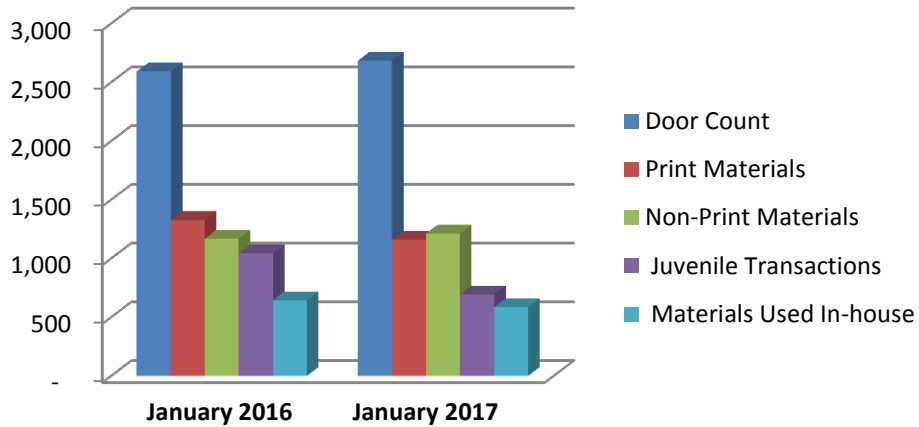
Response		Count	Percentage
Hrs	Mins		
	< 01	17	5.1%
	01	12	3.6%
	02	19	5.7%
	03	50	15.0%
	04	51	15.3%
	05	47	14.1%
	06	28	8.4%
	07	30	9.0%
	08	12	3.6%
	09	15	4.5%
	10	18	5.4%
	11	11	3.3%
	12	8	2.4%
	13	3	0.9%
	14	3	0.9%
	15	3	0.9%
	17	2	0.6%
	18	3	0.9%

Overall Average Response Time: 00:05:46

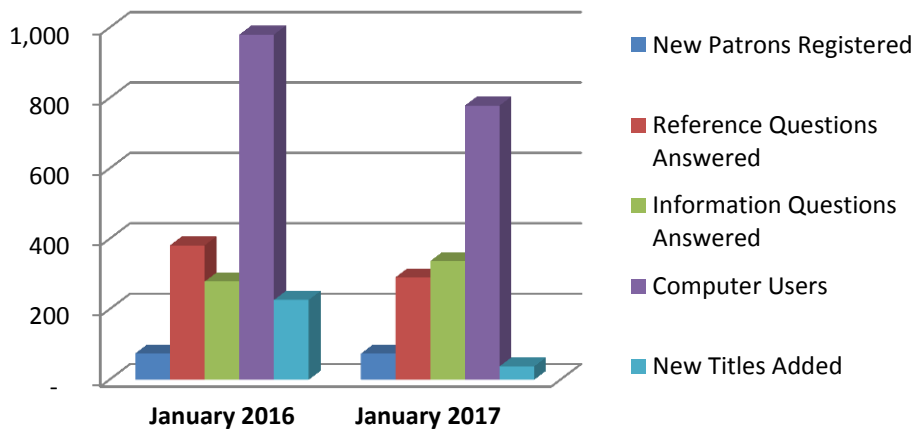
LIBRARY DEPARTMENT

La Marque Public Library
January Statistics
2016/2017 Comparisons

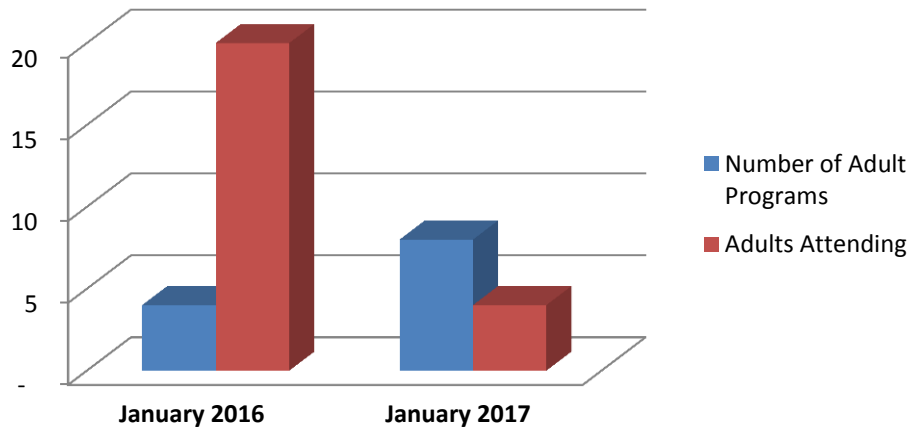
Circulation and Door Count



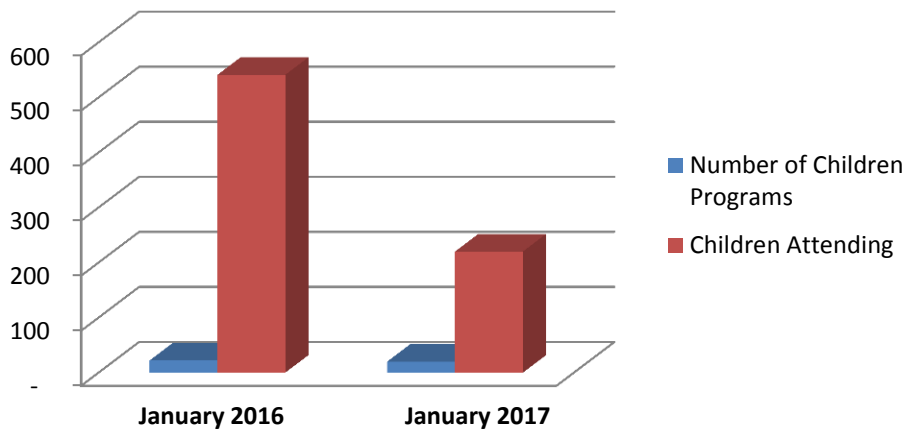
Public Services



Adult Programming



Children's Programming



La Marque Public Library

Report for December 30th – January 27th



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 **2,684** visitors this month.

Customers saved **\$42,153** by checking out items at La Marque Public Library.

Staff added **38** new items to the collection this month.

The library issued **74** new cards.

Circulation Statistics

Print and eBooks	1,159
Audiobooks	5
DVDs	1,207
Total Circulation	2,371
Interlibrary Loans	46

Computer Use

Total logins	779
Total computer time	553 hours
Online catalog searches	751

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	291
Information questions	337

Volunteers

Hours worked	21
---------------------	-----------

Volunteers helped clean dvds, shelved and straightened returned books and assisted with program preparation and clean up.

