



**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: **3.10.2017** TIME: **1:30 p.m.**

**ORDINANCE NO. O-2017-008
RESOLUTION NO. R-2017-010**

**CITY OF LA MARQUE
PUBLIC HEARING AND REGULAR CITY COUNCIL
AGENDA
of
March 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, March 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) PRESENTATIONS/ PROMOTIONS**
 - a. Introduction of new employees: Kristina Layton, James Matthews, Nathan Baggs, Jason Crockom, Crystal Brasington, Chastity Porter, Richard Lafour, and Ashley Robinson
 - b. Acknowledgement of Promoted Employees: Michael Carlson, Zachery Hon, and David Merryman
- (5) CITIZENS PARTICIPATION (Limited to three minutes per person)**

Comments from the public (at this time, any person with city-related business who has signed up may speak to Council (limited to three (3) minutes.) In compliance with Texas Open Meeting Act, the City may not deliberate on comments. Personal attacks will not be allowed, and personnel matters should be addressed to the City Manager during normal business hours.
- (6) CONSENT AGENDA (All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)**

- a. City Council Regular Minutes of February 13, 2017
- b. Discussion/possible action regarding adopting Resolution No. **R-2017-006**, approving the aerial spraying of mosquitos by Galveston County Mosquito Control District, as required on a yearly basis by the Federal Aviation Administration – City Manager C. Buttler
- c. Discussion/possible action regarding adopting Resolution No. **R-2017-007**, amending Resolution No. R-2017-001, ordering the City of La Marque General Election to be held on May 6, 2017 – City Clerk R. Eldridge
- d. Discussion/possible action regarding Resolution No. **R-2017-008**, opposing all bills advocating revenue caps and legislative interference with local services – City Manager C. Buttler

(7) PUBLIC HEARING

- a. Conduct Public Hearing to hear public input regarding Ordinance No. **O-2017-005**, vacating, abandonment, and closing of road and alley rights-of-way located on realty described in Exhibit “A”.
- b. Conduct Public Hearing to hear public input 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 a favorable recommendation from the Planning and Zoning Commission.
- c. Conduct Public Hearing to hear public input 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”.

(8) OLD 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” **THIS IS THE SECOND AND FINAL 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 **THIS IS THE SECOND AND FINAL READING**
- c. 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 SECOND AND FINAL READING**

(9) AWARD OF BIDS/CONTRACTS

- a. Discussion/possible action regarding the award of a construction contract to Sovereign Builders, Inc., dba Construction LTD for the construction of La Marque Central Fire Station and Fire Administrative Headquarters / Emergency Operations Center for the total

base stipulated price in the amount of \$5,065,668.00 plus “Owner’s Contingency Fund” in the amount of \$184,332.00 – Fire Chief G. Grimm

(10) NEW BUSINESS

- a. Discussion/possible action regarding adopting Resolution No. **R-2017-009**, ratifying the City Manager’s authorization for the Police Department to make application to the Office of the Governor, Criminal Justice Division for the Special Response Team Project (SRT) overtime and training in the amount of \$40,000.00 – Police Chief K. Jackson
- b. Discussion/possible action regarding adopting Resolution No. **R-2017-0010**, denying CenterPoint’s Statement of Intent to Increase Rates and Consolidate Divisions – City Manager C. Buttler
- c. Discussion/possible action regarding criteria for distributing funds from Southeast Texas Housing Finance Corporation (SETH) to the City of La Marque for revitalization efforts in the amount of \$50,000.00 – City Manager C. Buttler

(11) CITY MANAGER REPORT

- **Judicial**
- **Police**
- **Fire**
- **Library**
- **Connect Transit**
- **Public Services**
- **Animal 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)

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

(13) ACTION TAKEN FROM EXECUTIVE SSESSION

- a. Discussion/possible action regarding adoption of Ordinance No. **O-2017-008**, approving the exchange of utility easements by and between the City of La Marque and New Hope Bible Church on property owned by New Hope Bible Church at 3801 McKinney Extension as part of settlement of *William and Margaret Bunch v. New*

Hope Bible Church et al., Cause No. 15CC0596, in the 212th District Court of Galveston County, Texas.

- b. Discussion/possible action approving a settlement agreement for all parties in *James Neal, et al v. City of La Marque, et al*, Cause No. 16-CV-0051, in the 10th District Court of Galveston County, Texas.
- c. Discussion/possible action regarding issuing a Special Use Permit to the Texas City Railroad establishing conditions of use on certain tracts of land zoned Light Industrial (I-1) as delineated in legal descriptions.

(14) 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.*

(15) ADJOURNMENT

CERTIFICATION:

I hereby certify that the above notice of meeting was posted at 1109-B Bayou Road, La Marque, Texas on or before March 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
FEBRUARY 13, 2017**

Regular Meeting Minutes of the City of La Marque City Council held on Monday, February 13, 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

Absent

OTHER OFFICIALS PRESENT:

Carol Buttler

City Manager

Ellis Ortego

City Attorney

Robin Eldridge

City Clerk

(3) INVOCATION AND PLEDGE OF ALLEGIENCE

Mayor Hocking led the invocation and the Pledge of Allegiance.

(4) CITIZENS PARTICIPATION

1. Ronald Stevens said he and his wife just recently moved into Delany Cove, a subdivision within the city and wanted to report ACMI, the property management company, and the Homeowners Association of his subdivision. They have twice denied a request for him to plant a queen palm tree on his property. He was very upset with the manner that the personnel treated him when he does call them. They are very rude and each person, claims to be the same one person, even having different voices. Twice having the request ignored and the treatment he receives from the office personnel. Although the trees that the developer have long used in several communities are oak trees, and the tree roots are tearing up the sidewalks and streets within this subdivision. He was very upset with the manner that the personnel treated him when he does call them. He contacted his long-time friend and Councilmember Michetich and reported this and is asking what can be done.
2. David Castillo reported a sewer problem in his neighborhood. The sidewalk is buckling and the smell is horrible. There is a 6-8 inch drop off on the sidewalk.



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3. Leonard Payne reported of a leak at the MOTCO site, which is close to his property, has been leaking for several years. The city did come out last week, and he noticed that the workers were not wearing hard-hats; and the worker that was in the hole, was pulled up by the bucket on the bucket truck. No one else has been back out to “cap” it off or check on it. Reported that deep ruts have been made on the property, getting the truck back there to the site.
 4. Charlotte Westerlage, reported a sewer problem on Shady Lane, that she didn’t want to see eventually turn into a health hazard.
- ** Mayor provided a point of information, that the City did go out and spoke to the citizens that complained as a group, and the city cleaned out the drains and mentioned that this item is on the agenda later tonight.

(5) CONSENT AGENDA

- 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.

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

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

(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



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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

Mayor Hocking closed the Regular Meeting and opened the Public Hearing at 6:16 p.m.

Geraldine Sam asked about the addition to the Cemetery Rules and Regulations.

Mayor Hocking closed the Public Hearing and reconvened the Regular Meeting at 6:23 p.m.

(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 **THIS IS THE SECOND AND FINAL READING**
 - ** Mayor Hocking asked during the beginning of the Public Hearing that this item be **TABLED** and sent back before the Cemetery Board to possibly add the policy of a free burial plot for indigent veteran residing in the City.
 - ** Mayor Pro-Tem Bell made a motion to table this item.
 - ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY**
- 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 **THIS IS THE SECOND AND FINAL READING**
 - ** Councilmember Lane made a 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



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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 seconded.

Derra Matina of Olson and Olson approached the podium and referred to the change in the first reading and that it should also be included in the final reading, which was the wording in Section 29-31 to read, "The Fire Marshall shall be designated by the Fire Chief within the uniformed classifications of the Fire Department." **MOTION CARRIED UNANIMOUSLY**

- 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 **THIS IS THE SECOND AND FINAL READING**

** Councilmember Lane made a 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 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

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

- 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 **THIS IS THE SECOND AND FINAL READING**



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- ** Councilmember Michetich made a motion to adopt Ordinance No. **O-2017-004**, approving the request for rezone from R-1 (Single Family Residential), to C-2, (Restricted Commercial) of four lots facing the intersection of Magnolia 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 seconded. **MOTION CARRIED UNANIMOUSLY**

(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

** Councilmember Lane made a 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

** Councilmember Michetich seconded.

Mayor Pro-Tem Bell asked how many lots were to be mowed. How will it be documented as to when the lots are mowed? Does every lot fit into a category or have a plan?

There are approximately 127 lots. Code Enforcement Director Kathleen Van Stavern said that the contractors take before and after pictures of each piece of property mowed, and this record is documented within the software in the department. **MOTION CARRIED UNANIMOUSLY**

- 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

** Mayor Pro-Tem Bell made a motion to award Bid #LM 12-17 to Inland Environments LTD, for the demolition of 12 substandard residential structures in the amount of \$56,125.00

** Councilmember Lane seconded.

** Councilmember Michetich asked if it included the structure at 1910 Oaklawn, which is does. **MOTION CARRIED UNANIMOUSLY**.

- 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



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- ** Councilmember Michetich made a 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
- ** Mayor Pro-Tem Bell seconded. **MOTION CARRIED UNANIMOUSLY**

(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" **THIS IS THE FIRST READING**
- ** Mayor Pro-Tem Bell made a 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"
- ** Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY.**
- 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 **THIS IS THE FIRST READING**
- ** Mayor Pro-Tem Bell made a 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
- ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**

Mayor Hocking deviated from the order of the agenda items and address item 9f at this time.

- f. Discuss further issues with Delany Cove Development
- Councilmember Michetich reported that his friend recently moved here and bought a home in Delaney Cove, and several things were brought to light. First of all, deed restrictions are not being provided to the residents, when moving into the subdivision. After receiving complaints from citizens that live in the subdivision, he made a call to find out what was being done to alleviate some of the issues the citizens were facing. But, since he wasn't a property owner, they didn't wish to speak with him, and on a few occasions were very rude. He was able to find out a few things, their home owners association meetings are conducted once a year. In his subdivision, the meetings are four times a year. The oak trees that the Friendswood Development Corporation plants for green space in the rights of ways, tear up the water lines, sidewalks, and curbs and roads, this leaving it to the city to have to replace. The new owners have been told they would have to contact CenterPoint if they were to lower their cost on their street lighting costs, with the possibility of changing out the LED lighting that currently exists. He asked that a memorandum or an agreement be signed stating that there will be no more oak trees



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planted in the city's right of ways. He also said he was not in favor of the single family home lots not being reduced from 60 X 120 to 50 X 110, and that a park should be placed in every new sub-division. "I hope we can work together, I want you all to be successful in your development."

Brad Garner, of Friendswood Development spoke of the rise in recent demand of new construction, differing from the pattern of the past few years with this company. They held their annual meeting which, with a good attendance from a lot of residents. "We are dismayed about the behavior of our property management company (ACMI), and we do understand the concern about the trees. Those trees have been a part of the Friendswood Development Corporation for a number of years. We do have more acres to be developed within the community. We are not interested in wasting money, we try to make an effort to conserve water and other resources."

Mayor Pro-Tem Bell brought up the earlier conversation that Councilmember Michetich spoke of concerning the buckling of the sidewalks due to the roots from the oak trees. It was made aware that geotechnical borings to get soil qualities were conducted, so it seemed that this problem of the buckling of sidewalks and roads, could have been avoided.

Further discussion included the question of whether this company had good relationships with other city governments and whether they were productive in dealing with this property management company, since they have had another development complain about this particular property management company. It was suggested that a letter of memorandum be drawn up to include the discontinuation of planting the oak trees in the city right-of-ways. It was recommended that a meeting be held to cultivate the relationship between the developers and the city to clear up some of the issues facing them at this time.

- 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

** Councilmember Bell made a 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

** Councilmember Lane seconded.

After a brief discussion, concerning a concrete retaining wall with reinforcements that will route all of the drainage in Section 5 into a different ditch, not placing the burden on Sections, 1, 2, 3 and 4. **MOTION CARRIED UNANIMOUSLY**



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- 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
 - ** Mayor Pro-Tem Bell made a motion to deny 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
 - ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY**
- 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
 - ** Mayor Pro-Tem Bell made a motion to deny 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
 - ** Councilmember Bell seconded. **MOTION CARRIED UNANIMOUSLY.**
- f. Discuss further issues with Delany Cove Development – Councilmember R. Michetich
SEE ABOVE (after Agenda item 9b)
- 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” **THIS IS THE FIRST READING**
 - ** Councilmember Michetich made a 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”
 - ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY**
- 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
 - ** Councilmember Lane made a 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
 - ** Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY**



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- 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
 - ** Mayor Pro-Tem Bell made a 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
 - ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY**
- 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
 - ** Mayor Pro-Tem made a motion to award the purchase of six (6) SCOTT Self-contained Breathing Apparatus to Municipal Emergency Services through H-GAC in the amount of \$39,292.86
 - ** Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY**
- 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
 - ** Councilmember Michetich made a 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
 - ** Mayor Pro-Tem Bell seconded. **MOTION CARRIED UNANIMOUSLY**
- 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
 - ** Mayor Pro-Tem Bell made a 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
 - ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY**
- 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
 - ** Councilmember Michetich made a 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
 - ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY**



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La Marque, Texas 77568
409.938.9202

- n. 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
- ** Mayor Pro-Tem Bell made a motion to 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
- ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY**
- 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.
- ** Councilmember Michetich made a motion to approve the upgrade of an existing but, unfunded position within the Development Services Department to “Development Coordinator” effective March 14, 2017
- ** Councilmember Lane seconded.

Mayor Pro-Tem Bell asked what the day to day functions look like for this position and about a revenue stream that would maintain this position. It was asked who was doing the functions now.

City Manager Carol Buttler stated, “This position would handle the Planning and Zoning, Board of Adjustment packets, information, putting the agendas together, also deal with the plan reviews and doing simple plan reviews on their own. This position is something we have needed for awhile, but, we wanted to make sure what we needed before bringing it before Council.” Erica had been taking on these responsibilities, but with the growth spurt in the city, it had become overwhelming. It was also mentioned that this position would also coordinate working with the local HOA’s and sending out information through the Nextdoor application. **MOTION CARRIED UNANIMOUSLY**

(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 began his status report with the first thing the following day, that the water will be turned off at the MOTCO (EPA regulated site) for a few hours and make the necessary adjustments to the clamp that is in place at the current time. This clamp being a tourniquet only

Mayor received a text that the broadcast on Channel 16 and the internet was spotty at best. Brandon assured him, he was working on it.



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Mr. Rumburg continued, “They are the only use of the six inch line that MOTCO is using, and not sure when that line went in, but we have determined that the best thing to do is to abandon that line and have them find another source, but we do have an option in-play for their consideration. We are allowing them ninety days to work with their engineers, and if they are in agreement with our option, we will work with Gulf Coast Water Authority to establish another take point and they will be responsible for installing the line and we would meter the water from that take point to their facility. One of our concerns was, that meter, and we removed that meter last week and straight lined the connection. In 2009, the city became the recipients to some 5.5 million dollars in grant fund money and we have around \$800,000 left, and we will be looking into making some much needed sewer line improvements. On the 15th, all involved parties will be meeting and hopefully within thirty days, begin the bidding process for a contractor to begin this project. This is separate from the 2.5 million in bonds that we are planning on spending on sewer line replacements and manholes. This will, one, take care of our sewer needs, and two, help us to meet our Sanitary Sewer Overflow (SSO) obligations with TCEQ. There was the need to utilize part of those bond monies, recently, to an emergency situation, the contractors are finishing up the repairing of 6000 feet of line and point repairs of eight sections within the city.”

It was recommended, that whenever material is being staged and a project is being planned, it should be on the website or in utility flyer to make the residents aware.

It was mentioned that when the planning is a few weeks or months out, this should be the protocol, this past week there was an emergency situation, so there was not a lot of time for notification, but, the contractors went door to door to those customers that were going to be directly impacted.

Mr. Rumburg continued, “Oak Street will also be a part of the CO bond funds, and it is on the agenda tonight for approval to correct the force main line at Cedar by the Valero Station. Two years ago, we did a major repair at the west side by the Valero Station, but on down Oak to Hathaway it is in dire need of repair. Once that line is replaced, it will drain a large portion of the town and utilize the Hathaway lift station to its capabilities. The issue we have now, if we don’t keep those manholes down, the sewage coming down that forced main and that is the odor that makes its way to the Shady Lane area.

“Moving onto water, hopefully the application for \$350,000.00 of CBDG funds is approved, we are leveraging that with approximately \$500,000.00 of the bond funds, for an \$800,000.00 project to replace water lines. We have those sites selected within the Honeysuckle, Azalea area, about 5000 feet of 2 inch water line replacement, affecting around 133 residents will be impacted by that. If you recall from the water planning study done by ARCC Engineering, \$300,000.00 to \$400,000.00 per year should be set aside to address the city’s water loss issues. This would enable us to get about a two year head start on this program. My hope is by early summer, we should be doing gangbusters.”

C Mayor Pro-Tem Bell asked, “For our citizens on Shady Lane, give me again, what date or time frame we are looking at.”



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Mr. Rumburg answered, “Ninety days out before the before bidding process begins, and with work being completed around August. My goals is that we can could come back to City Council with a recommended bidder.”

Mayor brought attention to a large green truck going around town, “It looks like they are cleaning out storm sewers.”

Mr. Rumburg responded, “Yes, the city is paying for this while our vacuum truck is down. They are doing a good job.”

(11) CITY MANAGER REPORT

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

Mayor Pro-Tem Bell commented, “It seems like every meeting there is an increase in vacancies in our telecommunicators. We are needing dispatchers. Dispatchers are vital to the functionality of the part of public safety departments. We could actually lose officers. Do we need to add some type of bonus or expedite the hiring process?”

City Manager Buttler replied, “We have done a couple of things, and Chief may want to fill in, I know I met one of our new telecommunicators this morning. We have made arrangement with another city to have one of their telecommunicators to come help us out. League City will be helping with some of the training”

Police Chief Jackson added, “We are processing applicants. Now they have to be TCOLS certified. We do have some stringent hiring requirements, but, the biggest hurdle that we have seen so far, is the telecommunicators expectations. A telecommunicator will come in, experience the job for about thirty days, and realize, “I can’t do this.” It is too stressful and there is too much multi-tasking. We have had two of them, just get up and walk out, because they just can’t handle it. We are looking at a new format for the training, perhaps administering an academy to get the new hire trained and accustomed to using the equipment. The CAD and the 9-1-1 systems are two completely different computer systems that you have to utilize at the exact same time. We are trying our hardest to get these folks in here. La Marque is not the only agency that is suffering. It is a problem statewide if not nationwide.”

Seeking persons in the Police academy, Fire Academy and EMS courses, those people that already that have the heart and passion for this type of work was suggested.



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Chief Jackson continued, "Believe me there is nothing more, that, I would have than a fully staffed telecommunications office."

It was mentioned that a few of the previous telecommunicators that left the City have returned, and the city was glad to see them coming back. A few have been lost by wishing to pursue their career by going to the Police Academy.

(12) EXECUTIVE SESSION - There was no Executive Session

(13) REQUEST AND ANNOUNCEMENTS

Councilmember Michetich thanked all for attending. Said that he is glad to see the sewer repairs being done.

Mayor Pro-Tem Bell stated that there have been two suicides within the last two months within the community. He encouraged everyone to speak to their children, grandchildren, nieces and nephews to see if we can instill in them the value of human life and adversity and perseverance that we may be able to stop this building "tide" within the community as it relates to our children's mental health. Then wished all a Happy Valentine's Day.

Mayor Hocking concurred with Mayor Pro-Tem and reminded all that bullying has no place in our children's lives. Wished all a Happy Valentine's Day and reminded all of a rain event that was due to come in the following day. He will be giving his sixth speech at the Annual State of the County and City the following Thursday

(14) ADJOURNMENT

Councilmember Bell made a motion to adjourn the meeting at 6:49 p.m.

Michetich seconded. **MEETING ADJOURNED**

Bobby Hocking, Mayor

ATTEST:

Robin Eldridge, TRMC
City Clerk



CITY COUNCIL AGENDA FORM

Meeting Date: March 13, 2017

Agenda item: 6b

Prepared by: Robin Eldridge

Reviewed by: Carol Buttler

Department: City Clerk

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding Resolution No. **R-2017-006**, approving the aerial spraying of mosquitos by Galveston County Mosquito Control District, as required on a yearly basis by the Federal Aviation Administration.

- ☒ Attachments for reference
1. Resolution
 2. Letter

STAFF BRIEFING:

- This time, each year, before the beginning of “mosquito” season, a resolution is requested from each city within Galveston County approving the aerial spraying for mosquitos within each individual city.
- This program is County funded and has no financial impact on the City of La Marque.
- This is a Resolution and wording is the same annually, just date changes (no need for City Attorney to review)

HISTORY: For several years the City of La Marque has been providing a resolution authorizing Galveston County Mosquito Control District to provide aerial spraying over the territory for the abatement or control of mosquitos.

TARGET IMPLEMENTATION: March 13, 2017

SIGNIFICANT ACTION DATES:

- March 14, 2016 - Resolution adopted
- February 9, 2015 - Resolution adopted
- February 13, 2014 - Resolution adopted
- February 11, 2013 - Resolution adopted

ACTION:

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

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



CITY COUNCIL AGENDA FORM

STAFF'S RECOMMENDATION: Motion to adopt Resolution No. **R-2017-006**, approving the aerial spraying of mosquitos by Galveston County Mosquito Control District, as required on a yearly basis by the Federal Aviation Administration.

FISCAL IMPACT: N/A

RESOLUTION NO. R-2017-006

A RESOLUTION OF THE CITY OF LA MARQUE AUTHORIZING THE GALVESTON COUNTY MOSQUITO CONTROL DISTRICT, AERIAL SPRAYING FOR MOSQUITOES THAT THE FEDERAL AVIATION ADMINISTRATION REQUIRES APPROVAL FOR ON A YEARLY BASIS;

WHEREAS, the Galveston County Mosquito Control District is responsible for the operation of the county-wide Mosquito Control Program, and

WHEREAS, the Federal Aviation Administration has indicated that governmental approval is necessary to provide aerial spraying services over the territories of general purpose governments, and

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of La Marque approves the aerial spraying over its territory for the abatement of mosquitoes providing such spraying is conducted within the regulations and constraints of the Federal Aviation Administration, the Environmental Protection Agency, and other authoritative federal and state agencies.

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

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor
City of La Marque

ATTEST:

Robin Eldridge, TRMC
City Clerk

APPROVED AS TO FORM:

Ellis Ortego, City Attorney



FEB 07 AM

re

GALVESTON COUNTY MOSQUITO CONTROL DISTRICT

5115 HWY 3
DICKINSON, TEXAS 77539

JOHN G. MARSHALL, JR
DIRECTOR
281-337-4289

ADVISORY BOARD
Jerry Valentine, Chairman
James Frederickson, Vice Chairman
Barbara Hutchinson, Secretary
Leo Bookman
Keith A. Dill

February 1, 2017

Robin Eldridge, City Clerk
City of La Marque
1111 Bayou
La Marque, TX 77568

Dear Ms. Eldridge:

As providers of the county funded Mosquito Control Program, we are requesting your approval of the enclosed resolution authorizing the aerial spraying for mosquitoes. The Federal Aviation Administration requires us to make a request on a yearly basis. This request does not imply any change in our operations.

I would appreciate it if you would send us a copy of the resolution after it has been approved. You may mail it to 5115 Hwy. 3, Dickinson, TX 77539 or fax it to (409)-621-7973 and you can also e-mail it to gerrie.elmore@co.galveston.tx.us.

If you have any questions or concerns please do not hesitate to contact my office at (281) 337-4289.

Sincerely,

A handwritten signature in blue ink, appearing to read "Gerrie Elmore", is written over a horizontal line.

Gerrie Elmore, Administrative Assistant
Galveston County Mosquito Control

Enclosure



CITY COUNCIL AGENDA FORM

Meeting Date: March 13, 2017

Agenda item: 6c

Prepared by: Robin Eldridge

Reviewed by: Carol Buttler

Department: City Clerk

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding Resolution No. **R-2017-007**, amending Resolution No. R-2017-001, ordering the City of La Marque General Election to be held on May 6, 2017

☒ X

Attachments for reference

1. Resolution
2. Notice of Election

STAFF BRIEFING:

- The City of La Marque passed a Resolution on January 9, 2017 calling for the General Election to be held on May 6, 2017, to elect a Councilmember to District “B” and a Councilmember to District “D”.
- The information in that Resolution reflected which City Council positions were up for election at that time.
- It is necessary at this time to amend that Resolution, since it is after the candidate filing period, and polling places may have changed within the County to accommodate those cities that will be holding elections.
- This Resolution has been reviewed and approved by the City Attorney.

HISTORY:

- Based on the Election Calendar by the Secretary of State, calling for an election is actually before the filing period ends, so it is basically stating that the City is planning on having an election.
- After the filing period, some entities are able to cancel their elections, based on whether they have opposing candidates that have submitted applications for a place on the ballot.
- This is the time that all of the polling locations are finalized, so we amend the Resolution to make include this information.

TARGET IMPLEMENTATION: March 13, 2017

SIGNIFICANT ACTION DATES:

- **January 9, 2017** – City Council passed Resolution No. **R-2017-001**- Calling for an Election.
- **January 18, 2017** – First day for filing for a place on the ballot.
- **February 17, 2017** – Last day of the filing period for a person to file for a place on the ballot.

ACTION:

☐

Ordinance

☒ X

Resolution



CITY COUNCIL AGENDA FORM

- | | |
|--|---|
| ☐ Proclamation | ☐ Special Presentation |
| ☐ Finance Report | ☐ Public Hearing |
| ☐ Other (be Specific) | |
| ☒ Check box if there is no conflict with City Charter, ordinances, resolutions, or policies. | |

Cost Details:	
Budgeted	\$37,000.00
Actual Bid	
Estimated Expenditure	\$7,000.00
Acct. Name	Election Costs
Line Items #	01-4021-07-00
Other Funding	

STAFF'S RECOMMENDATION: Motion to approve Resolution No. **R-2017-007**, amending Resolution No. R-2017-001, ordering the City of La Marque General Election to be held on May 6, 2017.

FISCAL IMPACT: Monetary cost of Election - Estimate only (based on May 10, 2014 Election) \$7,000.00

RESOLUTION NO. R-2017-007

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, AMENDING RESOLUTION NO. R-2017-001; ORDERING THE GENERAL ELECTION TO BE HELD ON MAY 6, 2017 ADMINISTERED BY THE GALVESTON COUNTY ELECTIONS ADMINISTRATOR, FOR THE PURPOSE OF ELECTING THE POSITION OF ONE (1) COUNCILMEMBER (DISTRICT “B”) AND ONE COUNCILMEMBER (DISTRICT “D”), TO THE LA MARQUE CITY COUNCIL FOR A TERM OF THREE YEARS; DESIGNATING LOCATIONS OF POLLING PLACES; ORDERING NOTICE OF ELECTION TO BE GIVEN AS PRESCRIBED BY LAW IN CONNECTION WITH SUCH ELECTION

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

SECTION 1. An election is hereby ordered to be held May 6, 2017, for the purpose of electing one (1) Councilmember from City Council District “B” and one (1) Councilmember from City Council District “D”

SECTION 2. EARLY VOTING polling places where qualified voters shall cast ballots in the 2017 General Municipal Election are as follows:

Galveston County Court House (2nd floor)
722 Moody Ave.
Galveston, TX 77550

Seaside Baptist Church
16534 Termini-San Luis Pass Rd.
Jamaica Beach, TX 77554

MUD 12 Building (2nd floor)
2929 Highway 6, Ste. 300
Bayou Vista, TX 77563

Hitchcock City Hall
7423 Highway 6
Hitchcock, TX 77563

La Marque Community Center (Room)
1109-B Bayou Road
La Marque, TX 77568

Santa Fe ISD Museum
13304 Highway 6
Santa Fe, TX 77510

COM Fine Arts Foyer
1200 N. Amburn Rd.
Texas City, TX 77591

Dickinson Community Center
2714 Highway 3
Dickinson, TX 77539

Kemah Fire Department
905 Highway 146
Kemah, Texas 77565

The County Justice Center
600 59th Street (2nd floor Conference Room)
Galveston, TX 77551

Early Voting begins on Monday, April 24, 2017 through Friday, April 28, 2017. Polls shall be open from 8:00 a.m. until 5:00 p.m. on these Early Voting Days

Early Voting continues on Monday, May 1, 2017 and Tuesday, May 2, 2017. Polls shall be open from 7:00 p.m. until 7:00 p.m. on these two Early Voting Days

Page 2, Resolution No. R-2017-007
Ordering Election

Galveston County administers the elections, and if registered in Galveston County, you may vote at ANY of the polling locations within Galveston County.

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

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

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

SECTION 3. ELECTION DAY voting polling places where qualified voters shall cast ballots in the 2017 General Municipal Election are as follows:

Rebecca Sealy Hospital
404 8th St. (1st Floor)
Galveston, TX 77550

L.A. Morgan Elementary School
1410 37th St.
Galveston, TX 77550

GISD Administration Building (Board Room)
3904 Ave. T @ 39th St.
Galveston, TX 77550

Alamo School
5200 Ave. N ½
Galveston, TX 77550 (please enter on east side of building)

Galveston County Court House (2nd floor)
722 Moody Ave.
Galveston, TX 77550

Weis Intermediate School (cafeteria)
7100 Stewart Rd.
Galveston, TX 77551 (please enter on east side of building- right)

Seaside Baptist Church
16534 Termini-San Luis Pass Rd.
Jamaica Beach, TX 77554

MUD 12 Building (2nd floor)
2929 Highway 6, Ste. 300
Bayou Vista, TX 77563

Hitchcock ISD Administration (lunch room)
7801 Neville Rd. Building B
Hitchcock, TX 77563

Santa Fe ISD Museum
13304 Highway 6
Santa Fe, TX 77510

La Marque Community Center (Room)
1109-B Bayou Road
La Marque, TX 77568

Carver Park Community Center
6415 Park Ave.
Texas City, TX 77591

Nessler Center(Surf Room)
2010 5th Ave. North
Texas City, TX 77590

Dickinson City Hall
4403 Highway 3
Dickinson, TX 77539

Page 3, Resolution No. R-2017-007
Ordering Election

ELECTION DAY voting polling places continued:

Kemah Fire Department
905 Highway 146
Kemah, TX 77565

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

SECTION 4. The City Clerk is hereby authorized and directed to publish and/or post, in the time and manner prescribed by law, all notices required to be so published and/or posted in connection with the conduct of this election. Galveston County Election Officer shall designate the election judges for the election. The election, including providing Notice of Election, (Attached hereto as Exhibit “A”), as shall be conducted in accordance with the Texas Election Code and other applicable law, and all resident qualified and registered voters of the City shall be eligible to vote at the election.

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

CITY OF LA MARQUE, TEXAS

Bobby Hocking
Mayor

ATTEST:

Robin Eldridge, TRMC
City Clerk

APPROVED AS TO FORM:

Ellis Ortego, City Attorney

**CITY OF LA MARQUE
NOTICE OF ELECTION
(AVISO SOBRE ELECCIONES GENERALES)**

**To the Registered Voters of the City of La Marque, Texas:
(A los votantes registrados de la Ciudad de La Marque, Texas)**

Notice is hereby given that the polling places listed below will be open from 7:00 a.m. to 7:00 p.m., on May 6, 2017, for voting in a general election to elect a Councilmember for District “B”, “D”

(Por medio de la presente se Notifica, que las casillas electorales citados abajo estaran abiertas desde las 7:00 a.m. hasta las 7:00 p.m. el 6 de Mayo, de 2017, para votar en la Eleccion General, para elegir Consejero de el- Distritos “B”, “D”

DISTRICT “B”

Chris Lane
Deanie Barrett

DISTRICT “D”

Casey Mc Auliffe
Greg “Snow King” Cornett
David Pennington

EARLY VOTING begins Monday, April 24, 2017 through Friday, April 28, 2017
(From 8:00 a.m. until 5:00 p.m.)

EARLY VOTING resumes on Monday, May 1, 2017 and Tuesday, May 2, 2017
(From 7:00 a.m. until 7:00 p.m.)

**LOCATIONS FOR EARLY VOTING POLLING PLACES;
(UBICACIONES DE LAS CASILLAS ELECTORALES DE VOTACION ADELANTADA;
NOMBRE DEL EDIFICIO Y DIRECCION SER ANUNCIADOS**

Galveston County Court House (2nd Floor)
722 Moody Ave.
Galveston, TX 77550

Seaside Baptist Church
16534 Termini-San Luis Pass Rd.
Jamaica Beach, TX 77554

MUD 12 Building (2nd Floor)
2929 Highway 6, Ste. 300
Bayou Vista, TX 77563

Hitchcock City Hall
7423 Highway 6
Hitchcock, TX 77563

La Marque Community Center (Room)
1109-B Bayou Road
La Marque, TX 77568

Santa Fe ISD Museum
13304 Highway 6
Santa Fe, TX 77510

COM Fine Arts Foyer
1200 N. Amburn Rd.
Texas City, TX 77591

Dickinson Community Center
2714 Highway 3
Dickinson, TX 77539

Kemah Fire Department
905 Highway 146
Kemah, TX 77565

The County Justice Center
600 59th Street, (2nd floor Conference Room)
Galveston, TX 77551

APPLICATIONS FOR BALLOT BY MAIL SHALL BE MAILED TO:
(LAS SOLICITUDES PARA BOLETAS DE VOTACION ADELANTADA POR CORREO
DEBERAN ENVIARSE A)

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

**APPLICATIONS FOR BALLOT BY MAIL MUST BE RECEIVED NO LATER THAN
THE CLOSE OF BUSINESS ON APRIL 25, 2017.**
(LAS SOLICITUDES PARA BOLETAS DE VOTACION ADELANTADA POR CORREO
DEBERAN RECIBIRSE PARA EL FIN DE LAS HORAS DE NEGOCIO EL: 25 DE ABRIL
2017)

**LOCATIONS OF ELECTION DAY POLLING PLACES AND NAME OF BUILDING
AND ADDRESS**
(LAS UBICACIONES DE LAS CASILLAS ELECTORALES EL DIA DE ELECCIONES;
NOMBRE DEL EDIFICIO Y DIRECCION SER ANUNCIADOS)

Rebecca Sealy Hospital
404 8th St. (1st Floor)
Galveston, TX 77550

L. A. Morgan Elementary School
1410 37th St.
Galveston, TX 77550

GISD Administration Building (Board Room)
3904 Ave. T @ 39th St.
Galveston, TX 77550

Alamo School
5200 Ave. N 1/2
Galveston, TX 77550
(please enter on east side of building)

Galveston County Court House
722 Moody Ave. (2nd Floor)
Galveston, TX 77550

Weis Intermediate School (cafeteria)
7100 Stewart Rd.
Galveston, TX 77551
(please enter on east side of building- right)

Seaside Baptist Church
16534 Termini-San Luis Pass Rd.
Jamaica Beach, TX 77554

MUD 12 Building
2929 Highway 6, Ste. 300
Bayou Vista, TX 77563

Hitchcock ISD Administration (lunch room)
7801 Neville Rd., Building B
Hitchcock, TX 77563

Santa Fe ISD Museum
13304 Highway 6
Santa Fe, TX 77510

Page 3, Notice of Election
May 6, 2017

La Marque Community Center (Room)
1109-B Bayou Road
La Marque, TX 77568

Carver Park Community Center
6415 Park Ave.
Texas City, TX 77591

Nessler Center (Surf Room)
2010 5th Ave. North
Texas City, TX 77590

Dickinson City Hall
4403 Highway 3
Dickinson, TX 77539

Kemah Fire Department
905 Highway 146
Kemah, TX 77565

Issued this 13 day of marzo, 2017
Emitida este dia 13 de marzo, 2017

Signature of Mayor
Firma del Alcalde

Signature of City Clerk
Firma del Secretario Municipal



CITY COUNCIL AGENDA FORM

Meeting Date: March 13, 2017

Prepared by: Robin Eldridge

Department: Administration

Agenda item: 6d

Reviewed by: Carol Buttlar

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding Resolution No. **R-2017-008**, opposing all bills advocating revenue caps and legislative interference with local services

X

Attach for reference

1. Resolution
2. TML Analysis

STAFF BRIEFING:

- Revenue caps provide only minimal, symbolic relief, saving taxpayers \$2-3 per month.
- Such minor relief to taxpayers, taken in aggregate, has severe implications for cities.
- Revenue generation is essential for growing cities, as growth related revenue gains often lag service demand by 1-2 years.
- Revenue caps also encourage cities to increase taxes to build up reserves.
- Implementation of revenue caps negatively affects municipal general fund revenue, with public safety-related departments being the largest portion of such general fund revenue.
- As a result, public safety services such as police, fire and emergency services will be restricted.
- The existing 10 percent maximum annual assessed value increase and 8 percent rollback tax rate are effective tools in managing municipal property tax impacts to citizens.
- 56 % of the City's budget goes to police, fire and emergency services.
- Some of the progress being made in these areas could be threatened by revenue caps.
- Revenue caps could reduce the ability to offer tax abatement and infrastructure improvements, and possibly force to a halt any revitalization plans the City intends to implement.
- Texas cities are coordinating efforts to strongly oppose bills that cap revenues.
- **Proposed S.B. 2 – Revenue Cap:** would: (1) lower the property tax rollback rate from eight percent to five percent; (2) require the comptroller to annually determine an inflation rate based on the amount computed by determining the percentage change in the consumer price index for the preceding calendar year as compared to the consumer price index for the calendar year preceding that calendar year; and (3) provide that if the inflation rate exceeds five percent in a given year, the rollback tax rate shall be calculated by a taxing unit using the lower of the inflation rate or eight percent.
- This Resolution has been reviewed and approved by the City Attorney and Director of Finance
- Finance Director will prepare an analysis of the effect on City of La Marque services to be provided to City Council at the meeting.
- City Clerk will expedite Resolution No. **R-2017-008** to the Legislature for the scheduled hearings on Tuesday, March 14.