Programming

- | | |
|------------------------------|------------|
| • Adult programs | 8 |
| • Attendance | 4 |
| • Children's programs | 20 |
| • Attendance | 220 |

Meetings and Continuing Education

- Terri Walker recently joined the Lions Club of La Marque. She attended their monthly noon meeting on January 10.

- Amy Miller attended the monthly meeting of Galveston County Library Directors in Texas City on January 10.
- Library staff took part in the City of La Marque Wellness Fair on January 18.
- Stacy Selby participated in a cataloging webinar on January 24.
- Amy Miller attended a Libraries and Digital Literacy workshop sponsored by Texas State Library and Archives Commission at George Memorial Library in Richmond, TX on January 27.

Library Happenings

- The debut of Art Club was a success with 10 participants. In an effort to add some variety to our programming, the library is now alternating the Art Club with the Kids Into Doing Science Club every other Wednesday afternoon.
- The Library added Grandma's Daycare to the weekly outreach calendar.
- Outreach to La Marque Head Start has resumed after the winter break.
- Reader's Theatre Guild participation is increasing with 14 regular participants at the January 21 meeting. After scripts are adapted from books, members get to practice reading different parts, designing costumes and projecting their voice for an audience. Reader's Theatre Guild is scheduled to perform at the Rock and Read event in April.

MONTH-TO-YEAR
La Marque Public Library

	MONTHLY TOTALS			YEAR TO DATE TOTALS		
Description	January 2016	January 2017	%Change 2015 vs 2016	January 2016 Previous Year	January 2017 This year	% Change 2016 vs 2017
DOOR COUNT	2,591	2,684	4%	2,591	2,684	4%
CIRCULATION						
Print Materials	1,327	1,159	-13%	1,327	1,159	-13%
Non-Print Materials	1,168	1,212	4%	1,168	1,212	4%
Juvenile Transactions	1,042	694	-33%	1,042	694	-33%
Materials Used In-house	645	585	-9%	645	585	-9%
PUBLIC SERVICES						
New Patrons Registered	75	74	-1%	75	74	-1%
Reference Questions Answered	382	291	-24%	382	291	-24%
Information Questions Answered	279	337	21%	279	337	21%
Computer Users	981	779	-21%	981	779	-21%
New Titles Added	227	38	-83%	227	38	-83%
PROGRAM ATTENDANCE						
Number of Adult Programs	4	8	100%	4	8	100%
Adults Attending	20	4	-80%	20	4	-80%
Number of Teen Programs	0	-	0%	0	-	
Teens Attending	0	-		0	-	
Number of Children Programs	22	20	-9%	22	20	-9%
Children Attending	541	220	-59%	541	220	-59%
Volunteer Hours	9	21	133%	9	21	133%
Inter-Library Loan Requests	19	33	74%	19	33	74%

PUBLIC SERVICES

PUBLIC WORKS ADMINISTRATION
ACTIVITY REPORT
Venisha Henderson

2016/December	WEEK 1	WEEK 2	WEEK 3	WEEK 4	MONTHLY	DEC
	12/1-12/7	12/8-12/15	12/16-12/23	12/24-12/31	TOTALS	2015
Calls / Customers						
Water Leaks	8	10	13	5	36	19
Sewer Stops	19	26	56	10	111	55
Leak at Meter	5	5	1	3	14	4
Low Pressure / No Water	2	4	3	1	10	1
Dress-Ups	1	1	1	0	3	2
Billing Department	8	7	7	4	26	53
Blue Cart / Trash Pick Up	12	4	8	3	27	15
Bulk Pick Up	4	5	8	2	19	19
Co-Compliance	2	2	2	0	6	1
Pot Holes	3	1	2	3	9	2
Street Repair	0	0	2	1	3	3
Driveway Repair	0	0	0	0	0	0
Dirt Request	0	1	0	0	1	8
Culverts	3	2	3	4	12	9
Mowers / Mowing	5	1	0	0	6	0
Street Signs	3	1	2	3	9	3
Traffic Lights	2	0	1	0	3	1
Street Light Outage	3	0	1	2	6	5
Street Light Request	0	0	0	0	0	3
Director	6	5	8	3	22	10
PW/Utility Dept Supervisors	2	3	4	5	14	17
City Manager	0	0	0	0	0	0
City Hall Admin Assist.	0	0	0	0	0	1
Human Resource	2	1	2	0	5	4
TOTALS					342	235

PUBLIC WORKS ADMINISTRATION
ACTIVITY REPORT
Venisha Henderson

2016/December

	WEEK 1	WEEK 2	WEEK 3	WEEK 4	MONTHLY	DEC
	12/1-12/7	12/8-12/15	12/16-12/23	12/24-12/30	TOTALS	2015
Calls / Customers						
City Clerk	0	0	0	0	0	0
Inspections	2	1	2	1	6	9
Animal Control	2	5	2	1	10	0
Mosquito Spray	0	0	0	0	0	0
Locates	12	8	11	3	34	0
LM's	0	0	0	0	0	0
Customer at Window	5	7	10	6	28	20
Recycling	3	1	2	1	7	7
Community Service	6	3	1	2	12	4
Gas Company	3	1	1	1	6	1
Miscellaneous Calls	11	15	8	12	46	32
TOTALS					149	73

**PARKS AND RIGHT-OF-WAY
MAINTENANCE REPORT
Amanda Hobby**

2016/December

						Monthly	Dec	COMPLETED WORK
PARK MAINTENANCE	WK 1	WK 2	WK 3	WK 4	WK 5	Man Hours	2015	DESCRIPTION OF WORK
	12/1-12/3	12/4-12/10	12/11-12/17	12/18-12/24	12/25-12/31	Totals	TOTALS	
Highland Bayou Park- Man Hours	0	11	7.25	5.75	12.5	36.5	40	Cleaned/Maintained Restrooms;empty trash
Mahan Park- Man Hours	0	8.75	7.25	5.75	12.5	34.25	27	Cleaned/Maintained Restrooms;empty trash
RIGHT-OF-WAY MAINTENANCE	12/1-12/3	12/4-12/10	12/11-12/17	12/18-12/24	12/25-12/31	Total Hours		DESCRIPTION OF WORK
Utility Patch- Man Hours	0	0	0	0	0	0	0	
Culverts- Linear Feet Set	0	0	54	82	0	136	50	
Man Hours	0	0	19.5	36	0	55.5	72	
Trimming Tree Limbs-Man Hours	0	0	10	0	0	10	24	
Driveway Tie In-Man Hours	0	0	0	0	0	0	0	
Traffic Sign Repair/Install-Man Hours	0	0	0	0	0	0	28	
Pot Holes Filled	0	0	109	126	30	265	355	
Man Hours	0	0	29	12	5	46	80	
Repaired Driveways	0	0	0	0	0	0	0	
Man Hours	0	0	0	0	0	0	0	
Grading Ditch-Linear Feet Cut	0	0	0	0	0	0	0	
Man Hours	0	0	0	0	0	0	0	
Sweeping-Man Hours	5.5	0	0	0	0	5.5	8	
Grate Repair-Man Hours	0	0	0	0	0	0	0	
Weed-Eat/Mowing-Man Hours	0	30.75	10.5	11	21	73.25	28	
Dress-Ups-Man Hours	0	0	0	0	0	0	0	
Check Drains & Ditches-Man Hours	89	72	7	18	0	186	61	
Safety Meeting	1	1	1	1	1	5	0	
Brush/Debris Removal-Ma Hours	0	0	0	0	0	0	0	
Hauling Dirt/Concrete	0	0	0	0	0	0	0	
Street Striping- # of Streets	0	0	0	0	0	0	0	
Man Hours	0	0	0	0	0	0	0	
Misc.- Man Hours (Animal Services)	0	8.75	7.25	5.75	12.5	34.25	0	
Misc.-Crosswalks for Striping	0	0	0	0	0	0	0	
Misc.-X-Mas Lights, Poles & Signs	0	7	0	0	0	7	0	
TOTAL MAN HOURS						488.25	368	
Comments:								