CITY COUNCIL AGENDA FORM

HISTORY:

- Some form of this type legislation surfaces each legislative session and continues to be opposed by Texas cities
-

TARGET IMPLEMENTATION: March 13, 2017

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

STAFF'S RECOMMENDATION: Motion to adopt Resolution No. **R-2017-008**, opposing all bills advocating revenue caps and legislative interference with local services

FISCAL IMPACT: None at this time

RESOLUTION NO. R-2017-008

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS; IN OPPOSITION TO ALL BILLS ADVOCATING REVENUE CAPS AND LEGISLATIVE INTERFERENCE WITH LOCAL SERVICES

WHEREAS, Texas Local Government Code 51.001 states, “the governing body of a municipality may adopt, publish, amend, or repeal an ordinance, rule, or police regulation that is for the good government, peace, or order of the municipality and is necessary for carrying out a power granted by law to the municipality or to an office or department of the municipality”; and

WHEREAS, during the 85th Legislative Session, bills were introduced to cap the amount of property tax revenue cities can collect each year in an expressed effort to reduce the property tax burden on homeowners and businesses; and

WHEREAS, currently, if a Texas city increases property tax collections by more than eight percent over a previous year, voters can petition for an election to roll-back the increase – ensuring local direction related to large increases; and

WHEREAS, bills were introduced to replace that eight percent “roll-back” rate with a hard cap of four percent and require mandatory elections on an increase over four percent – all with the expressed claim that this would provide property tax relief; and

WHEREAS, according to the State Comptroller’s latest survey of property taxes in 963 Texas cities, 56 percent of the cities raised their property taxes by less than four percent from 2014 to 2015 and 27 percent of cities actually reduced their property taxes; and

WHEREAS, this means property owners in at least 547 cities would have seen no reduction in their property taxes if the four percent cap had been in effect; and

WHEREAS, such savings to individual taxpayers would be miniscule or non-existent, however, a four percent cap could represent the inability of a city to exceed such four percent without having a mandated ratification election being held whether desired by the residents of the City or not and potentially a loss in vital city services if such election fails to ratify the revenue requested; and

WHEREAS, the reduction of city services related to increased cost and stagnant home pose a health and safety threat to the residents of Texas for years to come; and

WHEREAS, state law lists 36 functions of local governmental responsibility including police protection, fire protection, health and sanitation, street construction and maintenance, transportation systems, jails, emergency services, and public utilities including water & sewer; and

Page 2, Resolution No. R-2017-008
Opposing revenue caps

WHEREAS, restrictions on the ability of local elected officials to meet local needs expressed by local citizens centralizes authority and restricts local autonomy; and

WHEREAS, cities must retain the autonomy to establish locally developed budgets and associated Ad Valorem tax rates at their discretion to meet requirements of Texas Local Government Code; and

WHEREAS, municipalities have been and should remain able to budget their funds and are in the best position to know the needs of their community and whether there are times when such revenue cap needs to be exceeded or not.

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

1. That all of the above recitals are true and correct;
2. That the City Council of the City of La Marque, Texas, is **OPPOSED** to the legislative reduction of a revenue cap and/or legislative interference with the ability to provide local services; and
3. That imposing a revenue cap on cities; (a) does not provide meaningful tax relief; (b) robs cities of the ability to meet local needs; and (c) diverts attention from the real cause of higher property taxes, which is the legislature's failure to address the problem of school funding.

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

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor
City of La Marque

ATTEST:

Robin Eldridge, TRMC
City Clerk

APPROVED AS TO FORM:

Ellis Ortego, City Attorney



Revenue Caps on Cities: The \$2.75 Property Tax Cut

Bills have been introduced to cap the amount of property tax revenue cities can collect each year in a misguided effort to reduce the property tax burden on homeowners and businesses. Currently, if a Texas city increases property tax collections by more than eight percent over the previous year, voters can petition for an election to rollback the increase. Bills have been introduced to replace that eight percent “rollback rate” with a hard cap of four percent and require mandatory elections on an increase over four percent – all with the false claim that this would provide property tax relief.

You Call This Tax Relief?

If the four percent cap on city property tax increases had been in effect in 2013, the owner of a homestead in the City of Dallas with an assessed value of \$250,000 would have seen a “cut” in city property taxes of \$33.10 annually or about \$2.75 per month. The tax savings would have been **even less** if the homeowner was disabled or elderly and qualified for additional exemptions.

How about Zero Tax Relief?

According to the state comptroller’s latest survey of property tax rates in 1,002 cities in Texas, 67 percent of cities either **reduced their property taxes** or raised their property taxes by **less than four percent** from 2012 to 2013 (37 percent of all cities actually reduced their property taxes). That means property owners in at least 669 Texas cities would have seen **no reduction in their city property taxes** if the four percent cap had been in effect.

The Impact on City Services Can Be Large

While the savings to individual taxpayers are very small or even non-existent, a four percent cap could hit city services hard. The following chart shows how much a four percent revenue cap would save homeowners in several cities, and what it represents in terms of city services.

City	4% Revenue Cap Savings for \$250,000 Homeowner Yearly	Potential Revenue Loss	Represents What In City Budget?
McKinney	\$29.65	\$1,411,863	7 police officers and 4 fire fighter salaries and benefits
Tyler	\$14.73	\$458,468	Traffic management enhancements, fire station and park improvements
San Juan	\$45.32	\$148,496	Police and fire personnel, equipment and gear, salary funding for 12 lifeguards, and pool repairs
Orange	\$33.83	\$150,672	6 police vehicles
Midland	\$8.51	\$301,896	2 police officer salaries and benefits and maintenance of the city traffic signal system

Cities Are Not the Cause of High Property Taxes

Cities collect just 16 percent of the property taxes levied in Texas. Most of the property taxes paid by Texans (55 percent) go to school districts. According to the comptroller’s report, the total amount of property taxes collected by cities rose by 3.61 percent between 2012 and 2013, while school district tax collections rose by more than twice that rate or 7.72 percent. School property taxes have been rising because the legislature continues to reduce the state’s share of funding for schools which forces districts to get more revenue from property taxes.

**Imposing a revenue cap on cities:
Does not provide meaningful tax relief
Robs cities of the ability to meet local needs
Diverts attention from the real cause of higher property taxes**

To learn more, visit www.tml.org or call 512-231-7400
Legislative direct contact Shanna Igo 512-750-8718



CITY COUNCIL AGENDA FORM

Meeting Date: March 13, 2017

Agenda item: 7&8a

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 SECOND AND FINAL READING**

☒

Attach for reference

1. Ordinance
2. Exhibit "A" Metes & Bounds Description / Survey Map
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.
- The survey map has been added to Exhibit "A" for clarification of legal description.

HISTORY:

TARGET IMPLEMENTATION: Once ordinance approved

SIGNIFICANT ACTION DATES:

February 13, 2017 – Council approved ordinance on first reading

March 13, 2017 – Council to consider and adopt ordinance on second 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 SECOND AND FINAL 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

Page 2, Ordinance No. O-2017-005
TCRR abandonment

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 **13th** day of **February**, 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

**GALVESTON COUNTY
TEXAS**

**J. D. MOORE SURVEY
ABSTRACT 50**

**H. B. LITTLEFIELD SURVEY
ABSTRACT 143**

LEGEND

- SET 5/8" IRON ROD W/
SURVEY CAP "WD 4467"
- FOUND IRON PIPE/ROD
- LOT LINE
- PROPERTY LINE
- G.C.D.R. GALVESTON COUNTY DEED RECORD
- G.C.P.R. GALVESTON COUNTY PLAT RECORD
- G.C.O.R. GALVESTON COUNTY OFFICIAL RECORD
- ABANDONED & VACATED
CITY OF LAMARQUE ORD. #320
VOL. 2253, PG. 157, G.C.O.R.

0 100 200 400
1" = 200'

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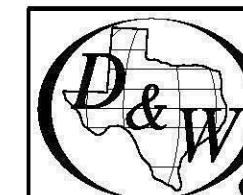
MAP OF HIGHLAND
VOL. 81, PG. 526
G.C.D.R.

HIGHLAND
VOL. 81, PG. 526
G.C.D.R.

**SURVEY PLAT OF
56.5219 ACRE TRACT &
53.2017 ACRE TRACT**

BEING A PORTION OF
HIGHLAND PARK ANNEX
AS RECORDED IN
VOLUME 7, PAGE 54
OF THE
GALVESTON COUNTY PLAT RECORDS
IN THE
**JOHN D. MOORE LEAGUE
ABSTRACT 50**
GALVESTON COUNTY, TEXAS
FOR

TEXAS CITY TERMINAL RAILWAY COMPANY



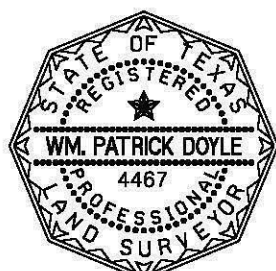
Doyle & Wachtstetter, Inc.
Surveying and Mapping GPS/GIS
131 COMMERCE STREET, CLUTE, TEXAS 77531
OFFICE: 979.265.3622 FAX: 979.265.9940 FIRM NO.: 10024500

SURVEYED: 10-18-16 BOOK: 2016 MORRIS VOL. 13 PROJ. NO.: 4733-13-02
DRAWN BY: JAM/3-3-17 CHECKED: WPD/3-3-17 REVISED: 3-6-17

NOTES:

- ALL COORDINATES AND BEARINGS ARE RELATIVE TO THE TEXAS STATE PLANE COORDINATE SYSTEM, SOUTH CENTRAL ZONE (NAD 83).
- ALL DISTANCES ARE HORIZONTAL SURFACE LEVEL LENGTHS (SF= 0.99986723471).
- THIS SURVEY DID NOT RELY ON A CURRENT TITLE COMMITMENT. THE INFORMATION CONTAINED ON THIS SURVEY WAS COMPILED FROM DATA BOTH PRIVATE AND PUBLIC, AND FROM THE BRAZORIA COUNTY COURTHOUSE. IT DOES NOT REPRESENT A COMPLETE DEED RESEARCH AND THIS PROPERTY MAY BE SUBJECT TO ADDITIONAL EASEMENTS, ENCUMBRANCES, RESTRICTIVE COVENANTS, OR OWNERSHIP TITLE EVIDENCE THAT AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE.
- THIS PLAT IS PART OF A SURVEY REPORT INCLUDING A METES AND BOUNDS DESCRIPTION ON FILE IN THE OFFICES OF DOYLE & WACHTSTETTER, INC.

I, WM. PATRICK DOYLE, REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE ABOVE AND FOREGOING PLAT IS A TRUE REPRESENTATION OF A SURVEY MADE UNDER MY SUPERVISION, ON THE GROUND, AND THAT THERE ARE NO EXCESSES NOR INTRUSIONS ON THIS PROPERTY, EXCEPT AS SHOWN HEREON.
DATE SURVEYED: OCTOBER 18, 2016.



WM. PATRICK DOYLE
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NUMBER 4467

HIGHLAND
VOL. 81, PG. 526
G.C.D.R.
TEXAS CITY TERMINAL RAILWAY COMPANY
CALLED 307.2157 ACRE TRACT
C.F. NO. 2016-005324, G.C.O.R.



Doyle & Wachtstetter, Inc

Surveying and Mapping • GPS/GIS

**TEXAS CITY TERMINAL RAILWAY COMPANY 56.1219 ACRE TRACT,
J. D. MOORE SURVEY, ABSTRACT 50
GALVESTON COUNTY, TEXAS
PAGE 1 OF 2**

BEING ALL THAT CERTAIN 56.1219 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 56.1219 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 56.1219 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 56.1219 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 56.1219 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

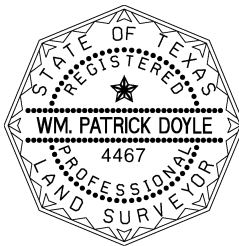
**TEXAS CITY TERMINAL RAILWAY COMPANY 56.1219 ACRE TRACT,
J. D. MOORE SURVEY, ABSTRACT 50
GALVESTON COUNTY, TEXAS
PAGE 2 OF 2**

THENCE South 87°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 56.1219 acre tract, at position X=3257476.34 and Y=13696327.60 ;

THENCE North 2°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 56.1219 acre tract, at position X=3257410.30 and Y=13697705.84;

THENCE South 87°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 56.1219 acre tract, at position X=3256990.33 and Y=13697685.71;

THENCE North 2°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 0.5624 acre of land, being Lots 7, 8, 9, and 13, Block 46 of said Highland Park and Highland Park Annex Subdivision, leaving a net acreage of 56.1219 acres of land, more or less.



Wm. Patrick Doyle
Registered Professional Land Surveyor
Texas Registration Number 4467
December 23, 2016
Revised: March 6, 2017

*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 56.1219 acres (West tract) - LaMarque Economic. Rev1.doc*



Doyle & Wachtstetter, Inc

Surveying and Mapping • GPS/GIS

**TEXAS CITY TERMINAL RAILWAY COMPANY 53.2017 ACRE TRACT,
J. D. MOORE SURVEY, ABSTRACT 50
GALVESTON COUNTY, TEXAS
PAGE 1 OF 4**

BEING ALL THAT CERTAIN 53.2017 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 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 37, 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 53.2017 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 53.2017 acre tract, at position X=3257729.93 and Y=13699062.51;

TEXAS CITY TERMINAL RAILWAY COMPANY 53.2017 ACRE TRACT
J. D. MOORE SURVEY, ABSTRACT 50
GALVESTON COUNTY, TEXAS
PAGE 2 OF 4

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 53.2017 acre tract, at position X=3257746.44 and Y=13698717.95;

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 of way boundary line of 70.5 foot wide 4th Street, for an angle corner of the herein described 53.2017 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 53.2017 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 53.2017 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 53.2017 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 491 feet to a set 5/8" iron rod with survey cap marked "WPD 4467", for the northeast corner of Lot Block 37, same being the northwest corner of Lot 5, Block 37, for an angle corner of the herein described 53.2017 acre tract, at position X=3258789.67 and Y=13698077.24;

THENCE North 87°15'24" East, coincident with southern right-of-way boundary line of said 80 foot wide Sayers Avenue, a distance of 491.00 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 53.2017 acre tract, at position X=3259109.76 and Y=13698092.58;

**TEXAS CITY TERMINAL RAILWAY COMPANY 53.2017 ACRE TRACT,
J. D. MOORE SURVEY, ABSTRACT 50
GALVESTON COUNTY, TEXAS
PAGE 3 OF 4**

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 53.2017 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 53.2017 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 53.2017 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 53.2017 acre tract, at position X=3259509.25 and Y=13698111.72;

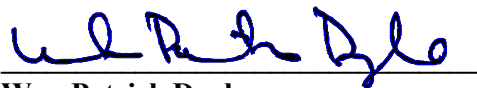
THENCE North 87°15'24" East, coincident with the southern right-of-way boundary line of 70.5 foot wide Sayers Avenue, a distance of 125.00 feet to a set 5/8" iron rod with survey cap marked "WPD 4467" for the northeast corner of Lot 1, Block 13, located on the western right-of-way boundary line of 70.5 foot wide 1st Street, for an angle corner of the herein described 53.2017 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 1645.00 feet to set 5/8" iron rod with survey cap marked "WPD 4467" for the southeast corner of Lot 11, Block 22, located on the northern right-of-way boundary line of a 80 foot wide Galveston Avenue, for an angle corner of the herein described 53.2017 acre tract, at position X=3259712.81 and Y=13696474;

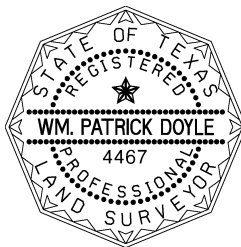
THENCE South 87°15'24" West, coincident with the northern right-of-way boundary line of 80 foot wide Galveston Avenue, a distance of 271.67 feet to a set 5/8" iron rod with survey cap marked "WPD 4467" at the intersection of the northern right-of-way boundary line of said 80 foot wide Galveston Avenue 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 53.2017 acre tract, at position X=3259441.49 and Y=13696461.80;

**TEXAS CITY TERMINAL RAILWAY COMPANY 53.2017 ACRE TRACT,
J. D. MOORE SURVEY, ABSTRACT 50
GALVESTON COUNTY, TEXAS
PAGE 4 OF 4**

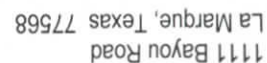
THENCE North 42°27'09" West, coincident with northeastern right-of-way boundary line of all that certain 100 foot wide Centerpoint Energy right-of-way (a.k.a., the Houston Galveston Interurban Railway, as shown on the map or plat of said Highland Park and Highland Park Annex), being the same called 3.980 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 (Houston Lighting & Power Company called 4.254 acre tract), a distance of 3483.70 feet to the **POINT OF BEGINNING**, containing within this description 54.1757 acres of land, less and except, 0.9740 acres being Lot 10 and 11, Block 22, 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 53.2017 acres of land, more or less.