WATER & SEWER MAINTENANCE DIVISION
ACTIVITY REPORT
Rodney Gamble

**2016/December
Utility 22**

	WEEK 1	WEEK 2	WEEK 3	WEEK 4	MONTHLY	Dec
	12/1-12/7	12/8-12/15	12/16-12/23	12/24-12/31	TOTALS	2015
WATER						
Water leaks repaired	23	24	20	17	84	23
Residential Water Taps	0	0	0	0	0	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	3
Low Pressure Customer Side	1	2	0	0	3	0
Meter Boxes & Lids Replaced	1	3	0	0	4	0
Water Turned On/Off - Citizens	0	0	0	0	0	2
Rusty Water Inquires	0	0	0	0	0	0
Bad Taste/Smelly Water	0	0	0	0	0	0
Start Read	4	5	0	0	9	0
Final Read	3	1	0	0	4	0
Re Read	6	20	0	0	26	0
Drains Cleaned	15	0	0	0	15	0
TOTAL WORK ORDERS					145	28
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	1	0	0	0	1	0
Pick Up Trash	1	1	1	1	4	0

**2016/December
Utility 22**

	WEEK 1	WEEK 2	WEEK 3	WEEK 4	MONTHLY	Dec
	12/1-12/7	12/8-12/15	12/16-12/23	12/24-12/31	TOTALS	2015
SEWER						
Sewer Stoppages Resolved	23	24	26	35	108	86
Sewer Lines Repaired	6	7	6	5	24	0
Service Lines Repaired	0	0	0	0	0	0
Residential Sewer Taps	0	0	1	0	1	0
Commercial Sewer Taps	0	0	0	0	0	0
Clean-Out Tops Replaced	1	0	0	0	1	0
Clean-Outs Installed	0	0	0	0	0	0
Sewer Lines Installed	0	0	0	0	0	0
Manhole Repaired	0	0	0	0	0	1
Manhole Installed	0	0	0	0	0	0
Sink Holes	1	1	0	0	2	0
Lines Locate, Water & Sewer	2	6	1	0	9	1
Miscellaneous						
Dress-Ups	1	1	1	1	4	0
Saw Cuts	0	0	0	0	0	0
Valves Replaced	0	0	0	0	0	0
TOTAL WORK ORDERS					149	88

WATER & WASTE WATER
ACTIVITY REPORT
Supervisor Jason Hubbell

2016 / December	WEEK 1	WEEK 2	WEEK 3	WEEK 4	WEEK 5	MONTHLY	Dec.
Utility 24	12/01-12/03	12/04-12/10	12/11-12/17	12/18-12/24	12/25-12/31	TOTALS	2015
WWTP							
Rain Fall	8.5	1.3	0	0.2	2.6	12.6	16.7
Flow Total MG/D	17.406	34.771	13.731	12.276	17.891	96.075	174.744
Lb. of CL2 used	1040	2270	1040	1055	1125	6530	12020
Lb. of SO2 used	484	1184	484	571	713	3436	6388
Plant Man Hours	19	44	53	50	65	231	443
Bio Solids Removed/Tons						0	0
Raw TSS Avg. mg/l						180.1	111.1
Raw BOD tes/Avg.						149.7	157.1
Raw Total Cu Avg.mg/l						0.0275	0.0795
Raw NH3-3 Avg. mg/l						22.487	19.938
Effluent CBOD test/Avg.						2.1	3.1
Effluent TSS Avg. mg/l						3.4	4
Effluent NH-3N Avg.mg/L						0.181	7.343
Effluent Total CU mg/L						0.0021	0.0043
Entero. Avg. MPN/100 MI						5	15
Route Wells & Lift Stations							
Distribution System-Total Surface Water MG/D	8.062	18.656	18.911	18.994	18.998	83.621	77.579
Total Well Water MGD	0	0	0.001	0.001	0	0.002	0.001
Lb. of CL2 used	21	71	78	97	59	326	95
Lb. of Ammonia Used	5	17	19	24	14	79	17
Total # of CL2 Residual Samples	33	77	77	77	77	341	341
Number of Water Bacteriology Samples	15	0	0	0	0	15	15

WATER & WASTE WATER
ACTIVITY REPORT
Supervisor Jason Hubbell

2016 / December	WEEK 1	WEEK 2	WEEK 3	WEEK 4	WEEK 5	MONTHLY	Dec.
Utility 24	12/01-12/03	12/04-12/10	12/11-12/17	12/18-12/24	12/25-12/31	TOTALS	2015
Collection System - Total							
Lift Station Pump Hours	852.6	1280.3	840.6	659.1	845.6	4478.2	3195
Man Hours Wells Station	13.5	31.5	31.5	31.5	31.5	139.5	139.5
Safety Meetings	0	1	0	0	0	1	1
Dead ends Flushed	8	18	17	15	15	73	98
Fire Hydrants Weed-eated	10	15	11	13	14	63	81

CL2 = CHLORINE

MGD = MILLION GALLON DAY

SO2 = HYDROGEN SULFIDE

BOD = BIOCHEMICAL OXYGEN DEMAND

CU = COPPER

NH-3N = AMMONIA

WASTE WATER
MAINTENANCE REPORT
JASON HUBBELL

2016 / December	WEEK 1	WEEK 2	WEEK 3	WEEK 4	WEEK 5	MONTHLY	Dec
Utility 24	12/01-12/03	12/04-12/10	12/11-12/17	12/18-12/24	12/25-12/31	TOTALS	2015
PREVENTATIVE MAINTENANCE							
Lift Pumps	0	1	0	0	0	1	0
Valves	0	0	0	0	0	0	0
Electric Motors	0	0	1	0	0	1	1
Electric Panels	0	0	0	0	0	0	1
Vent Fans	0	0	0	0	0	0	0
Blowers	3	0	0	0	0	3	2
Belts	0	0	0	0	0	0	2
Floats	0	2	3	0	0	5	2
Well Sites	1	1	1	1	0	4	0
Clean Up @ Well Sites	1	1	1	1	1	5	0
Troubleshoot Problems	3	1	1	0	0	5	5
CORRECTIVE MAINTENANCE							
Replaced Belts	0	0	0	0	0	0	4
Replaced Bearings	0	0	0	0	0	0	0
Replaced Motors	0	0	0	0	0	0	0
Replaced Seals	0	0	0	1	0	1	0
Replaced Pumps	0	1	0	0	1	2	1
Replace wear Parts	0	1	0	0	0	1	1
Replace Valves	0	0	0	0	0	0	0
Replace Floats	0	0	1	1	0	2	5
Replace Gauges	0	0	0	0	0	0	0
Replace Electrical Parts	0	0	0	1	2	3	0
Change Oil in Pumps	2	0	1	2	0	5	12
Clean Up Lift Stations	1	0	1	1	1	4	17
Total						42	53

FINANCIALS



City of La Marque
Budget vs Actual
December 2016

General Fund		December	December	Year To Date	Benchmark	Year To Date	Change
Revenues:	Budget	FY 2017	FY 2016	FY 2017	25%	FY 2016	%
Property Taxes	3,209,750	1,329,124.87	1,224,561.06	1,621,741.08	51%	1,420,862.27	14%
Sales Tax	3,732,155	286,331.34	287,609.14	286,339.88	8%	287,617.55	0%
Franchise Fees	864,000	5.19	307.32	113.51	0%	2,396.16	-95%
Other Taxes	102,000	224.85	1,287.00	341.40	0%	2,431.65	-86%
Licenses and Permits	327,300	300,229.00	207,920.25	621,830.20	190%	257,703.70	141%
Fines and Forfeits	799,100	48,458.31	57,700.61	149,721.55	19%	145,588.59	3%
Charges for Services	95,950	9,053.49	9,053.05	44,648.77	47%	28,200.16	58%
Fire and Ambulance Services	365,500	41,433.17	25,135.52	108,648.33	30%	82,234.72	32%
Investment Earnings	10,000	3,120.15	837.11	8,825.60	88%	1,880.73	369%
Miscellaneous Revenues	1,000	1,272.88	55.73	3,807.09	381%	255.88	1388%
Reimbursements	62,000	-	3,083.33	-	0%	9,249.99	-100%
Intergovernmental	79,050	-	10,800.47	-	0%	15,800.47	-100%
General Fund - Total Revenues	9,647,805	\$ 2,019,253.25	\$ 1,828,350.59	\$ 2,846,017.41	29%	\$ 2,254,221.87	21%
Expenditures:	Budget	December	December	Year To Date	Benchmark	Year To Date	Change
General Government Division		FY 2017	FY 2016	FY 2017	25%	FY 2016	%
Administration	467,877	30,710.84	21,237.97	87,616.16	19%	54,819.20	60%
Finance	461,111	37,398.71	30,610.49	92,328.62	20%	83,058.19	11%
Inspection	646,035	70,335.90	34,450.31	124,910.42	19%	52,095.94	140%
Judicial	382,809	18,311.37	23,645.00	57,012.48	15%	63,147.05	-10%
City Clerk	160,509	7,393.37	12,212.98	22,955.28	14%	23,576.66	-3%
Library	260,931	19,718.80	19,846.04	52,664.55	20%	48,855.30	8%
Information Technology	153,765	16,245.45	5,494.86	36,227.12	24%	22,389.39	62%
Fund Expenditures	1,049,704	34,376.09	100,119.98	194,601.33	19%	253,156.16	-23%
	3,582,742	\$ 234,490.53	\$ 247,617.63	\$ 668,315.96	19%	\$ 601,097.89	10%
Public Safety Division	Budget	December	December	Year To Date	Benchmark	Year To Date	Change
		FY 2017	FY 2016	FY 2017	25%	FY 2016	%
Police	3,664,292	259,407.40	265,787.57	686,128.21	19%	673,772.60	2%
Animal Control	97,827	24,921.25	-	24,921.25	25%	-	#DIV/0!
Emergency Management	89,585	647.14	206.99	954.49	1%	206.99	361%
Fire/EMS	2,177,073	149,252.00	143,980.97	415,629.76	19%	378,604.17	10%
Fire Marshal	0	-	154.18	-	#DIV/0!	353.61	
Subtotal of PSD Expenditures	6,028,777	\$ 434,227.79	\$ 410,129.71	\$ 1,127,633.71	19%	1,052,937.37	7%
Public Works Division	Budget	December	December	Year To Date	Benchmark	Year To Date	Change
		FY 2017	FY 2016	FY 2017	25%	FY 2016	%
Parks	0	-	-	-	#DIV/0!	1,107.11	-100%
Shop/Service	0	-	-	-	#DIV/0!	421.23	-100%



City of La Marque
Budget vs Actual
December 2016

PW Admin	0	-	-	-	#DIV/0!	-	#DIV/0!
Street	817,148	49,031.08	55,377.27	131,563.79	16%	138,080.70	-5%
Subtotal of PWD Expenditures	817,148	\$ 49,031.08	\$ 55,377.27	\$ 131,563.79	16%	\$ 139,609.04	-6%
General Fund - Total Expenditures	10,428,667	\$ 717,749.40	\$ 713,124.61	\$ 1,927,513.46	18%	\$ 1,793,644.30	7%
Revenues over Expenditures	(780,862)	\$ 1,301,503.85	\$ 1,115,225.98	\$ 918,503.95		\$ 460,577.57	
Beginning Unassigned Fund Balance:				4,331,516.49			
Ending Fund Balance:				5,250,020.44			