Wm. Patrick Doyle
Registered Professional Land Surveyor
Texas Registration Number 4467
December 23, 2016
March 6, 2017



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 53.2017 acres (East Tract)- LaMarque Economic Rev1.doc



ABANDONMENT OF STREET, ALLEY, EASEMENT, ETC.

City of La Marque

1111 Bayou Road

c.butter@iitb.ac.in

Property to be abandoned See Exhibit "A" of Ordinance

See Exhibit "A" of Ordinance

No. 0-2017-005

- $\frac{H}{N}$
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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

N/A

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)

18. Quitclaim Deed delivered to new owners Sec 56-4 (e)

☐

Applicant Signature
David D. Miller for
 City of La Marque

Date
 02/09/2017



CITY COUNCIL AGENDA FORM

Meeting Date: March 13, 2017

Prepared by: Les Rumburg

Department: Development Services

Agenda item: 7&8b

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 **THIS IS THE SECOND AND FINAL READING**

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:

February 13, 2017 – City Council approved the Ordinance 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	N/A
Actual Bid	N/A
Estimated Expenditure	N/A
Acct. Name(s)	N/A
Line Items #	N/A
Other Funding	N/A

STAFF'S RECOMMENDATION: Motion to adopt Ordinance No. **O-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 **THIS IS THE SECOND AND FINAL READING**

FISCAL IMPACT: None until property taxes recognized.

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 the First reading this the **13th** day of **February**, 2017.

PASSED, APPROVED AND ADOPTED by City Council of the City of La Marque 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"

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]

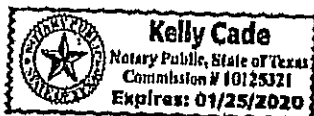
ATTEST:

By: [Signature]

STATE OF TEXAS

COUNTY OF DALLAS

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



Kelly Cade

Notary Public, State of Texas

Ao;1/17/17;D:\Documents and Settings\ejustina.Justina\Temporary Internet Files\Content.Outlook\VGKL0G0C\PetitionPrintedMeadows.doc



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\survey16\49037-16\WORD\ METES & BOUNDS 27.312AC.docx
TBPE Firm Registration #470
TBPLS Firm Registration #10193974

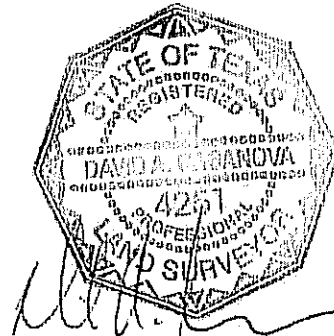


EXHIBIT "B"



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,

Page 1 of 4

TBPE Firm Registration #470 | TBPLS Firm Registration #10193974

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10333 Richmond Ave., Suite 900, Houston, TX 77042 T: 713.428.2400 www.Pape-Dawson.com

- 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;

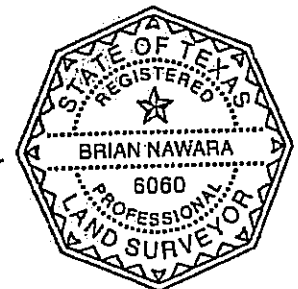
THENCE: N 02°00'03" W, departing the north right-of-way line of said Autry Road, along and with the east line of Roadway Easement, the west line of said 1.639 acre "Tract 3", the west line of said 2.00 acre tract, the west line of said 4.152 acre tract, and the west line of said 2.149 acre tract, a distance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

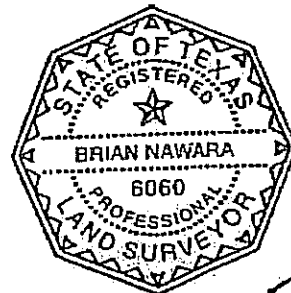
THENCE: S 88°03'58" W, continuing along and with the north line of said Autry Road, and the south line of said Roadway Easement, a distance of 60.00 feet to a point on the west line of said Roadway Easement, at the southeast corner of a called 1.639 acre tract of land conveyed to Two Windy Hill Investments, 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 $90^{\circ}00'00''$, a chord bearing and distance of $N 42^{\circ}59'57'' E$, 120.21 feet, for an arc length of 133.52 feet to a point of tangency;
- THENCE: $N 87^{\circ}59'57'' E$, 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:
- $S 02^{\circ}01'11'' E$ 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,
- $N 87^{\circ}58'49'' E$, a distance of 17.67 feet to a point, from which a found iron rod with unreadable cap bears $S 02^{\circ}04'36'' E$, a distance of 0.30 feet, for an angle point of this tract,
- $S 02^{\circ}01'11'' E$, a distance of 60.00 feet to a point for an angle point of this tract;
- THENCE: $S 87^{\circ}58'49'' W$, 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: $N 01^{\circ}57'47'' W$, 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 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:

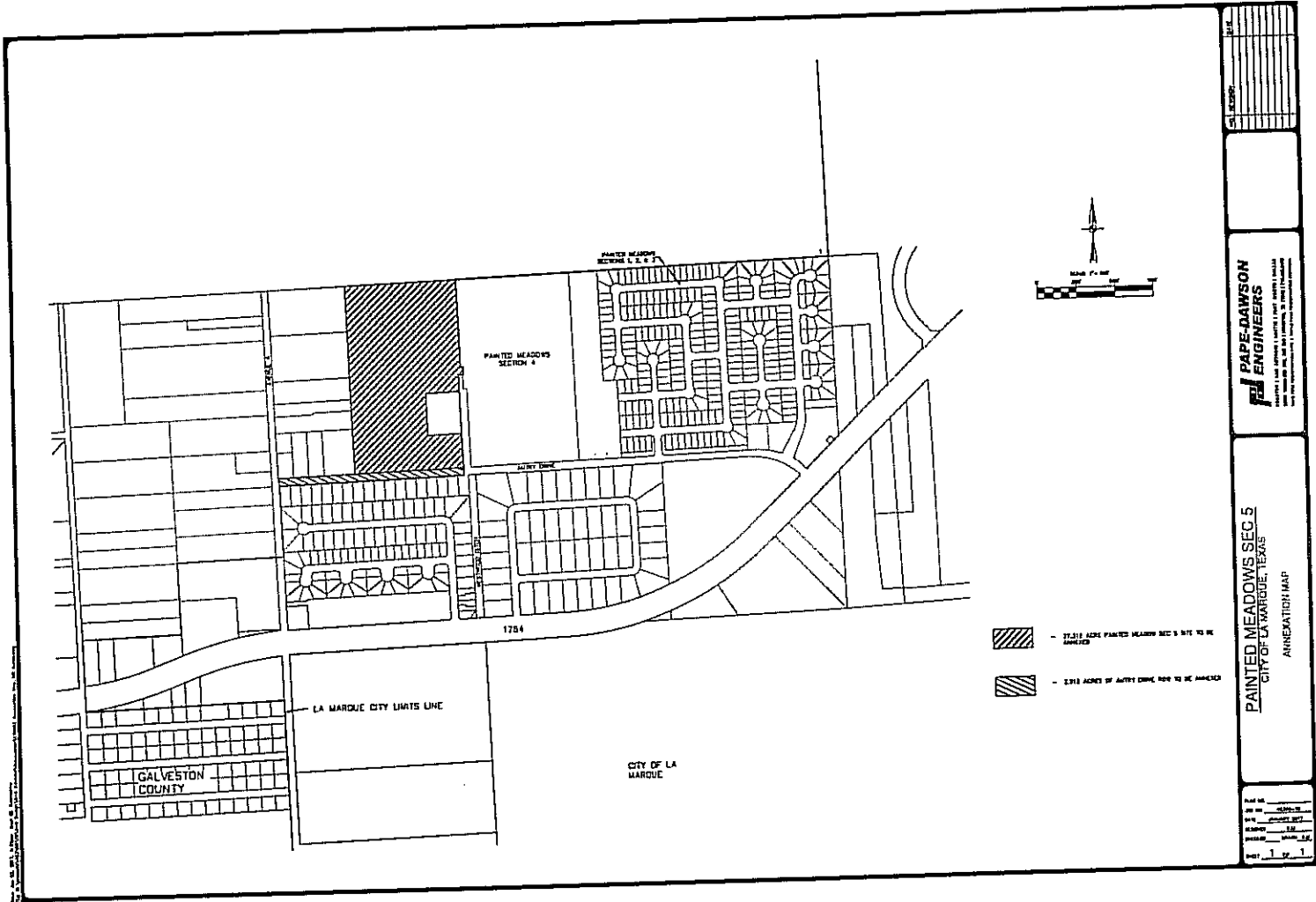
The Galveston County Commissioners' Court considered and approved the City's proposed plan to annex a 27.312 acre tract of land and a portion of Autry Drive as shown on the attached exhibit.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael C. Shannon".

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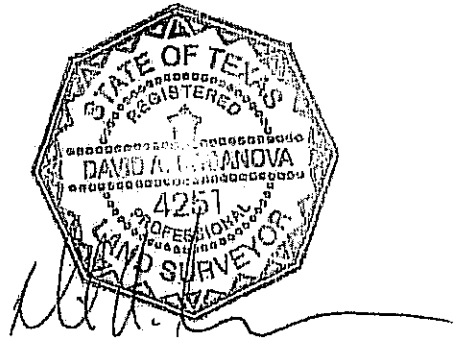
2000 NW Loop 410, San Antonio, TX 78213 T: 210.375.9000 www.Pape-Dawson.com

- 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;

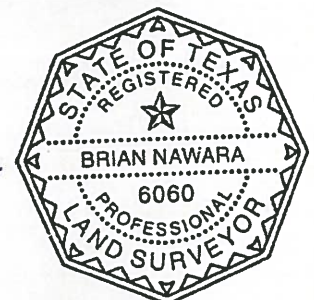
THENCE: S 01°57'47" E, departing the north line of said 2.00 acre Hilcorp Energy I, L.P. tract, and the south line of said 4.152 acre "Tract 1", along and with the common line between said Lot 4 and Lot 3, also being the west line of said 2.0 acre Hilcorp Energy I, L.P. tract, and the east line of said 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;

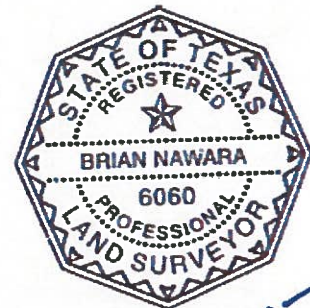
- THENCE: Northeasterly, along and with the north line of said Roadway Easement, and the south line of said 9.618 acre tract, along a tangent curve to the right, having a radius of 85.00 feet, a central angle of 90°00'00", a chord bearing and distance of N 42°59'57" E, 120.21 feet, for an arc length 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 "B. Nawara", written diagonally across the bottom right of the page.

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 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;

- 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

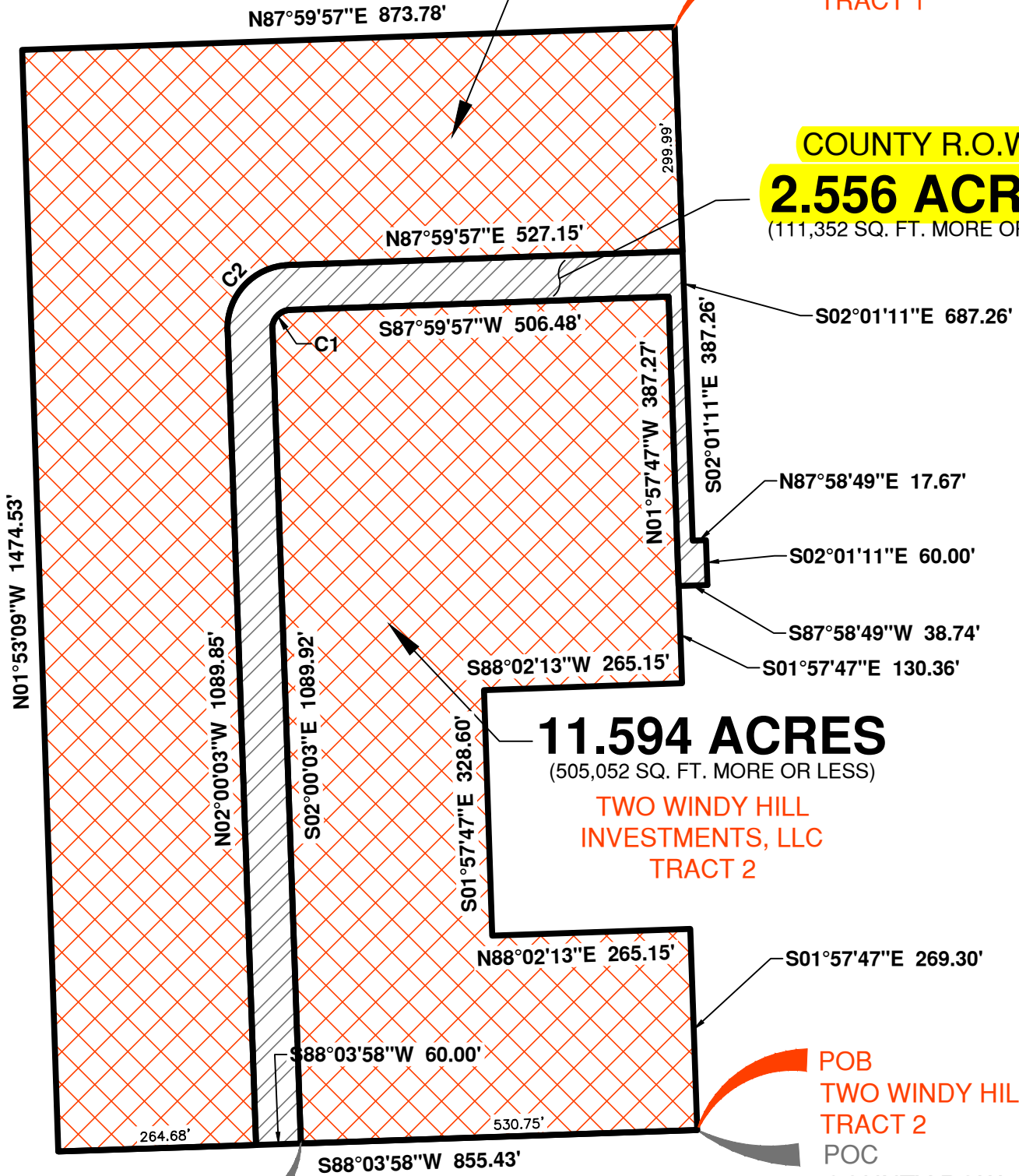
13.162 ACRES
(573,319 SQ. FT. MORE OR LESS)

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)



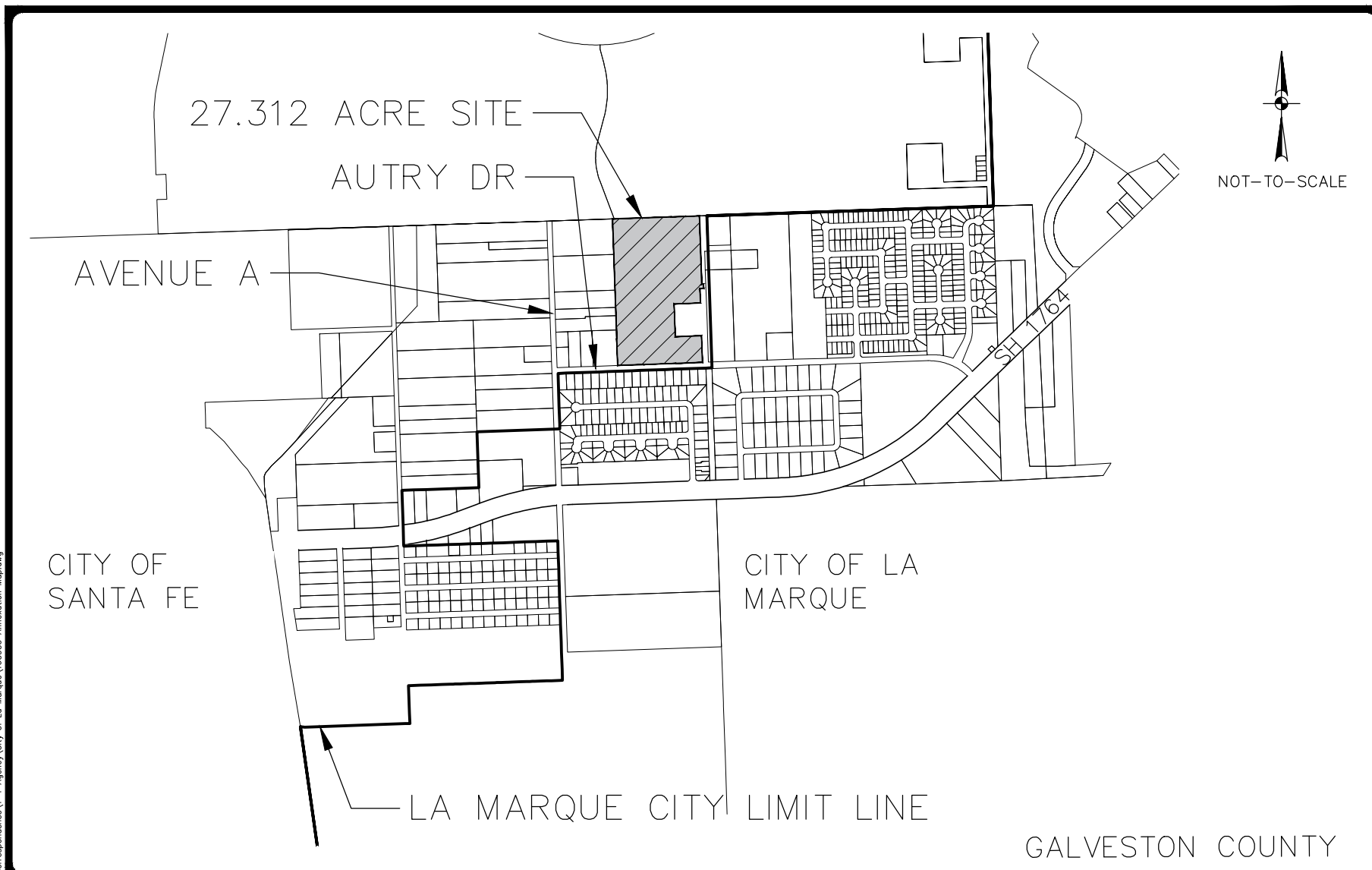
POB

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
ejustema@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


John Justema
Manager

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



CITY COUNCIL AGENDA FORM

Meeting Date: March 13, 2017

Agenda item: 7&8c

Prepared by: Suzy Kou

Reviewed by: Carol Buttler

Department: Finance

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 SECOND AND FINAL 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 operations.

HISTORY:

TARGET IMPLEMENTATION: March 13, 2017

SIGNIFICANT ACTION DATES:

February 13, 2017- City Council adopted Ordinance on the First reading

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 SECOND AND FINAL 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 **13th** day of **February**, 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: March 13, 2017

Prepared by: Gerald Grimm

Department: Fire Department

Agenda item: 9a

Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding the award of a construction contract to Sovereign Builders, Inc., dba Construction LTD for the construction of La Marque Central Fire Station and Fire Administrative Headquarters / Emergency Operations Center for the total base stipulated price in the amount of \$5,065,668.00 plus "Owner's Contingency Fund" in the amount of \$184,332.00.

☒ X

Attachments for reference

1. Bid Tab
2. Bid Submittal

Staff Briefing:

- The addition of this facility will provide much needed and improved "**Fire Protection and Fire Related Services**" in addition to enhanced "**Emergency Medical Pre-Hospital**" care for a significant segment of our community currently underserved by existing assets.
- The new station will afford enhanced primary and backup protective services to the entire community and lessen the frequency of reliance on mutual aid from neighboring cities with protracted response times and unpredictable service levels.
- A second fire station strategically located on the western side of La Marque will greatly improve our response times and emergency mitigation capabilities for our rapidly expanding and heavily traveled "**commercial corridor**" and outlying areas, such as Omega Bay and businesses and residences along western FM 1764.
- An additional fire station properly located, staffed and equipped is vitally critical to avoiding a substantial increase in our current "**ISO Property Insurance Rating Classification**".
- The Administrative Building is designed and will be equipped to encompass an "**Emergency Operations Center**" which will alleviate the need to relocate our Emergency Command Staff and Decision Makers to Santa Fe or beyond during impending natural and/or man-made emergencies.
- Both structures have been designed and will be constructed with "**hardened**" building methods and materials and situated on property sufficiently elevated above sea level to afford a "**safe harbor**" and operationally functional facilities for "**all emergency conditions**".
- Bid award recommendation has been reviewed and discussed with the Finance Director and City Attorney.

History:

- 11-02-2016 – Initial Invitation to Bid published
- 12-07-2016 – A single bid was received which was later spoiled.
- 01-17-2017 – A second invitation to bid published
- 02-15-2017 – Five (5) bids were received



CITY COUNCIL AGENDA FORM

Target Implementation: March 14, 2017

Significant Action Dates:

March 14, 2016 – Resolution No. R-2016-006 approved by City Council authorizing notice of intent to issue Certificates of Obligation.

May 09, 2016 – Ordinance No. O-2016-005 approved by City Council authorizing the issuance and sale of Tax and Revenue Certificates of Obligation to fund this capital improvement project.

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	NA
Actual Bid	See submission
Estimated Expenditure	\$5,065,668.00 +\$184,332.00 Contingency
Acct. Name(s)	Capital Projects 2016 CO - Fire/EMS
Line Items #	47-7001-06-00- FIREBD-07
Other Funding	NA

Staff's Recommendation: Motion to award a construction contract to Sovereign Builders, Inc. dba Construction LTD for the construction of La Marque Central Fire Station and Fire Administrative Headquarters / Emergency Operations Center for the total base stipulated price in the amount of \$5,065,668.00 plus "Owner's Contingency Fund" in the amount of \$184,332.00.

Fiscal Impact: \$5,250,000.00

Contractor	Construction LTD.	Teal Construction	Crain Group	DT Construction	Trey Industries
Base Stipulated Price	\$5,065,668	\$5,147,000	\$5,730,000	\$6,028,500	Disqualified Bid Not Completed

DOCUMENT 00305

TOTAL STIPULATED PRICE FORM

To: The Honorable Mayor and City Council of the City of La Marque
City Hall
1111 Bayou Road
La Marque, Texas 77568

Project: Fire Administration Headquarters and Central Fire Station

Project No.: 160401

Bid No.: [Bid No.]

Bidder: Sovereign Builders Inc dba Construction LTD

(Print or type full name of proprietorship, partnership, corporation, or joint venture.)

PART I: OFFER

1.1 Total Stipulated Price: Having examined the Project location and all matters referred to in the Bid Documents for the Project, we, the undersigned, offer to enter into a Contract to perform the Work for the Total Stipulated Price shown on the signature page of this Document

1.2 Security Deposit: Included with the Bid is a Security Deposit in the amount of five percent (5%) of the Total Stipulated Price subject to terms described in Document 00115 – Instructions to Bidders.

1.3 Period for Bid Acceptance: This offer is open to acceptance and is irrevocable for sixty days (60 D) from Bid Date. That period may be extended by mutual written agreement of the City and Bidder.

1.4 Addenda: All Addenda have been received. Modifications to Bid Documents have been considered and all related costs are included in the Total Bid Price.

1.5 Bid Supplements: The following documents are attached:

A. Security Deposit (as defined in Document 00115 – Instructions to Bidders).

1.6 This document constitutes a government record, as defined by § 37.01 of the Texas Penal Code. Submission of a false government record is punishable as provided in § 37.10 of the Texas Penal Code.

PART II: CONTRACT TIME

- 2.1 If offer is accepted, Contractor shall achieve Date of Substantial Completion within two hundred eighty (280) working days after the date of commencement of the Work as stipulated in Document 00725 – Notice To Proceed, subject to adjustments of Contract Time as provided in the Contract.
- 2.2 It is also understood and agreed that the Work shall be completed in full within three hundred ten (310) working days after the date of commencement of the Work as stipulated in Document 00725 – Notice To Proceed, subject to adjustments of Contract Time as provided in the Contract.

PART III: CONTRACT PRICE

- 3.1 Total Stipulated Price has been calculated by Bidder, using the following component prices and process (Print or Type numerical amounts).
- 3.2 The Base Stipulated Price for the Bid will be the determining factor for Contract of the Successful Low Bidder.

A. The Base Stipulated Price for this bid is:

Figures: \$ 4,865,668 5,065,668

Written: Five million sixty five thousand six hundred sixty eight
~~FOUR MILLION EIGHT HUNDRED~~

- 3.3 Insert a lump sum figure for each of the alternates list in TABLE 3.3 ALTERNATES listed below:

Alternate Number	Alternate Description	Alternate Lump Sum
1	Lighting Revisions	\$ 12,960
2	Paving Revisions	\$ <40,541>
3	Dormitory Revisions	\$ <27,099>
4	Dormitory Revisions	\$ <8,954>
5	Deduct Bay	\$ <81,145>
TOTAL ALTERNATE PRICE		\$ <144,779>

**CITY OF LA MARQUE
TECHNICAL SPECIFICATIONS**

**TOTAL STIPULATED
PRICE FORM**

3.4 Insert a lump sum figure for each of the alternates list in TABLE 3.4 – ALLOWANCES listed below:

Cash Allowance Number	Cash Allowance Description	Cash Allowance Extended Total
01210-1	Owners Contingency	\$ 125,000
01210-2	Furniture & Athletic Equipment	\$ 75,000
01210-3		\$
01210-4		\$
01210-5		\$
TOTAL ALLOWANCE PRICE		\$

3.5 ADDENDA ACKNOWLEDGEMENT

ADDENDA NUMBER	ADDENDA DATE	DATE RECEIVED	BIDDERS INITIALED
1		1/17/17	
2	11/18/16	1/17/17	
3	12/1/16	1/17/17	
4	12/2/16	1/17/17	
5	1/17/17	1/17/17	

6 1/31/17 1/17/17
7 2/10/17 1/17/17

3.6 BID PRICES

A.	BASE	4,865,668 5,065,668	PRICE
B.	TOTAL	< \$144,779 >	ALTERNATES
C.	TOTAL	\$ 200,000.	ALLOWANCES
D.	TOTAL	4,920,890	PRICE

00305-3

City of LA MARQUE

Revised: 10/10/2016

PART IV: SIGNATURES

- 4.1 By signing this Document, I agree that I have received and reviewed all Addenda and considered all costs associated with the Addenda in calculating the Total Bid Price. I furthermore state that I have reviewed all the Contract Documents, Drawings and Project site and have performed a constructability review.

Company: Sovereign Builders Inc dba Construction LTD
(Print Company Name)

Signed: Ronald Weiser
(Authorized Signature)

By: Ronald Weiser
(Print Name)

Title: Vice President
(Print Title)

ATTEST:
Laith Edgley
(Seal, if Bidder is a Corporation)



1825 Upland Drive
(Mailing Address)

Houston, TX 77043
(City, State and Zip Code)

1825 Upland Drive
(Delivery Address)

Houston, TX 77043
(City, State and Zip Code)

713-984-9444
(Telephone Number)

713-984-2320
(Fax Number)

estimating@cltd.net
(email Address)



CITY COUNCIL AGENDA FORM

Meeting Date: March 13, 2017

Prepared by: Chief Kirk Jackson

Department: Police

Agenda item: 10a

Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding adopting Resolution No. **R-2017-009**, ratifying the City Manager's authorization for the Police Department to make application to the Office of the Governor, Criminal Justice Division for the Special Response Team Project (SRT) overtime and training in the amount of \$40,000.00.



Attach for reference

1. Resolution
2. Grant application packet for grant number 3356601

STAFF BRIEFING:

- The La Marque Police Department made grant application and received funds from the US Department of Justice in Fiscal Years 2011-2012 and 2012-2013.
- Due to the formula under which grant funding eligibility is established by the US DOJ, the La Marque Police Department was not eligible, and is still not eligible, for grant funds for SRT operations.
- The La Marque Police Department is requesting to make application through the Governor's office for grant funding for overtime and training to conduct SRT operations.
- The Special Response Team is tasked with addressing high crime issues and narcotics enforcement.
- The funding will be by reimbursement from the State for overtime / training expenditures.
- This Resolution has been reviewed and approved by the City Attorney

HISTORY:

- FY 2011-2012 Received grant funding from USDOJ for SRT operations.
- FY 2012-2013 Received grant funding from USDOJ for SRT operations.
- FY 2013-2014 Did not receive grant funding from USDOJ for SRT operations.
- FY 2014-2015 Did not receive grant funding from USDOJ for SRT operations.
- FY 2015-2016 Did not receive grant funding from USDOJ for SRT operations.

TARGET IMPLEMENTATION: Fiscal Year 2017-2018

SIGNIFICANT ACTION DATES: N/A



CITY COUNCIL AGENDA FORM

ACTION:

- | | |
|--|---|
| ☐ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☒ Other – Grant Application | |
| ☒ 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	\$40,000.00
Acct. Name(s)	Overtime
Line Items #	01-1040-05-00
Other Funding	\$40,000.00

STAFF'S RECOMMENDATION: Motion to adopt Resolution No. **R-2017-009**, ratifying the City Manager's authorization for the Police Department to make application to the Office of the Governor, Criminal Justice Division for the Special Response Team Project (SRT) overtime and training in the amount of \$40,000.00.

FISCAL IMPACT: The grant funding through the Office of the Governor will be reimbursement for overtime and training expenditures. Any funds expended will be reimbursed up to \$40,000.00, the amount funded.

RESOLUTION NO. R-2017-009

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS APPROVING SUBMISSION OF A GRANT APPLICATION FOR THE SPECIAL RESPONSE TEAM PROJECT (SRT) TO THE OFFICE OF THE GOVERNOR, CRIMINAL JUSTICE DIVISION, IN THE AMOUNT OF \$40,000.00

WHEREAS, the City of La Marque finds it in the best interest of the citizens of La Marque, Texas to submit a grant application to the Office of the Governor, Criminal Justice Division, for funding the Special Response Team for overtime and training for the 2017-18 fiscal year; and

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

WHEREAS, the City Council of La Marque, Texas designates Carol J. Buttler, City Manager as the grantee's authorized official, with the power to apply for, accept, reject, alter or terminate the grant on behalf of the applicant agency.

NOW, THEREFORE, BE IT RESOLVED THAT THE City Council of the City of La Marque, Texas approves submission of the grant application for the Special Response Team Project for overtime and training to the Office of the Governor, Criminal Justice Division.

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

Print This Page

Agency Name: City of La Marque
Grant/App: 3356601 **Start Date:** 10/1/2017 **End Date:** 9/30/2018

Project Title: Special Response Team
Status: Application Pending AO Certification

Profile Information

Applicant Agency Name: City of La Marque
Project Title: Special Response Team
Division or Unit to Administer the Project: Police Department
Address Line 1: 431 Bayou Road
Address Line 2:
City/State/Zip: La Marque Texas 77568-4147
Start Date: 10/1/2017
End Date: 9/30/2018

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@ci.la-marque.tx.us
Address 1: 1111 Bayou Road
Address 1:
City: La Marque, Texas 77568
Phone: 409-938-9205 **Other Phone:**
Fax:
Title: Ms.
Salutation: Ms.
Position: Finance Director

Grant Writer

User Name: Forrest Gandy
Email: f.gandy@cityoflamarque.org
Address 1: 431 Bayou Road

Address 1:

City: La Marque, Texas 77568

Phone: 409-938-9269 Other Phone: 409-502-7932

Fax:

Title: Mr.

Salutation: Sergeant

Position: Detective Sergeant

You are logged in as **User Name:** fhgandy

Agency Name: City of La Marque

Grant/App: 3356601 **Start Date:** 10/1/2017 **End Date:** 9/30/2018

Project Title: Special Response Team

Status: Application Pending AO Certification

Narrative Information

Introduction

This application covers grant applications for funds administered by CJD under the funding announcements for the Juvenile Justice Grant Programs (local and statewide), Residential Substance Abuse Treatment (RSAT), Justice Assistance Grant (JAG), Truancy Prevention and Intervention (program), and Specialty Court Grant Programs for (general courts and training and technical assistance) See the relevant CJD funding announcement (linked above under "OOG Solicitation") for application instructions.

WARNING: This application has changed significantly since last year. It is essential to review the funding announcement (linked above) for instructions specific to each grant program. The funding announcements may require certain information – especially under the project narrative boxes – that your application may be considered incomplete without, resulting in the application being declared invalid and ineligible for funding.

Unless otherwise specifically instructed, DO NOT UPLOAD ATTACHMENTS with further information. Use the space provided here to address any aspects of the project you consider relevant.

Section 1: Program-Specific Questions

A. Specialty Courts

If applicant applying to fund a specialty court operating under Ch. 121 of the Texas Government Code, enter the **CJD ID for the court** (list available here). If applicant is not, enter "0":

For specialty courts, this application will be considered incomplete until the program fills out the CJD Specialty Courts survey, released in December 2016. The survey is available here.

0

B. Drug Testing

If the project tests program participants for drugs or alcohol, describe the testing policy, including the method used for testing and the frequency of testing for participants. Enter 'N/A' if the project does not have participants or those participants are not drug tested.

N/A

C. Juvenile Case Managers

Select the option that best describes the support for juvenile case managers (including programs administered by juvenile case managers) in this project:

- ☒ No support for juvenile case managers
- ☐ Support for juvenile case managers to address truancy only
- ☐ Support for juvenile case managers to address juvenile crime

If this project includes support for juvenile case managers, select all options that apply. The juvenile case managers under this project will be employed or co-employed by:

- ☐ A truancy court under Chapter 65, Texas Family Code
- ☐ An independent school district
- ☐ A juvenile probation department
- ☐ A juvenile criminal court
- ☐ Another type of entity
- ☒ This project does not support juvenile case managers

If this project supports juvenile case managers, list the names of the entities employing, co-employing, or utilizing the case managers, including the name of the truancy court and the name of the school district (if applicable). Projects that do not support juvenile case managers should enter **N/A**:

N/A

If this project supports juvenile case managers, list any of the entities entered immediately above that currently employ juvenile case managers. If the project does not support juvenile case managers or none of the entities currently employ them, enter **N/A**:

N/A

If the applicant is applying for funds to support a juvenile case manager, check all that apply (all other applicants select the last option):

- ☐ Each county of the applicant retains funds collected under Sec. 102.015, Texas Code of Criminal Procedure
- ☐ Each municipality of the applicant retains funds collected under Sec. 102.015, Texas Code of Criminal Procedure
- ☐ Each county of the applicant currently collects fees to support juvenile case managers under Sec. 102.0174, Texas Code of Criminal Procedure
- ☐ Each municipality of the applicant currently collects fees to support juvenile case managers under Sec. 102.0174, Texas Code of Criminal Procedure
- ☐ Each county of the applicant has established a judicial trust fund under Sec. 36.001, Texas Government Code
- ☐ Each municipality of the applicant has established a judicial trust fund under Sec. 36.001, Texas Government Code
- ☒ Applicant is not applying for funds to support a juvenile case manager

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. Constitutional Compliance

Applicant assures that it will not engage in any activity that violates Constitutional law including profiling based upon race.

B. Information Systems

Applicant assures that any new criminal justice information systems will comply with data sharing standards for the Global Justice XML Data Model and the National Information Exchange Model.

C. Bulletproof Vests

Applicant assures that if it plans to purchase body armor with grant funds, that it has adopted a mandatory wear policy and that all vests purchased have been tested and found to comply with the latest applicable National Institute of Justice (NIJ) ballistic or stab standards. Additionally, vests purchased must be American-made.

D. 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 twelve previous months.

E. 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 2011 through 2015.

F. DNA Testing of Evidentiary Materials

When funds are used for DNA testing of evidentiary materials, any resulting eligible DNA profiles must be uploaded to the Combined DNA Index System (CODIS) by a government DNA lab with access to CODIS.

G. Interoperable Communications

Funds to support emergency communications activities must ensure compliance with the FY 2015 SAFECOM Guidance on Emergency Communications Grants; adherence to the technical standards set forth in the FCC Waiver Order, or any succeeding FCC orders, rules, or regulations pertaining to broadband operations in the 700 MHz public safety band; and are fully coordinated with the full-time Statewide Interoperability Coordinator (SWIC) for Texas.