*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
December 2016

Utility Fund		December		December	Year To Date	Benchmark	Year To Date	Change
Revenues:		Budget	FY 2017	FY 2016	FY 2017	25%	FY 2016	%
Operating Revenue		3,793,727	381,720.59	342,689.24	1,103,280.16	29%	1,015,759.08	9%
Other Revenue		1,000,500	78,847.29	7,386.10	108,000.46	11%	71,343.27	51%
Utility Fund - Total Revenues		4,794,227	\$ 460,567.88	\$ 350,075.34	\$ 1,211,280.62	25%	\$ 1,087,102.35	10%
Expenditures:		Budget	FY 2017	FY 2016	FY 2017	25%	FY 2016	%
UB/Accounting		271,274	18,541.42	15,257.44	51,480.05	19%	40,595.22	27%
Utility Line Maint		1,189,221	33,958.35	93,010.01	94,008.57	8%	153,138.88	-39%
Water & Sewer Operations		2,606,338	177,952.76	282,945.14	373,153.39	14%	445,368.55	-16%
Debt Service		399,667	-	(20.10)	76,830.34	19%	45,201.64	70%
Storm Water		18,825	-	-	-	0%	76.94	-100%
Fund Expenditures		913,952	6,307.05	4,353.45	123,627.76	14%	110,729.41	12%
Utility Fund - Total Expenditures		5,399,277	\$ 236,759.58	\$ 395,545.94	\$ 719,100.11	13%	\$ 795,110.64	-11%
Capital Project-Hwy 3 @ Cedar							133,964.24	
Revenues over Expenses		(605,050)	223,808.30	(45,470.60)	492,180.51		158,027.47	
Cash and Cash Equivalent Balance as of 12/31/16:					4,892,550.46			

*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
December 2016

Debt Service		December	December	Year To Date	Benchmark	Year To Date	Change
Revenues:	Budget	FY 2017	FY 2016	FY 2017	25%	FY 2016	%
Property Taxes	616,455	243,593.95	222,354.25	296,958.01	48%	256,826.68	16%
Other Revenue	1,000	478.40	125.90	1,368.10	137%	301.84	353%
Debt Service Fund - Total Revenues	617,455	\$ 244,072.35	\$ 222,480.15	\$ 298,326.11	48%	\$ 257,128.52	14%
Expenditures:	Budget	December	December	Year To Date	Benchmark	Year To Date	Change
Debts	592,454	-	-	57,959.73	10%	-	#DIV/0!
Others (transfers)	0	-	-	-	#DIV/0!	-	#DIV/0!
Debt Service Fund - Total Expenditures	592,454	\$ -	\$ -	\$ 57,959.73	10%	\$ -	100%
Revenues over Expenditures	25,001	244,072.35	222,480.15	240,366.38		257,128.52	
Beginning Balance:				691,577.70			
Ending Balance:				931,944.08			

*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
December 2016

HOT Fund		December	December	Year To Date	Benchmark	Year To Date	Change
Revenues:		FY 2017	FY 2016	FY 2017	25%	FY 2016	%
Budget							
Occupancy Tax Collected	100,000	(13,743.74)	3,087.47	7,191.12	7%	7,073.99	2%
Other Revenue	500	425.49	109.86	1,216.79	243%	264.03	361%
HOT Fund - Total Revenues	100,500	(13,318.25)	3,197.33	8,407.91	8%	7,338.02	13%
Expenditures:		FY 2017	FY 2016	FY 2017	25%	FY 2016	%
Budget							
Interconnect Transit System	40,000	2,416.00	6,666.66	4,837.67	12.09%	6,666.66	-27%
PROFESSIONAL FEES	50,000	-	-	-	0.00%	-	#DIV/0!
Promotional within CLM	3,000	-	-	-	0.00%	-	#DIV/0!
BAYOU FEST	109,079	4,523.71	3,864.44	17,868.58	16.38%	24,834.90	-28%
CHRISTMAS EVENT	57,737	5,949.87	2,917.45	6,849.87	11.86%	2,917.45	135%
MWL-SPONSORSHIP	15,000	-	-	15,000.00	100.00%	-	#DIV/0!
COLM PROMOTIONS	0	-	-	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	\$ 12,889.58	\$ 13,448.55	\$ 47,061.12	15.70%	\$ 34,419.01	27%
	(199,316)	(26,207.83)	(10,251.22)	(38,653.21)		(27,080.99)	
Beginning Fund Balance:				690,078.74			
Ending Fund Balance:				651,425.53			

*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.



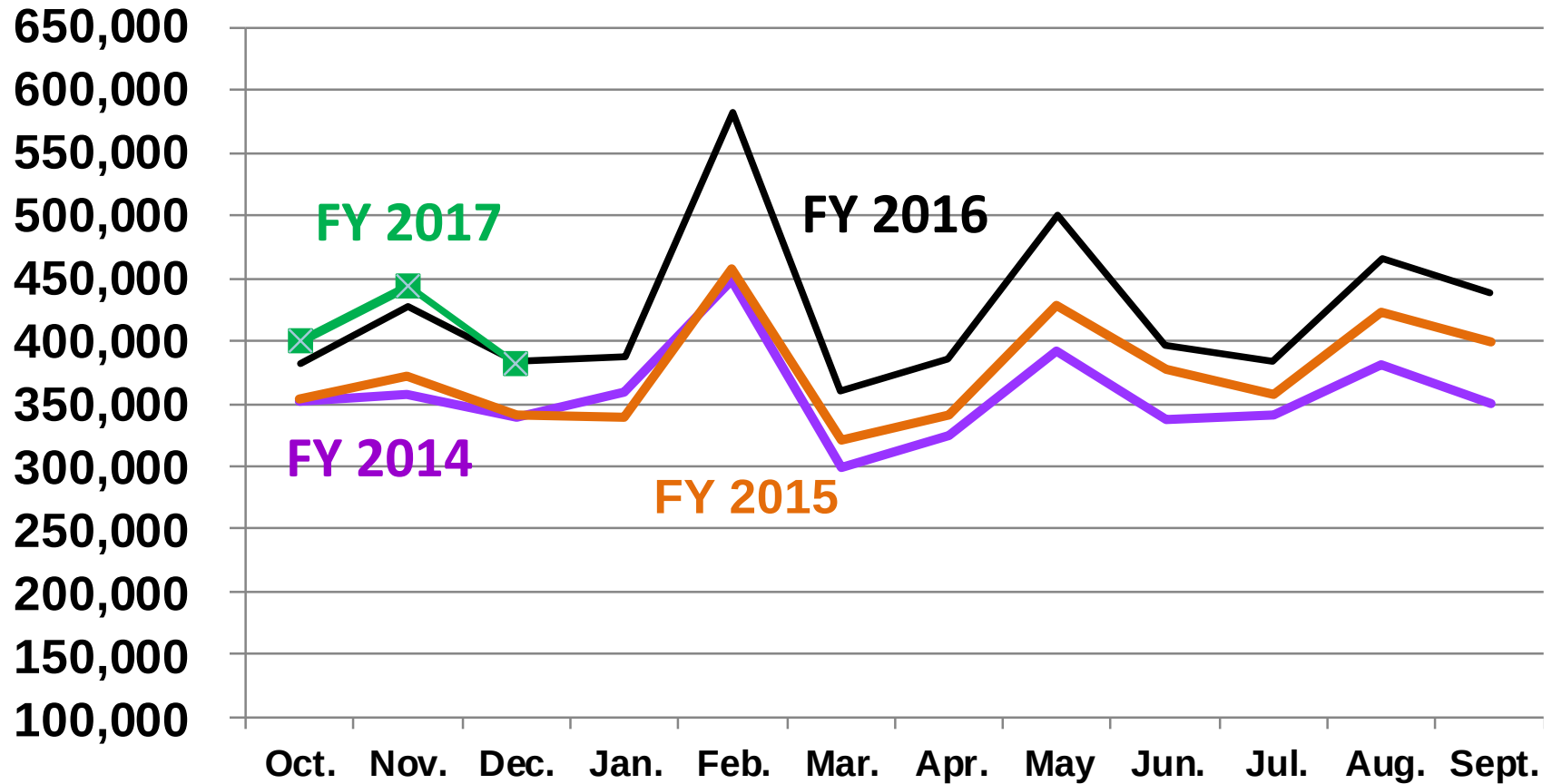
CITY OF LA MARQUE
Cash and Investments
As of 12/31/16