H. Twelve-Step Programs

Grant funds may not be used to support or directly fund programs such as the Twelve Step Program which courts have ruled are inherently religious. OOG grant funds cannot be used to support these programs, conduct meetings, or purchase related materials.

I. Specialty Court Certifications

If the applicant is a specialty court operated under Ch. 121 of the Texas Government Code, the following certifications apply:

1. The specialty court will develop and maintain written policies and procedures for the operation of the program.
2. The applicant will submit a copy of any project evaluations, evaluation plans, recidivism studies, or related reports that are completed during the grant period to CJD.

J. Generated Program Income

Unless specifically and explicitly authorized to do otherwise by OOG, at OOG's sole discretion, the applicant will report Generated Program Income (GPI), which includes any portion of fees collected from program participants and retained by the grantee. GPI will be applied to the grant through a grant adjustment. GPI must be used to offset project costs and must be expended prior to seeking payment from OOG.

K. Immigration and Customs Enforcement Requests

The full text of this certification can be found [here](#). To be in compliance with this requirement, any county or municipal government that includes a department that detains individuals after arrest for a criminal violation must provide a letter signed by the head of each such department certifying to the requirements. This letter may be used for any application submitted to OOG for a period of up to two years from the date it is signed. If that period expires during the project period of any grant, the grantee must submit an updated letter for each such grant to remain in compliance with this requirement.

All applicants must select one of the following options:

- ☐ Applicant is not a county or municipal government
- ☐ Applicant is a county or municipal government and does not include any department that detains individuals after arrest for a criminal violation at any time
- ☒ Applicant is a county or municipal government that includes department(s) that detain individuals after arrest for a criminal violation. Letters certifying compliance and signed by the heads of all such departments have been uploaded to this application.
- ☐ Applicant is a county or municipal government that includes department(s) that detain individuals after arrest for a criminal violation. The Authorized Official has read the certification found on the aforementioned CJD website. Further, the Authorized Official will not be submitting signed letters certifying compliance from the heads of all such departments and understands that failure to comply with this certification may result in OOG, at its sole discretion, rejecting this application and any other application from the relevant county or municipal government.

L. 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. Chad Waggoner

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]:

409-938-2238

D. Evaluation Projects

This section regards any evaluation budget line item and/or selection of "Program Evaluation" as a project activity.

Tier-One Evaluations

Evaluations of programs that have been implemented and the evaluations will test the fidelity of the program based on proven models or best-practices. The evaluation also will review available program output and outcome information.

Does this application include a tier-one evaluation?

☐ Yes

☒ No

If you answered 'YES' above, describe below the best practices/model to be used in a fidelity and performance evaluation, the goal(s) of the evaluation, and why it is needed. If you answered 'No' above, enter 'N/A'.

N/A

Tier-Two Evaluations

Evaluations directed at measuring the effectiveness of proposed new program models or significant changes in present program models. The goal of tier-two evaluations is both to measure the program's effectiveness and to produce data and evidence necessary for others to replicate the program models and to develop best practices that CJD can use in supporting similar efforts.

Does this application include a tier-two evaluation?

☐ Yes

☒ No

If you answered 'YES' above, describe below why this new program model is needed and the goal(s) of the evaluation. If you answered 'No' above, enter 'N/A'.

N/A

☒ If you answered NO to both questions above, check this box.

E. Sustainment

How many additional years, beyond this request, do you plan to request continuation funding?

3

1) If you entered three (3) years or fewer, provide a brief explanation of your sustainment plan (if you entered more than three years or the project will not be sustained, enter 'N/A'):

This project funding will allow the city budgeting process to absorb the cost of the operation of the team over the coming years. The team's expert training and long term sustainability is designed for ongoing success. City Administration and City Council has already expressed the desire to fund the team when the budget allows.

2) If you entered more than three (3) years, explain the longer term sustainment plan or why other resources cannot be used to continue this project and why a sustainment strategy is not possible (if you entered three years or fewer or the project will not be sustained, enter 'N/A'):

N/A

Section 2: Certifications

Overall Certification

Each applicant agency must certify to the specific requirements detailed above as well as to comply with all requirements within the CJD Funding Announcement, the *Guide to Grants*, the *Grantee Conditions and Responsibilities*, any authorizing or applicable state and federal statutes and regulations to be eligible for this program.

X I certify to all of the application content & requirements.

Project Abstract :

The following project seeks to address the following activities within the community. Violent Crime, Narcotics, Crime Prevention, Gangs, and Human Trafficking. Many agencies around the nation have a narcotics team or teams specifically designed to fight gang problems. The goal of this project would be to use allocated funds to support the La Marque Special Response Team, which will address all of these problems, but it is not limited to just these specific problems. Community Policing, coupled with statistical data, allows the department to "pin point" specific crime problems. Once these problems are identified and specifically illustrated, the La Marque Special Response Team Leader is briefed. A plan of how the team will address the issue is developed. This could be anywhere from executing a plan of "zero tolerance" in a high narcotics area to conducting surveillance in area that has seen a large increase in burglaries. The team leader will then consider the goal of the team and develop a plan. The team normally consists of 8 (eight) team members including the team leader. Some may adjust their schedule while other officers will have to be paid overtime. The funds from this project would be used to create the specific Special Response Team budget for this purpose. The goal of this team is to reduce the fear of crime and crime rate by addressing a variety of crimes with one team as specific crime problems are identified.

Problem Statement :

This project seeks to address the following activities within the community; Violent Crime, Narcotics, Crime Prevention, Gangs, and Human Trafficking. All 5 of these activities intermingle with one another normally and all have an impact on the high crime rate in the City of La Marque. To that point narcotics has often been found to be a root problem that normally leads to the violent crime. The selling of narcotics in the past has often lead to "turf wars" which then lead to gangs and more violence. Human trafficking and prostitution has been found to be a significant source of revenue within the drug trafficking organizations and criminal gangs. It will be the goal of this team to address all of these concerns as they relate to one another in a proactive approach that will intend to prevent future crimes.

Supporting Data :

According to the 2014 report, the population of the City of La Marque is estimated at 15,521 (US Census). Despite the population level, the City of La Marque has experienced a significant rate of criminal activity. Considering the relatively small population, the crime rates are significant. According to the Texas Department of Public Safety, in 2014, the Violent Crime Rate for the State of Texas was approximately 362. Contrastingly, the Violent Crime Rate for the City of La Marque was approximately 624 - nearly twice the state average. In 2014, the Property Crime Rate for the State of Texas was 2,988, while the City of La Marque was 6,706, well over twice the state rate. In 2014, La Marque had the highest rate of Auto Theft and Burglary in Galveston County. La Marque has the second highest rate of assault and larceny in Galveston County. La Marque exhibited the third highest rate of Robbery in Galveston County. Early reporting of 2015 (September), shows a significant rise in violent crimes. As of the close of 2015, 4 homicides were reported in the City of La Marque, a 400% rise over 2014. A majority of the homicides have either a direct or indirect correlation to illegal narcotics. Two of the homicides have been linked directly to the sales of illegal narcotics, including cocaine and marijuana. During 2016, four homicides were reported, a majority with a narcotics nexus. As of February, 2017, La Marque already has one reported homicide. Indications are that the homicide is related directly to the distribution of narcotics and aggravated robbery. The La Marque Police Department is comprised of thirty (30) sworn police officers, from the Chief of Police down to the patrolman. Despite a much smaller sworn police officer force, La Marque Police had the third highest rate of narcotics arrests (per 100,000) in Galveston County during 2015. Despite the high crime rate, the City of La Marque features a budget smaller than every other city in Galveston County, with the exception of Hitchcock and Santa Fe. Both Hitchcock and Santa Fe have a smaller population and lower violent and property crime rate. Taking into consideration the population and the small police force, the City of La Marque is an expansive 13.1 square miles in physical size. This expansive size spreads the regular patrol shifts thin.

Project Approach & Activities:

The Special Response Team (SRT) will use a broad spectrum of policing tactics to address the significant criminal element. Using a combination of citizenry complaints generated through the Community Policing programs and evaluation of specific statistics, the SRT team leader will identify areas of concern that need to be addressed. Once identified, the team leader, with the assistance of the team and the Chief of Police, will develop a plan of action specific to the problem. The plan will be documented with an operation plan, reviewed and approved by the Chief of Police prior to the operation. Policing techniques are diverse and specialized. SRT will conduct "zero tolerance" and directed regular patrol on a criminal "hot spot." SRT has and will conduct undercover operations directed towards narcotics and human trafficking. SRT can and will conduct surveillance operations resulting from trends originating from violent robberies and burglaries. SRT can and will conduct in-depth criminal investigations, leading to search and arrest warrants for offenders. SRT can and will conduct arrests expected to be "high risk" or involve flight risks of wanted persons. Based on their specific training, experience and qualifications, SRT can complete these tasks in the safest manner possible. These are operations that a regular patrol shift cannot manage along with typical patrol functions. So much of the complex narcotics, human trafficking, and criminal gang organizations rely on a "street level" component. Addressing the component at the street level and working upwards through investigation is crucial to dismantling the criminal elements. Through this approach, quality criminal cases and successful prosecutions will be obtained.

Capacity & Capabilities:

The Special Response Team (SRT) is a crime-control initiative the La Marque Police Department utilizes to assist in "taking back our streets" from the criminal elements. The SRT team performs missions on an as-needed basis, on serious/sensitive scenarios that require a "dedicated," specialized, and concentrated level of police action. The missions of this team will range from specific missions to address and eradicate nuisance crimes and/or crime and drug "hot spots," selective traffic enforcement, street level narcotics interdiction, high risk apprehensions and/or search warrants, and any other specialty and/or unique assignment as directed by the Chief of Police. Activities

accomplished by the SRT Team would normally not be capable of being conducted by Patrol Division Officers on routine or "directed patrol" action. Officers comprising the SRT Team consist of experienced, dedicated, and motivated Officers that are genuinely committed to "teamwork." The Special Response Team is comprised of eight (8) sworn police officers. The members of SRT are expertly trained, experienced, driven police officers. Members of SRT have attended thousands of hours of specialized training in tactical operations, including but not limited to; active shooter training, tactical firearms training, tactical traffic stop training, narcotic and human trafficking investigation training, various specific criminal investigation training, child and adult sexual assault investigation training, dynamic and deliberate entry techniques, and tactical breaching training. Team members have completed or will complete a Special Weapons and Training (SWAT) certification course. SRT members are experienced in proactive investigations, to include undercover narcotic and human trafficking investigations. These investigations have successfully lead to the seizure of illegal narcotics, contraband and resulted in numerous criminal convictions of offenders. The Special Response Team serves as a regional asset to neighboring agencies. SRT has assisted with investigations, arrests, contraband seizures and various operations in numerous neighboring agencies. SRT has worked closely with Galveston County Sheriff's Office, Galveston Police Department, Texas City Police Department, Santa Fe Police Department, League City Police Department, Friendswood Police Department, the Drug Enforcement Agency, the Federal Bureau of Investigation. SRT members are made available to any neighboring agency whom requests the assistance of the team.

Performance Management :

Through the dedicated forces and specifically designed enforcement operations, the Special Response Team strives to eradicate the fear of crime and the fear of the criminal element. The Special Response Team strives to achieve a measurable drop in both violent crimes and property crime rates, as documented through the Texas Department of Public Safety. SRT is dedicated to producing a significant increase in the number of felony arrests related, but not limited to narcotics, human trafficking, gang activity, and related violent crimes. The Special Response Team is focused on increasing such arrests and successful criminal convictions by at least 50%. SRT can and will increase the misdemeanor criminal arrests and convictions of those involved in narcotic distribution organizations, criminal gangs, and human trafficking operations. The Special Response Team is focused on increasing such arrests and successful criminal convictions by at least 50%. Aided by the experience, dedicated time, and superior training, SRT will be able to produce quality cases, investigations, arrests and convictions. The Special Response Team is focused on conducting lawful seizures of contraband, in an effort to cripple criminal and gang related operations. Through the directed and efficient operations, SRT will enhance the quality of life amongst the citizens of La Marque. Through regional, mutual aid, SRT can and will enhance the quality of life amongst the citizens of Galveston County.

Data Management:

Prior to each and every operation, methodology and goals will be established, specific to the identified problem. The operational plan will be prepared by the team leader and reviewed by the Chief of Police. Following the operation, the operations results will be documented in an "After Action Report" and provided to the Chief of Police. The reports and results will be recorded and documented on the departmental server. Further, the results and reports will be provided to the project leader for reporting. As the project proceeds, the project leader and team leader will monitor and evaluate the pertinent violent and property crime rates. Progress, either positive or negative, will be documented.

Target Group :

Primarily, the purpose of the project is to reduce and eradicate the fear of crime amongst the citizenry of the City of La Marque. According to the US Census, the City of La Marque has an estimated population of 15,521. Controlling and reducing the violent and property crimes, will directly and indirectly affect the entire population. Through the mutual aid, regional component of the Special Response Team, the potential impact can be Galveston County wide. SRT has worked with a majority of the police agencies in Galveston County, and will continue serve as a regional asset. In 2014, Galveston County has an estimated population of 314,198 (US Census). The Special Response Team's impact could potentially reach county wide.

Evidence-Based Practices:

The methodology behind this project is based largely on the experiences and training of the requesting agency. When able to employ such tactics, this agency has seen a noticeable change in the quality of life in the affected areas. Narcotics, human trafficking, criminal gangs originate from a street level culture. The employed methodology will allow the Special Response Team to effect the organizations at the base and all aspects, from the street level and upward. Budgetary restrictions has prevented a concentrated and sustained effort, but with the funding, SRT will be able to make a significant impact on the quality of life.

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Agency Name: City of La Marque

Grant/App: 3356601 **Start Date:** 10/1/2017 **End Date:** 9/30/2018

Project Title: Special Response Team

Status: Application Pending AO Certification

Project Activities Information

Introduction

This section contains questions about your project. It is very important for applicants to review their funding announcement for guidance on how to fill out this section. Unless otherwise specified, answers should be about the **EXPECTED** activities to occur during the project period.

Section 1: Program Enrolled/Served Population

This question is relevant for projects that serve or enroll specific individuals, rather than targeting the general public. This could include training, providing services, treatment programs, or offender programs. Please estimate the following for the project period, or if this does not apply to your project, enter "0" in each box.

Number of individuals **NEWLY** enrolled or **BEGAN** being served:

0

Number of carry-over individuals enrolled/being served in the program at the beginning of the project period:

0

Number of individuals who will successfully complete the program / full course of services:

0

Choose one:

☒ My program does not serve or enroll specific individuals

☐ My program's typical designed (ideal) length is best measured in **HOURS** of services delivered/ enrollment for each individual

☐ My program's typical designed (ideal) length is best measured in **DAYS** of services delivered/ enrollment for each individual

Enter the number of hours or days (depending on selection above) of the typical designed (ideal) length of the program for each individual. Enter "0" if you indicated that your program does not serve or enroll specific individuals:

0

Section 2: Special Project Types and Information

Select all special project types that apply to your project.

Task forces: Project will support the operations and coordination activities of a task force.

☐ Yes

☒ No

If you answered **'YES'** above, enter the name of the task force. If you selected **No**, enter **N/A**.

N/A

If you answered **'YES'** above, enter the agencies or organizations that participate in the above-named task force. If you selected **No**, enter **N/A**.

N/A

Gang activity: Project involves a focus specifically on gang activity.

☒ Yes

☐ No

Transnational and organized crime: Project involves a focus specifically on transnational and organized crime.

☒ Yes

☐ No

Border activities: Project involves a focus specifically related to the Texas-Mexico border.

☐ Yes

☒ No

Human trafficking (select all that apply):

☒ Project focuses on human trafficking

☒ Project specifically focuses on trafficking of minors

☒ Project specifically focuses on trafficking of adults

☒ Project specifically focuses on sex trafficking

☐ Project specifically focuses on labor trafficking

☐ Project does not have any particular focus on human trafficking

Section 3: Juvenile Justice Projects

Select all categories that describe the project's juvenile crime activities. Definitions are available here.

- ☐ Diversion
- ☐ Mental health services
- ☐ Aftercare/reentry
- ☐ After-school programs
- ☐ Alternatives to detention
- ☐ Community-based programs and services
- ☐ Delinquency prevention
- ☐ Girl-focused services
- ☐ School programs
- ☐ Substance and alcohol abuse
- ☐ Disproportionate minority contact
- ☐ Mentoring, counseling and training programs
- ☐ Job training
- ☐ Aptitude testing
- ☐ Diversion in a rural setting
- ☒ Project does NOT have a particular focus on juvenile crime

Section 4: Campus-Based Projects

This project is based on – or serves – one or more specific educational campuses (K-12 or higher education).

How many TOTAL students at ALL campuses will be served by the project? (enter "0" if this project is not based on – or serves – specific educational campuses):

0

List each educational campus that will be served by this project. Enter 'N/A' if this project is not based on – or serves – specific educational campuses.

N/A

Section 5: Crime or Victim Type

This question is for justice projects that target specific crimes and ALL victim services projects. Others may enter "100" under "All other crimes". Applicants to serve victims of or prosecute/investigate/prevent exclusively child sex trafficking victims should assign 100% to that category.

Select the type(s) of crime or crime victim this project targets and provide the percentage of time dedicated to each. Applicants with projects that target multiple-offense offenders or multiple-victimization victims should assign percentages that best describe the activity. Percentages may not exceed 100%.

Sexual assault (%):

5

Domestic abuse (%):

5

Child abuse (%):

5

DUI / DWI (crashes for victim services) (%):

5

Survivors of homicide (%):

0

Assault (%):

10

Adults molested as children (%):

0

Elder abuse (%):

0

Robbery (%):

20

Stalking (%):

0

Dating/acquaintance violence (%):

0

Human trafficking (%):

20

Child sex trafficking (%):

0

All Other Crimes / No Specific Crimes or Victims Targeted (%):

30

Selected Project Activities:

ACTIVITY	PERCENTAGE:	DESCRIPTION
General Law Enforcement or Public Safety	40.00	The project will allow sworn police officers to conduct dedicated, enhanced patrol of known problem areas in the City of La Marque and surrounding area. Officers will assist regularly scheduled police officers by managing problem areas and known criminal elements.
Targeted Prosecution or Investigation	40.00	The project will allow officers to conduct criminal investigations into violent crimes, narcotics, human trafficking, and gang activity in the City of La Marque. Officers will be dedicated to conducting in-depth, quality investigations resulting in criminal convictions.
Training, Professional Development, or Technical Assistance Received	20.00	In order for officers to remain on the leading edge of the ever changing climate and tactics, SRT will participate in ongoing training. Tactics and trends, relating to human trafficking, narcotics and gangs, are constantly evolving. In order to ensure the safety of the team and citizenry, and the efficient delivery of services, training is a necessity.

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Agency Name: City of La Marque

Grant/App: 3356601 **Start Date:** 10/1/2017 **End Date:** 9/30/2018

Project Title: Special Response Team

Status: Application Pending AO Certification

Measures Information

Objective Output Measures

OUTPUT MEASURE	TARGET LEVEL
*REQUIRED TOTAL: Targeted prosecution or investigation: Criminal cases investigated/prosecuted by the unit/division benefiting from the grant	150
*REQUIRED TOTAL: Targeted prosecution or investigation: Criminal cases resulting in arrest (for LEAs) or conviction/ deferred adjudication (for prosecutors) resulting from project activities	75
*REQUIRED TOTAL: Targeted prosecution or investigation: Criminal cases resulting in arrest (for LEAs) or conviction/deferred adjudication (for prosecutors) resulting from project activities in the LAST COMPLETE agency fiscal year	0
*REQUIRED TOTAL: Training, professional development, or technical assistance: hours received	20
Forensic interviews performed by a law enforcement officer or prosecutor: Individuals interviewed	20
General law enforcement: Arrests or new prosecutions resulting from grant (LEAs only)	75
General law enforcement: Convictions or deferred adjudications resulting from grant (prosecutors only)	0
Public outreach/information sessions: Sessions held	12
Public outreach/information sessions: Total individuals attending	500
Technical assistance: Hours received	20
Training or professional development: Hours received	200
Training or professional development: Individuals received	8

Objective Outcome Measures

OUTCOME MEASURE	TARGET LEVEL
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Custom Output Measures

CUSTOM OUTPUT MEASURE	TARGET LEVEL
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Custom Outcome Measures

CUSTOM OUTCOME MEASURE	TARGET LEVEL
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Agency Name: City of La Marque

Grant/App: 3356601 **Start Date:** 10/1/2017 **End Date:** 9/30/2018

Project Title: Special Response Team

Status: Application Pending AO Certification

Budget Details Information

Budget Information by Budget Line Item:

CATEGORY	SUB CATEGORY	DESCRIPTION	CJD	CASH MATCH	IN-KIND MATCH	GPI	TOTAL	UNIT/%
Travel and Training	In-State Registration Fees, Training, and/or Travel	Each team member requires ongoing, specialized training in tactics, and investigative techniques. The funding would provide for registration and travel cost associated with the specialized training.	\$5,000.00	\$0.00	\$0.00	\$0.00	\$5,000.00	0
Personnel	Overtime for All Peace Officers	Each hour of operation utilizing the entire team (8 members), at their current rate of pay (including fringe) is estimated at approximately \$399.76. The requested funding of \$35,000 would allow the entire team to function for approximately 85 man hours over the course of the fiscal year. (\$35,000/\$399.76 per hour=87.55 man hours)	\$35,000.00	\$0.00	\$0.00	\$0.00	\$35,000.00	7

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Agency Name: City of La Marque

Grant/App: 3356601 **Start Date:** 10/1/2017 **End Date:** 9/30/2018

Project Title: Special Response Team

Status: Application Pending AO Certification

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]:

10/1/2017

Enter the End Date [mm/dd/yyyy]:

9/30/2018

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:

0

Enter the amount (\$) of State Grant Funds:

0

Section 6: Single Audit

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 2 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 State of Texas Single Audit Circular; or CFR Part 200, Subpart F - Audit Requirements.

Enter the date of your last annual single audit:
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.

Section 9: FFATA Certification

Certification of Recipient Highly Compensated Officers

The Federal Funding Accountability and Transparency Act (FFATA) requires Prime Recipients (CJD) to report the names and total compensation of each of the five most highly compensated officers (a.k.a. positions) of each sub recipient organization for the most recently completed fiscal year preceding the year in which the grant is awarded if the subrecipient answers **YES** to the **FIRST** statement but **NO** to the **SECOND** statement listed below.

In the sub recipient's preceding completed fiscal year, did the sub recipient receive: (1) 80 percent or more of its annual gross revenue from Federal contracts (and subcontracts), loans, grants (and subgrants) and cooperative agreements; AND (2) \$25,000,000 or more in annual gross revenue from Federal contracts (and subcontracts), loans, grants (and subgrants) and cooperative agreements?

- ☐ Yes
☒ No

Does the public have access to information about the compensation of the senior executives through periodic reports filed under Section 13(a) or 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m(a), 78o(d)) or Section 6104 of the Internal Revenue Code of 1986?

- ☐ Yes
☒ No

If you answered **YES** to the **FIRST** statement and **NO** to the **SECOND** statement, please provide the name and total compensation amount of each of the five most highly compensated officers (a.k.a. positions) within your agency for the current calendar year. If you answered **NO** to the first statement you are NOT required to provide the name and compensation amounts. NOTE: "Total compensation" means the complete pay package of each of the sub recipient's compensated officers, including all forms of money, benefits, services, and in-kind payments (see SEC Regulations: 17 CCR 229.402).

Position 1 - Name:
Position 1 - Total Compensation (\$):
0
Position 2 - Name:
Position 2 - Total Compensation (\$):
0
Position 3 - Name:
Position 3 - Total Compensation (\$):
0
Position 4 - Name:
Position 4 - Total Compensation (\$):
0
Position 5 - Name:
Position 5 - Total Compensation (\$):
0

You are logged in as **User Name:** fhgandy



CITY COUNCIL AGENDA FORM

Meeting Date: March 13, 2017

Prepared by: Carol Buttler

Department: Administration

Agenda item: 10b

Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding adopting Resolution No. **R-2017-0010**, denying CenterPoint's Statement of Intent to Increase Rates and Consolidate Divisions

X

Attach for reference

1. Resolution
2. Agenda Form – December 12, 2016
3. Initial Estimated Impact
4. Texas Divisions by City per CenterPoint

STAFF BRIEFING:

- The Gulf Coast Coalition of Cities (GCCC) consultants identified numerous unreasonable expenses and propose significant reductions to the Company's request.
- Therefore, proposed increased rates have been determined by the Coalition's consultants to be excessive.
- Accordingly, GCCC's attorney recommends that all GCCC members adopt the Resolution denying the rate change and the Consolidation of Divisions
- Once the Resolution is adopted, CenterPoint will have 30 days to appeal the decision to the Railroad Commission where the appeal will be consolidated with CenterPoint's filing for the environs and those cities that have relinquished their original jurisdiction (i.e. Gas Utility Docket No. 10567) currently pending at the Commission.
- Under the law, cities with original jurisdiction over this matter have 125 days from the initial filing to take final action on the application.
- By the agreement of the parties, this deadline was suspended until April 7, 2017.
- As such, all cities with original jurisdiction will need to adopt the resolution no later than April 7.

HISTORY:

- GCCC has served the City of La Marque and fellow members by holding down unnecessary cost increases and other factors affecting members and their citizens.
- This item was presented previously to City Council in December 2016 to suspend CenterPoint's rate increase for the maximum period permitted by law to allow the City to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy to pursue, including settlement and ultimately to approve reasonable rates.

TARGET IMPLEMENTATION: April 7, 2017

SIGNIFICANT ACTION DATES:

November 17, 2016 – Gulf Coast Coalition of Cities legal counsel held a conference call to inform Coalition cities of CenterPoint's request



CITY COUNCIL AGENDA FORM

December 12, 2016 – City Council considers approval of a Resolution suspending CenterPoint's request

December 21, 2016 – If the City fails to take some action regarding the filing before the effective date, CenterPoint's rate request is deemed administratively approved.

March 8, 2017 – City notified of need to adopt a resolution to deny CenterPoint's request for rate increase and consolidation of divisions by April 7, 2017

ACTION:

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

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

STAFF'S RECOMMENDATION: Motion to adopt Resolution No. **R-2017-0010**, denying CenterPoint's Statement of Intent to Increase Rates and Consolidate Divisions

FISCAL IMPACT: None at this time

RESOLUTION NO. R-2017-0010

A RESOLUTION OF THE CITY OF LA MARQUE, TEXAS FINDING THAT CENTERPOINT ENERGY RESOURCES D/B/A CENTERPOINT ENERGY ENTEX AND CENTERPOINT ENERGY TEXAS GAS' ("CENTERPOINT" OR "COMPANY") STATEMENT OF INTENT TO INCREASE RATES FILING WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

WHEREAS, the City of La Marque, Texas ("City") is a gas utility customer of CenterPoint Energy Resources d/b/a CenterPoint Energy Entex and CenterPoint Energy Texas Gas, CenterPoint Division ("CenterPoint" or "Company"), and a regulatory authority with an interest in the rates and charges of CenterPoint; and

WHEREAS, the City is a member of the Gulf Coast Coalition of Cities ("GCCC") (such participating cities are referred to herein as "GCCC"), a coalition of similarly situated cities served by CenterPoint that have joined together to efficiently and cost effectively review and respond to natural gas issues affecting rates charged in the CenterPoint's Texas Coast Division service area; and

WHEREAS, on or about November 16, 2016, CenterPoint filed with the City a Statement of Intent to Increase Rates seeking to increase natural gas rates by \$31.0 million annually and to all customers residing in the City; and

WHEREAS, CenterPoint is also requesting consolidation of the Houston and Texas Coast Divisions into a single Texas Gulf Division; and

WHEREAS, GCCC is coordinating its review of CenterPoint's Statement of Intent filing and designated attorneys and consultants to resolve issues in the Company's filing; and

WHEREAS, through review of the application, GCCC's consultant determined that CenterPoint's proposed rates are excessive; and

WHEREAS, the GCCC's members and attorneys recommend that GCCC members deny the Statement of Intent; and

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

Section 1. That the rates proposed by CenterPoint to be recovered through its gas rates charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied.

Page 2, Resolution No. R-2017-0010
CenterPoint Denial Resolution

Section 2. That the Company shall continue to charge its existing rates to customers within the City.

Section 3. That the Company's proposed consolidation of the Houston and Texas Coast Divisions into a single Texas Gulf division is unreasonable and shall be denied.

Section 4. That the City's reasonable rate case expenses shall be reimbursed in full by CenterPoint within 30 days of the adoption of this Resolution.

Section 5. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

Section 6. That a copy of this Resolution shall be sent to CenterPoint and to Thomas Brocato, General Counsel to the Gulf Coast Coalition of Cities, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725.

PASSED, APPROVED and ADOPTED by the City Council for the City of La Marque on 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 COUNCIL AGENDA FORM

Meeting Date: December 12, 2016

Agenda item: 9a

Prepared by: Carol Buttler

Reviewed by: Carol Buttler

Department: Administration

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

X

Attach for reference

1. Resolution
2. Impact of Rate Increase

STAFF BRIEFING:

- This agenda item is only one of many reasons for the City to continue its membership in the Gulf Coast Coalition of Cities (GCCC).
- Once again CenterPoint Energy Resources is requesting a rate increase by Filing a Statement of Intent on November 16, 2016, to affect all natural gas customers in its Houston and Texas Coast Divisions, which includes La Marque.
- Additionally, CenterPoint is requesting to consolidate both Divisions into one Texas Gulf Division.
- In the filing, the CenterPoint indicated that it is entitled to a \$31.0 million increase in the cities (a 10.4% increase over current adjusted revenues, excluding gas costs).
- The law provides that a rate request made by a gas utility cannot become effective until at least 35 days following the filing of the application to change rates.
- CenterPoint has proposed an effective date of **December 21, 2016**.
- The law permits the City to suspend the rate change for 90 days after the date the rate change would otherwise be effective.
- The resolution is to extend the effective date of CenterPoint's proposed rate increase to give the City time to review the rate-filing package.
- The resolution suspends the December 21, 2016 effective date of the Company's rate increase for the maximum period permitted by law to allow the City to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy to pursue, including settlement and ultimately to approve reasonable rates.
- CenterPoint still has the sole ability to extend its requested effective date past December 21, 2016, if it chooses.
- The City will not incur liability for payment of rate case expenses by adopting a suspension resolution.
- The City Attorney is familiar with this matter and has reviewed the Resolution.
- All information has been provided to the Finance Director for review.

HISTORY:

- GCCC has served the City of La Marque and fellow members by holding down unnecessary cost increases and other factors affecting members and their citizens.



CITY COUNCIL AGENDA FORM

TARGET IMPLEMENTATION: December 12, 2016

SIGNIFICANT ACTION DATES:

November 17, 2016 – Gulf Coast Coalition of Cities legal counsel held a conference call to inform Coalition cities of CenterPoint's request

December 12, 2016 – City Council considers approval of a Resolution suspending CenterPoint's request

December 21, 2016 – If the City fails to take some action regarding the filing before the effective date, CenterPoint's rate request is deemed administratively approved.

ACTION:

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

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

STAFF'S RECOMMENDATION: Motion to adopt Resolution No. **R-2016-0018**, suspending the effective date of CenterPoint's proposed rate increase until the City has reviewed and evaluated the request.

FISCAL IMPACT: Pending review, but possibly a +/- 5.0% increase

CENTERPOINT ENERGY
Texas Gulf Division
Proposed Revenue Impacts by Division

Base Rate Increase				
	Revenue		Increase	
	Present	Proposed	\$	%
Residential				
Conroe	\$ 3,657,680	\$ 4,263,185	\$ 605,505	16.6%
Houston	\$ 195,086,317	\$ 226,631,814	\$ 31,545,497	16.2%
Texas Coast	\$ 63,580,299	\$ 66,746,031	\$ 3,165,732	5.0%
Total	\$ 262,324,296	\$ 297,641,029	\$ 35,316,734	13.5%
General Service Small				
Conroe	\$ 445,164	\$ 498,787	\$ 53,624	12.0%
Houston	\$ 13,503,055	\$ 15,210,205	\$ 1,707,150	12.6%
Texas Coast	\$ 4,342,675	\$ 4,302,067	\$ (40,608)	-0.9%
Total	\$ 18,290,894	\$ 20,011,058	\$ 1,720,165	9.4%
General Service Large Volume				
Conroe	\$ 374,691	\$ 133,040	\$ (241,651)	-64.5%
Houston	\$ 9,026,076	\$ 3,240,046	\$ (5,786,030)	-64.1%
Texas Coast	\$ 642,633	\$ 600,867	\$ (41,766)	-6.5%
Total	\$ 10,043,400	\$ 3,973,952	\$ (6,069,447)	-60.4%
Grand Total				
Conroe	\$ 4,477,534	\$ 4,895,012	\$ 417,478	9.3%
Houston	\$ 217,615,448	\$ 245,082,064	\$ 27,466,616	12.6%
Texas Coast	\$ 68,565,607	\$ 71,648,965	\$ 3,083,358	4.5%
Total	\$ 290,658,589	\$ 321,626,040	\$ 30,967,451	10.7%

Total Increase (Incl. Gas Revenue & Gross Receipts)				
	Revenue		Increase	
	Present	Proposed	\$	%
Residential				
Conroe	\$ 7,427,901	\$ 8,850,597	\$ 1,422,697	19.2%
Houston	\$ 425,065,777	\$ 456,255,228	\$ 31,189,451	7.3%
Texas Coast	\$ 127,148,334	\$ 131,005,653	\$ 3,857,319	3.0%
Total	\$ 559,642,012	\$ 596,111,478	\$ 36,469,466	6.5%
General Service Small				
Conroe	\$ 1,806,466	\$ 2,156,854	\$ 350,388	19.4%
Houston	\$ 66,969,391	\$ 68,356,958	\$ 1,387,567	2.1%
Texas Coast	\$ 17,236,501	\$ 17,317,590	\$ 81,089	0.5%
Total	\$ 86,012,358	\$ 87,831,402	\$ 1,819,044	2.1%
General Service Large Volume				
Conroe	\$ 1,267,705	\$ 1,208,601	\$ (59,104)	-4.7%
Houston	\$ 37,442,311	\$ 31,009,071	\$ (6,433,239)	-17.2%
Texas Coast	\$ 5,677,104	\$ 5,682,809	\$ 5,705	0.1%
Total	\$ 44,387,120	\$ 37,900,481	\$ (6,486,639)	-14.6%
Total Residential & General Service Small				
Conroe	\$ 10,502,071	\$ 12,216,052	\$ 1,713,981	16.3%
Houston	\$ 529,477,480	\$ 555,621,257	\$ 26,143,778	4.9%
Texas Coast	\$ 150,061,939	\$ 154,006,052	\$ 3,944,112	2.6%
Total	\$ 690,041,490	\$ 721,843,361	\$ 31,801,871	4.6%

Source: Texas Gulf - SOI - Margin + PGA + GRT_SCC Final.xlsx

CENTERPOINT ENERGY
Texas Gulf Division
Typical Bill Comparison

	Conroe	Houston	Texas Coast		Conroe	Houston	Texas Coast		Conroe	Houston	Texas Coast
	Residential				General Service Small				General Service Large		
Avg Use (Ccf)	35	34	33		156	167	142		1962	2068	2225
Present Rates											
Customer Charge	\$15.85	\$15.85	\$16.17		\$18.07	\$18.07	\$17.20		\$276.79	\$276.79	\$56.45
Commodity Charge	\$0.03080	\$0.03080	\$0.07460		\$0.04030	\$0.04030	\$0.06710		\$0.05540	\$0.05540	\$0.04400
Gas Costs	\$0.44111	\$0.54261	\$0.53299		\$0.44111	\$0.54261	\$0.53299		\$0.44111	\$0.54261	\$0.52228
Base Rate Bill	\$16.93	\$16.90	\$18.63		\$24.36	\$24.80	\$26.73		\$385.48	\$391.36	\$154.35
Base Plus Gas Cost Bill	\$32.37	\$35.35	\$36.22		\$93.17	\$115.42	\$102.41		\$1,250.94	\$1,513.47	\$1,316.42
Proposed Rates											
Customer Charge	\$16.75	\$16.75	\$16.75		\$18.25	\$18.25	\$18.25		\$70.00	\$70.00	\$70.00
Commodity Charge	\$0.08514	\$0.08514	\$0.08514		\$0.05797	\$0.05797	\$0.05797		\$0.03408	\$0.03408	\$0.03340
Gas Costs	\$0.53817	\$0.53817	\$0.53817		\$0.53817	\$0.53817	\$0.53817		\$0.53817	\$0.53817	\$0.52738
Base Rate Bill	\$19.73	\$19.64	\$19.56		\$27.29	\$27.93	\$26.48		\$136.86	\$140.48	\$144.32
Base Plus Gas Cost Bill	\$38.57	\$37.94	\$37.32		\$111.25	\$117.81	\$102.90		\$1,192.75	\$1,253.41	\$1,317.74
Increase Amount											
Base Rate	\$2.80	\$2.75	\$0.93		\$2.94	\$3.13	(\$0.25)		(\$248.62)	(\$250.88)	(\$10.04)
Base Plus Gas Cost	\$6.20	\$2.60	\$1.10		\$18.08	\$2.39	\$0.49		(\$58.19)	(\$260.06)	\$1.31
Percent Increase											
Base Rate	16.6%	16.3%	5.0%		12.1%	12.6%	-0.9%		-64.5%	-64.1%	-6.5%
Base Plus Gas Cost	19.2%	7.3%	3.0%		19.4%	2.1%	0.5%		-4.7%	-17.2%	0.1%

_1/ The proposed General Service Large ("GSLV") commodity charge and Gas Cost differs in the Houston and Texas Coast Divisions because the Houston Division GSLV customers are served at a pressure of 14.95 PSI and Texas Coast Division GSLV customers are served at a pressure base of 14.65 PSI.