Funds	Amounts
General Fund	5,890,068.76
Utility Fund	4,892,550.46
Utility Restricted Investment	268,599.15
Westside Construction Fund	28,088.75
Equipment Replacement Fund	46,310.91
Library Fund	3,713.23
PD Child Outreach Program	6,228.39
Hotel Motel Fund	586,659.42
Drug Seizure Fund	79,427.89
Home Program Grant	38,552.46
Debt Service Fund	944,333.94
Utility Debt Service Fund	0.00
PID Funds	409,174.51
EDC	4,990,660.68
Equipment Maintenance Fund	33,457.77
CDBG Grant	0.00
CDBG Disaster	0.00
2005 CO Capital Projects	498,014.93
2007 CO Capital Projects	672,241.58
2016 CO Capital Projects	9,191,664.21
Section 8 Housing Grant	136,044.45
Sanitation	355,876.21
Disasters Fund	300.00
Parks Fund	32,920.40
Court Technology	40,316.02
Court Security	76,985.60
Child Safety	43,236.54
LEOSE Training Fund	17,331.15
Health Reimbursement Account	(1,294.00)
Clean City Fund	37,368.25
PEG	93,545.58
Donations Fund	103,504.46
Cemetery Fund	2,301.04
Fire Reserve	83,935.37
Library Grants Fund	2,200.84
Capital Improvements	13,930.00
Risk Management Fund	57,873.62
	29,676,122.57

*Note-Cash and investments excluded amounts held in GCWA



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	381,766	(1,699)	0
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>1,225,387</u>	<u>\$32,636</u>	<u>2.74</u>



FINANCIAL HIGHLIGHTS

December 31, 2016

GENERAL FUND

REVENUES (Overall increased by 21%)

- Property taxes increased by 14%. This is due to timing of tax payments.
- Sales tax collections-December collection showed slight decrease.
- Gulf Greyhound Parks admission fees decreased from \$2,432 to \$341 in comparison to last year.
- Licenses and permits revenues increased from \$257,704 to \$621,830.
 - Pipeline permits-the City received \$264,015 from HSC current year.
 - Building permits continued to increase from \$48,924 to \$97,302.
 - Plan review fees increased from \$9,290 to \$14,546.
 - Coin operated machines increased from \$187,930 to \$256,575.
- Fines and forfeitures increased \$4,133 (3%).
- Fire and ambulance service revenues increased by 32%.
 - Ambulance services increased from \$76,840 to \$99,923.
- Interest revenue increased from \$1,881 to \$8,826.

EXPENDITURES (Overall increased by 7%)

Highlights contributing increase include the following:

- Administration increased by 60% 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; mowing.
- Fund expenditure decreased 23% mainly due to timing of radio lease payment and utilities payment.



FINANCIAL HIGHLIGHTS

December 31, 2016

UTILITY FUND

Revenues overall increased by 10%.

- Investment interest increased from \$1,640 to \$9,572.

Expenses overall decreased by 11%:

- Debt increased by 70% due to issuance of 2016 CO for capital.
- Utility Line Maintenance decreased by 39% mainly due to repair and maintenance line item for water which decreased from \$50,151 last year to \$1,494 this year.
- Water and Sewer operations decreased by 16%:
 - Operating supplies increased from \$8,176 last year to \$25,646 this year.
 - Repairs and maintenance STP decreased from \$59,631 to -154.
 - Repairs and maintenance Lift Stations from \$16,568 last year to \$2,068 this year.



**CITY OF LA MARQUE
PARKS FUND
December 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 *	784.00	392.00	392.00	0.00	392.00	392.00	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
	\$ 2,384.00	\$ 1,192.00	\$ 1,192.00	0.00	\$ 1,192.00	\$ 1,192.00	0.00

* Note: Due to timing, not all Dec journal entries were posted as of 1/3/2016.

BEGINNING CASH & INVESTMENT BALANCE 11/30/2016

\$35,185.45

REVENUES

Donations	392.00
Interest on Investments-Dec 2016	
Total Revenues	\$392.00

EXPENSES

<u>Date/ Vendor</u>	<u>Description</u>	
12/8/2016	Crushed concrete for Highland Bayou	1,902.52
12/8/2016	Signs for Highland Bayou Park	382.50
Total Expenses		\$2,285.02

ENDING CASH & INVESTMENT BALANCE 12/31/2016

\$33,292.43

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
DECEMBER 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*	784.00	392.00	392.00	0.00	392.00	392.00	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
	\$ 2,384.00	\$ 1,192.00	\$ 1,192.00	0.00	\$ 1,192.00	\$ 1,192.00	0.00

* Note: Due to timing, not all December journal entries are posted as of 1/3/2017.

BEGINNING CASH & INVESTMENT BALANCE 11/30/2016

\$46,142.32

REVENUES

Donations	392.00
Interest on Investments-Dec 2016	
Lowe's rebates	940.00
Total Revenues	\$1,332.00

EXPENSES

<u>Date/ Vendor</u>	<u>Description</u>	
Clean City program expense	Paint the Town expenditures	9,649.45
10/27/16 - Roy Robison	Driver - Community service supervisor	90.00
	Total Expenses	\$9,739.45

ENDING CASH & INVESTMENT BALANCE 12/31/2016

\$37,734.87

Financial Report prepared prior to Sept. closeout-Possible carryover in donations from prior periods



City of La Marque

Balance Sheet

CEMETERY FUND

December 31, 2016

Assets

Current assets:	Fiscal Year 2016	Fiscal Year 2017
Cash	942.32	265.63
Investments	3,019.54	2,035.41
Inventories	-	-
Accounts receivable	-	-
Pre-paid expenses	-	-
Other	-	-
Total current assets	3,961.86	2,301.04

Total assets	3,961.86	2,301.04
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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	2,054.48	3,811.50
Current Year Revenue/Expenses	1,907.38	(1,510.46)
Total Fund Balance	3,961.86	2,301.04

Total liabilities and Fund Balance	3,961.86	2,301.04
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CITY OF LA MARQUE CEMETERY FUND

Fiscal Year 2016-17

Budget vs Actual Revenues and Expenditures December 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	1.39	5.24	(5.24)
89-3807-00-00	Donations		700.00	700.00	(700.00)
89-9001-00-00	General Fund	24,400.00	0.00	0.00	24,400.00
	Total Revenues	24,400.00	701.39	705.24	23,694.76
Expenditures					
89-4048-00-00	Wreath Across America	400.00	132.00	132.00	268.00
89-4049-00-00	Cemetery Board Expenditure	24,000.00	883.70	2,083.70	21,916.30
	Total Expenditures	24,400.00	1,015.70	2,215.70	22,184.30
Revenues over (under) Expenditures		0.00	(314.31)	(1,510.46)	1,510.46

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	12/09/16	70039	7.50		N	222.18	
20126	MYSTY NAUCK	12/23/16	70152	3.00		N	88.87	
Total for Employee				10.50			311.05	
Total for Program - FINANCE/ACCOUNTING/TAX				10.50			311.05	
Total for Department - 2 FINANCE/ACCOUNTING/TAX				10.50			311.05	
40128	SHEILA MAYA	12/09/16	70048	5.50			94.88	
40128	SHEILA MAYA	12/23/16	70161	5.75			99.19	
Total for Employee				11.25			194.07	
Total for Program - JUDICIAL				11.25			194.07	
Total for Department - 4 JUDICIAL				11.25			194.07	
50193	TROY ANDERS	12/09/16	70075	16.00			572.90	
50193	TROY ANDERS	12/23/16	70188	23.75			878.90	
Total for Employee				39.75			1,451.80	
50163	ANDREW BEST	12/23/16	70178	7.00			291.14	
Total for Employee				7.00			291.14	
50151	KENNETH CAGNON	12/09/16	70059	6.00			356.11	
Total for Employee				6.00			356.11	
50148	TINA CRAWFORD	12/09/16	70058	9.00			290.06	
50148	TINA CRAWFORD	12/23/16	70171	9.00			290.06	
Total for Employee				18.00			580.12	
50202	MATTHEW CYPERT	12/09/16	70079	12.00			410.47	
Total for Employee				12.00			410.47	
50139	RICHARD GARCIA	12/09/16	70055	7.25			418.44	
Total for Employee				7.25			418.44	
50176	JESSE GUZMAN	12/09/16	70068	12.00			463.91	
50176	JESSE GUZMAN	12/23/16	70181	9.75			371.08	
Total for Employee				21.75			834.99	
50192	RICHARD HERNANDEZ	12/09/16	70074	12.00			447.86	
Total for Employee				12.00			447.86	

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 2

Department Number - 5 POLICE Program Number - POLICE

Employee Number	Employee Name	Check Date	Check Number	Units	Pay Rate 1	Ovr Amt	Amount	Account Compressed
50187	JOSHUA HUMAN	12/09/16	70070	16.50		N	764.28	
50187	JOSHUA HUMAN	12/23/16	70183	5.50			258.29	
Total for Employee				22.00			1,022.57	
50199	STEPHONIA JACKSON	12/09/16	70078	8.00			273.65	
Total for Employee				8.00			273.65	
50205	KELLIE LADD	12/23/16	70195	6.00			172.51	
Total for Employee				6.00			172.51	
50208	FETURILLA MCNEAL	12/09/16	70083	12.00		N	266.40	
50208	FETURILLA MCNEAL	12/23/16	70196	18.00			399.60	
Total for Employee				30.00			666.00	
50188	DANIEL O'CONNOR	12/09/16	70071	3.25			114.18	
50188	DANIEL O'CONNOR	12/23/16	70184	6.50			225.92	
Total for Employee				9.75			340.10	
50190	NICOLE PERALES	12/23/16	70185	9.50			362.53	
Total for Employee				9.50			362.53	
50154	TIAWANNA PORTER	12/09/16	70061	18.00			526.58	
50154	TIAWANNA PORTER	12/23/16	70174	6.00			175.40	
Total for Employee				24.00			701.98	
50203	MICHAEL RAMSEY	12/09/16	70080	12.00			510.21	
50203	MICHAEL RAMSEY	12/23/16	70193	5.00			212.59	
Total for Employee				17.00			722.80	
50161	GILBERTO RODRIGUEZ	12/23/16	70177	9.00			468.10	
Total for Employee				9.00			468.10	
50165	SHELBY SAMUELSON	12/09/16	70066	18.75			915.69	
50165	SHELBY SAMUELSON	12/23/16	70179	10.00			488.37	
Total for Employee				28.75			1,404.06	
50196	JOSE SANTOS	12/09/16	70076	24.00			886.32	
50196	JOSE SANTOS	12/23/16	70189	12.00			426.17	
Total for Employee				36.00			1,312.49	
50153	TERESA SCOTT	12/09/16	70060	12.00			341.26	
Total for Employee				12.00			341.26	
50214	AARON SKAGGS	12/23/16	70198	2.75		N	86.26	
Total for Employee				2.75			86.26	
50197	BRITTANY SMITH	12/09/16	70077	12.00			420.88	

Pay Type -

O

Overtime

Pay Type History Report

Fund Number -

1

GENERAL FUND

Department Number -

5

POLICE

Program Number -

POLICE

Employee Number	Employee Name	Check Date	Check Number	Units	Pay Rate 1	Ovr Amt	Amount	Account Compressed
50197	BRITTANY SMITH	12/23/16	70190	6.00			209.01	
Total for Employee				18.00			629.89	
50040	SHAWN SPRUILL	12/09/16	70051	4.00			236.77	
Total for Employee				4.00			236.77	
50038	CHAD WAGGONER	12/09/16	70050	7.50		N	448.16	
50038	CHAD WAGGONER	12/23/16	70163	3.00			179.26	
Total for Employee				10.50			627.42	
Total for Program -				371.00			14,159.32	POLICE
Total for Department -				371.00			14,159.32	5 POLICE
60092	MICHAEL BILLIOTT	12/09/16	70089	48.00			1,476.07	
60092	MICHAEL BILLIOTT	12/23/16	70203	11.00		N	363.94	
Total for Employee				59.00			1,840.01	
60113	AMANDA BLACK	12/23/16	70206	4.00		N	142.14	
Total for Employee				4.00			142.14	
60124	JASON CROCKOM	12/09/16	70097	12.00			311.47	
Total for Employee				12.00			311.47	
60077	JOSE GONZALEZ	12/23/16	70201	12.00			469.58	
Total for Employee				12.00			469.58	
60115	ZACHERY HON	12/23/16	70207	24.00		N	809.35	
Total for Employee				24.00			809.35	
60123	JAMES MATTHEWS	12/23/16	70210	48.00			1,112.62	
Total for Employee				48.00			1,112.62	
60112	DAVID MERRYMAN	12/23/16	70205	4.00			218.75	
Total for Employee				4.00			218.75	
60097	WILLIAM REED	12/09/16	70090	2.00			86.32	
60097	WILLIAM REED	12/23/16	70204	7.00			302.12	
Total for Employee				9.00			388.44	
160037	KARI WELCH	12/23/16	70216	12.00		N	420.50	
Total for Employee				12.00			420.50	
Total for Program -				184.00			5,712.86	FIRE

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 4

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 Department - 6 FIRE				184.00			5,712.86	
240122	EUSTACIO GONZALES	12/23/16	70231	8.00		N	200.17	
240122	EUSTACIO GONZALES	12/23/16	70231	3.50		N	87.58	
240122	EUSTACIO GONZALES	12/23/16	70231	4.00		N	100.09	
Total for Employee				15.50			387.84	
120134	DENNIS HENDERSON	12/23/16	70225	3.00			64.13	
Total for Employee				3.00			64.13	
210141	VENISHA HENDERSON	12/09/16	70116	3.00			65.64	
210141	VENISHA HENDERSON	12/23/16	70230	6.00			131.28	
Total for Employee				9.00			196.92	
210124	AMANDA HOBBY	12/23/16	70229	2.50			66.71	
Total for Employee				2.50			66.71	
120120	JOSEPH MOSE	12/09/16	70110	1.00			24.47	
120120	JOSEPH MOSE	12/23/16	70224	3.00			73.40	
Total for Employee				4.00			97.87	
120154	ROY ROBINSON	12/23/16	70226	2.50			44.82	
Total for Employee				2.50			44.82	
120157	JARED WILSON	12/23/16	70228	19.50			321.46	
Total for Employee				19.50			321.46	
Total for Program - PUBLIC SERVICES				56.00			1,179.75	
Total for Department - 12 PUBLIC SERVICES				56.00			1,179.75	
130011	KYLE HUNTER	12/09/16	70118	6.00			249.96	
Total for Employee				6.00			249.96	
Total for Program - IT				6.00			249.96	
Total for Department - 13 IT				6.00			249.96	
Total for Fund - 1 GENERAL FUND				638.75			21,807.01	
220135	ERNEST DICKEY	12/23/16	70240	11.00			197.21	

Pay Type -		Overtime	Pay Type History Report					
Fund Number -		2	UTILITY FUND		Department Number - 22		UTILITY LINE MAINTENANCE	
Employee Number		Employee Name		Check Date	Check Number	Units	Pay Rate 1	Ovr Amt
							Amount	Account Compressed
Total for Employee						11.00	197.21	
220140		LEONARD FAULK		12/23/16	70242	2.50	41.21	
Total for Employee						2.50	41.21	
220102		RODNEY GAMBLE		12/23/16	70237	2.00	49.80	
Total for Employee						2.00	49.80	
220143		RYAN JONES		12/09/16	70132	3.00	49.46	
220143		RYAN JONES		12/23/16	70245	1.00	16.49	
Total for Employee						4.00	65.95	
220141		JASON MOSES		12/23/16	70243	6.00	98.91	
Total for Employee						6.00	98.91	
220142		APOLINAR RESENDEZ		12/09/16	70131	3.00	49.46	
220142		APOLINAR RESENDEZ		12/23/16	70244	8.50	140.12	
Total for Employee						11.50	189.58	
Total for Program -		UTILITY LINE MAINTENANCE				37.00	642.66	
Total for Department -		22 UTILITY LINE MAINTENANCE				37.00	642.66	
240131		PAUL BERNARD		12/09/16	70140	1.00	21.00	
240131		PAUL BERNARD		12/23/16	70252	11.50	241.50	
Total for Employee						12.50	262.50	
240123		VALENTIN GARCIA		12/23/16	70250	6.50	134.93	
Total for Employee						6.50	134.93	
120152		SHANE IRISH		12/09/16	70134	25.75	462.57	
120152		SHANE IRISH		12/23/16	70247	6.25	112.28	
Total for Employee						32.00	574.85	
240101		RONALD REED		12/09/16	70136	9.00	232.02	
240101		RONALD REED		12/23/16	70248	11.50	296.48	
Total for Employee						20.50	528.50	
Total for Program -		WATER AND WASTEWATER OPER				71.50	1,500.78	
Total for Department -		24 WATER AND WASTEWATER OPER				71.50	1,500.78	
Total for Fund -		2 UTILITY FUND				108.50	2,143.44	

Pay Type -

O

Overtime

Pay Type History Report

Fund Number -

2

UTILITY FUND

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
Total for Pay Type -		O	Overtime	747.25		23,950.45		
Grand Totals -				747.25		23,950.45		

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
50186	EVELYN ARREDONDO	12/09/16	70069	3.00			119.02	
50186	EVELYN ARREDONDO	12/23/16	70182	2.00			79.34	
Total for Employee				5.00			198.36	
50151	KENNETH CAGNON	12/09/16	70059	4.00			237.41	
Total for Employee				4.00			237.41	
50191	DASHIELL CANTU	12/09/16	70073	13.00			474.81	
Total for Employee				13.00			474.81	
50148	TINA CRAWFORD	12/09/16	70058	18.00			580.12	
50148	TINA CRAWFORD	12/23/16	70171	1.00			32.23	
Total for Employee				19.00			612.35	
50160	FORREST GANDY	12/23/16	70176	8.00			408.08	
Total for Employee				8.00			408.08	
50139	RICHARD GARCIA	12/09/16	70055	12.00			692.59	
Total for Employee				12.00			692.59	
50204	KENNETH HERNANDEZ	12/09/16	70081	15.25			541.47	
Total for Employee				15.25			541.47	
50205	KELLIE LADD	12/09/16	70082	12.00			343.55	
Total for Employee				12.00			343.55	
50190	NICOLE PERALES	12/09/16	70072	12.00			457.76	
Total for Employee				12.00			457.76	
50209	RANDALL RICE	12/09/16	70084	12.00			409.14	
Total for Employee				12.00			409.14	
Total for Program - POLICE				112.25			4,375.52	
Total for Department - 5 POLICE				112.25			4,375.52	
Total for Fund - 1 GENERAL FUND				112.25			4,375.52	
Total for Pay Type - MO Mid Overtime				112.25			4,375.52	
Grand Totals -				112.25			4,375.52	