Texas Divisions by City

<u>Houston Division</u>	<u>Texas Coast Division</u>
Bunker Hill Village	Alvin
Deer Park	Brookshire
Hedwig Village	Clear Lake Shores
Hillshire Village	Dickinson
Hunters Creek Village	Friendswood
Jersey Village	Fulshear
Missouri City	Kemah
Nassau Bay	La Marque
Piney Point Village	Lake Jackson
South Houston	Manvel
Spring Valley Village	Mont Belvieu
Stafford	Morgan's Point
	Rosenberg
	Santa Fe
	Seabrook
	Sugar Land
	Taylor Lake Village
	Texas City
	Webster
	Weston Lakes



CITY COUNCIL AGENDA FORM

Meeting Date: March 13, 2017

Prepared by: Carol Buttler

Department: Administration

Agenda item: 10c

Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding criteria for distributing funds from Southeast Texas Housing Finance Corporation (SETH) to the City of La Marque for revitalization efforts in the amount of \$50,000.00

X

Attached for Reference

1. Notice from SETH of Available Funds
2. Application from City of La Marque

STAFF BRIEFING:

- SETH offered the City of La Marque an opportunity to apply for funds of \$50,000.00 without restrictions.
- SETH did request a preference to fund assistance efforts for affordable housing needs within La Marque and to provide SETH with photos and/or articles to document funded projects.
- City Manager informed City Council of the status of funds during presentation of the Neighborhood Revitalization Program update.
- Once the City was awarded funding of \$50,000.00, City Manager met with staff to discuss options and possible criteria to present to City Council for expending the funds.
- City Manager recommends priority consideration could be provided to veterans, senior citizens, and single parents.
- Higher priority could be provided to anyone in these groups who are disabled.
- The homes must be owner-occupied, as well.
- To maintain a fair and equitable application / award process for the funds, I contacted United Way to inquire if they would be able to vet and approve applicants on the City's behalf.
- City Manager will be meeting with United Way next week.
- Finance Director has established a project code and line item to track all activity.

HISTORY:

- The City of La Marque has been a member of SETH and has appointed a Director to the Board since at least 1983.

TARGET IMPLEMENTATION:

SIGNIFICANT ACTION DATES:

September 2016 – Notice from SETH of available funds

October 2016 – City submitted application for funds

November 2016 – City Manager, Finance Director, EDC Director, Code Compliance Supervisor, and Public Relations Specialist met to discuss options for use of funds and recommendation to City Council for approval



CITY COUNCIL AGENDA FORM

ACTION:

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

Cost Details:	
Budgeted	\$0.00
Actual Bid	N/A
Estimated Expenditure	\$50,000.00
Acct. Name(s)	Capital Improvements-SETH
Line Items #	6538000000
Other Funding	\$50,000.00

STAFF'S RECOMMENDATION: Motion to approve criteria (based on Council discussion) for distributing funds from Southeast Texas Housing Finance Corporation (SETH) to the City of La Marque for revitalization efforts in the amount of \$50,000.00

FISCAL IMPACT: \$50,000.00

CITY OF LA MARQUE, TX

✦ GATEWAY TO THE GULF ✦



October 12, 2016

Ron Williams
Executive Director
Southeast Texas Housing Finance Corporation
11111 S. Sam Houston Parkway East
Houston, Texas 77089

Mr. Williams:

Attached is an Application for Funds, as referred to in your letter. As one of the jurisdictions mentioned, we are thrilled for this opportunity to hopefully obtain some funds to assist some of our citizens in their affordable housing needs.

We have a few projects that these “extra” monies would certainly be able to help provide assistance to qualified citizens.

Thank you for your consideration.

Robin Eldridge, TRMC
City Clerk
City of La Marque



APPLICATION FOR FUNDS

Member Name: City of La Marque

Physical Address: 1111 Bayou Road
La Marque, Texas 77568

Mailing Address: Same as above

Contact Person: Carol Buttler Email: c.buttler@
Telephone: 409.938.9202 cityoflamarque.org

Amount of Funds Requested: \$50,000.00 (cannot exceed \$50,000)

Proposed Use of Funds: (use additional sheets if necessary)

- If allowed help homeowners demolish
substandard homes and rebuild newer homes
- Assist in down payments/closing costs to homebuyers
- Fund painting of additional number of owner-
occupied homes as La Marque's "Paint the Town"
Program

Anticipated Start Date: 11.30.16 Anticipated Completion Date: 9.30.17

Authorized Signature:

Carol Buttler

Title: City Manager

DATE: 10/11/2016

SETH Board Member:

Signature

DATE: _____



SOUTHEAST TEXAS HOUSING FINANCE CORPORATION

September 1, 2016

Mayor Bobby Hocking
City of La Marque
1111 Bayou
La Marque, Texas 77568

RE: Southeast Texas Housing Finance Corporation (SETH)

Dear Honorable Mayor Hocking:

The Board of Directors of The Southeast Texas Housing Finance Corporation has recently made available \$50,000 to each of its 20 jurisdictions to carry-out Affordable Housing Initiatives and Related Services. These funds are derived from SETH's general revenues, therefore, do not have many restrictions as to their use. We do encourage your jurisdiction to apply these funds to activities that assist lower income households/individuals.

Just complete the enclosed "Application For Funds" and mail the completed form to: Ron Williams, Executive Director, Southeast Texas Housing Finance Corporation, 11111 S. Sam Houston Parkway East, Houston, Texas 77089.

SETH's Board of Directors respectfully request that none of these funds are allocated to your General Revenues and are used specifically to provide Affordable Housing Initiatives within one (1) year of receipt. If you have any questions, please do not hesitate to contact me at 281-484-4663 ext. 108 or at rwilliams@sethfc.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron Williams", is written over a horizontal line.

Ron Williams
Executive Director

xc: Ms. Georgia Meyer—SETH Board of Directors



**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: March 6, 2017
SUBJECT: City Manager Report - **February 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 (with one (1) currently in training) and four (4) part-time TCOs. The Police Department is actively interviewing and vetting applicants for Telecommunicator. The police department sworn police personnel is at full staffing; however, we have three (3) officers in training at this time. A full staff of Patrol Officers will not be realized until those three (3) have completed training. A Civil Service entrance examination will be administered on March 22nd.

- **Training**

The following individuals attended training during the month of February of 2017:

- Officer K. Hernandez attended Special Investigative Topics
- Officer N. Perales attended Arrest, Search and Seizure
- Officer S. Jackson attended Special Investigative Topics
- Officer D. Cantu attended Introduction to Intermediate Accident Investigation
- Officer M Ramsey attended Introduction to Intermediate Accident Investigation
- Officer N. Perales attended Dogs and Police, Shoot or Don't Shoot

- **Operations**

In the month of February, the La Marque Police Department generated 1,763 calls for service. Of those calls for service, 915 (approximately 52%) were "self-initiated." Citizen calls to the police department accounted for 848 of the total (approximately 48%) calls for service. There was an average response time of 6 minutes (5:47) and an average time spent on calls of about 34 minutes (33:41).

In February, the La Marque's Clean City Commission funded litter pick-up program conducted two (2) litter pick-up operations; one was held on February 4th and the other on February 18th.

The February 4th operation yielded twenty-six (26) bags of trash, five (5) illegally posted “bandit” signs and ten (10) vehicle tires. The February 18th operation yielded thirty-nine (39) bags of trash and eleven (11) illegally posted “bandit” signs.

- **Overtime Utilization**

The Police Department has three (3) functional Peace Officer vacancies (those 3 Peace Officers are in training) and six (6) full-time Telecommunicator vacancies. Late calls, priority investigations, court appearances, and staff shortages also contribute to overtime expenditures.

- c. **Fire**

- **Personnel:**

The LMFD is now at full authorized strength. All personnel are fully certified by the Texas Commission on Fire Protection as structural Fire Fighters and State Department of Health Services as Emergency Medical Technicians.

- **Operations:**

All apparatus are currently operational with the exception of Engine 2 which has been declared a “total loss” by TML following an accident on IH 45 which resulted in a fatality when a motorcycle struck the apparatus during an emergency response. A claim has been filed with the Driver’s insurance carrier who has accepted liability; however, liability coverage is limited to \$25,000.00. TML is subrogating the claim and attendant loss. 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.

- **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**

ISO conducted a follow-up “classification rate survey” of our community assets and capabilities including the fire department, water department, and communications center on February 14, 2017, pursuant to the recently published ISO Standards which have been adopted nationwide. Texas continues to use a slightly modified version with the addition of the “Texas Addendum”. It is unclear when the results of the inspection will be known and, what avenues if any, for relief from a regressive result may be available. As stated below it is important to note that our rate classification remains unchanged at this time.

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: \$33,688.97

Feb MTD: \$8,844.98

- **Other:**
Statistical information:

Average Response Times: 05:53

Engine Company Responses for Service:

MTD: 100

YTD: 618

Medic Responses for Service:

MTD: 166

YTD: 934

Mutual Aid Given and Received:

MTD Given: 5

YTD Given: 58

MTD received: 13

YTD received: 92

Detailed statistical information enclosed

d. Library

- See report attached.

e. Public Services

- **Public Works Administrative Assistant** – For the month of January, compared to last year, there was an increase in calls for Water Leaks, Sewer Stops, Leak @ Meter, Blue Carts, Co-Compliance, Pot Holes, Street Repair, Culverts, Mowing, Street Signs, Traffic Lights, Street Light Requests, Director, Inspections, Customer @ Window, Recycling, Community Service,

Gas Company, and Miscellaneous Calls; there was a decrease in calls for Low Pressure/No Water, Dress-Ups, Billing Department, Dirt Request, PW/Utility Department Supervisors, Human Resources, City Clerk, and LM's.

- **Parks** – For the month of January, compared to last year, there was an increase 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 January, compared to last year, there was an increase in hours for Utility Patch, Culverts-Linear Feet Set, Pot Holes, Weed-Eat/Mowing, Check Drains & Ditches, Safety Meetings, Animal Services, Brush/Debris Removal and Hanging of Christmas Lights on the Poles & Signs; compared to last year, there was a decrease in hours for Traffic Sign Repair/Install, and Sweeping-Man Hours.
- **Utility 12- The 2016/17 Street Project is completed**. Staff will be bringing a Change Order for ratification at the April meeting.
- **Utility 22 - Water & Sewer Maintenance** – For the month of January, compared to last year, there was an increase in Water Leaks, Residential Water Taps, Low Pressure Customer Side, Sewer Stoppages Resolved, Sewer Lines Repaired, Residential Sewer Taps, Clean-Outs Installed, and Sink Holes; compared to last year, there was a decrease in Low Pressure City Side, Water Turned On/Off – Citizens, and Lines Locate, Water & Sewer.
- **Utility 24- Siemens Project is progressing steadily. There are some setbacks due to weather.**
- **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.
- g. Connect Transit**
See report attached.
- h. Animal Services**
 - See report attached.

JUDICIAL DEPARTMENT



**CITY OF LA MARQUE
COURT STATISTICS
January 2017**

Judicial Monthly Report January 2017

	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	5483	2	5	2308	2,015	552	10,365	41,925	10,039	41,628
Active Cases	938	1	3	245	220	157	1,564	7,304	2,346	11,290
Inactive Cases	4,545	1	2	2,063	1795	395	8,801	34,621	7,693	22,956
New Cases Filed	242	0	0	50	77	45	414	1,926	763	2,419
Cases Reactivated	75	0	0	35	34	24	168	737	181	389
All Other Cases Added	0	0	0	0	0	0	0	0	0	0
Total Cases on Docket	1,255	1	3	330	331	226	2,146	9,967	3,290	14,098
Dispositions Prior to Trial:										
Uncontested Dispositions	170	0	0	40	42	17	269	1,247	375	1553
Dismissed by Prosecution	10	0	0	1	1	14	26	166	30	129
Dispositions at Trial:										
Convictions:										
Guilty Plea or Nolo Contendere	5	0	0	1	0	5	11	75	4	34
By the Court	2	0	0	1	0	0	3	4	0	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	7	0	0	2	2	4	15	32	30	38
Compliance Dismissals:										
After Driver Safety Course	41						41	178	40	140
After Deferred Disposition	80	0	0	1	8	1	90	345	33	142
After Proof of Financial Responsibility	2						2	9	2	20
	Non-Parking	Traffic Parking	Traffic City Ordinance	Penal Code	Non-Traffic State Law	City Ordinance	0	Current Fiscal yr to date	Total Prior Month	Prior Fiscal yr to date
All Other Transportation Code Dismissals	7	0	0	1	0	0	8	61	16	53
All Other Dispositions	3	0	0	0	0	1	4	87	4	504
Total Cases Disposed	327	0	0	47	54	42	470	2,208	506	2,922
Cases Placed on Inactive Status	97	0	0	51	50	21	219	1,077	313	834
Total Cases Pending End of Month:	5,398	2	5	2,311	2,038	555	10,309	41,643	10,296	41,120
Active Cases	831	1	3	232	227	163	1,457	6,682	2,471	10,342
Inactive Cases	4,567	1	2	2,079	1,811	392	8,852	34,961	7,822	30,780
Show Cause Hearings Held	26	0	0	2	3	0	31	128	44	72
Cases Appealed:										
After Trial	0	0	0	0	0	0	0	0	0	380
Without Trial	0	0	0	0	0	0	0	4	0	116



**CITY OF LA MARQUE
COURT STATISTICS
January 2017**

	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	4	9	2	4
Non-driving Alcoholic Beverage Code Cases Filed	2	3	0	3
Driving Under Influence of Alcohol Cases Filed	0	0	0	0
Drug Paraphernalia Cases Filed	0	0	0	1
Tobacco Cases Filed	0	1	0	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	4	12	0	10
Additional Activity:				
Magistrate Warnings:				
Class C Misdemeanors	2	27	3	17
Class A and B Misdemeanors	3	12	3	20
Felonies	0	5	2	11
Arrest Warrants Issued:				
Class C Misdemeanors	215	977	145	347
Capias Pro Fine Issued:				
Class C Misdemeanors	100	352	41	188
Emergency Protection Orders Issued	0	1	0	0
Stolen Property Hearings Held	0	1	0	1
Cases Satisfied by Community Service:				
Partial Satisfaction	0	0	0	2
Full Satisfaction	21	42	1	18
Cases Satisfied by Jail Time Credit	76	330	81	241
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	\$53,302.09	\$211,262.24	\$59,624.52	\$204,010.09
Remitted to State	\$21,358.05	\$92,069.00	\$33,661.22	\$71,714.99
Total	\$74,660.14	\$303,331.24	\$93,285.74	\$309,386.30

POLICE DEPARTMENT

LA MARQUE POLICE DEPARTMENT
MONTHLY REPORTING STATISTICS

	CURRENT MONTH (FEBRUARY 2017)	CURRENT MONTH PREVIOUS YEAR (FEBRUARY 2016)	PREVIOUS MONTH (JANUARY 2017)	YEAR TO DATE (2017)	PREVIOUS YEAR TO DATE (2016)
<u>PART I CRIMES</u>					
HOMICIDE	1	0	1	2	0
RAPE	1	1	1	2	2
ROBBERY	0	2	0	0	5
ASSAULT (*INCLUDES SIMPLE)	28	57	38	66	101
BURGLARY	13	9	15	28	23
THEFT	47	38	62	109	86
MV THEFT	8	3	2	10	8
<u>PART II CRIMES</u>	210	224	223	433	412
<u>CALLS FOR SERVICE</u>	1763	2074	1772	3535	4896
<u>ACCIDENTS</u>	37	31	21	58	69
INJURIES	9	11	6	15	19
NON-INJURY	28	20	15	43	50
FATALITIES	0	0	0	0	1
ALCOHOL RELATED	2	0	3	5	1
<u>ADULT ARRESTS</u>	109	161	132	241	294
<u>JUVENILE DETENTIONS</u>	1	3	0	1	8
<u>TRAFFIC STOPS</u>	370	387	282	652	946
CITATIONS	226	314	169	395	840
VIOLATIONS	283	376	220	503	991
WARNINGS	144	73	113	257	106
<u>DISTURBANCES</u>	110	87	101	211	186

THIS MONTH THE POLICE DEPARTMENT ARRESTED 33 PEOPLE ON MUNICIPAL WARRANTS, SERVING 83 WARRANTS.

YEAR TO DATE, THE POLICE DEPARTMENT HAS ARRESTED 76 PEOPLE ON MUNICIPAL WARRANTS, SERVING 218 WARRANTS.

GALVESTON COUNTY SHERIFF

Events by Nature Code by Agency

Agency: LMPD, Event date/Time range: 02/01/2017 00:00:00 - 02/28/2017 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	0	1	0%	0:00:00	0:00:00	0:03:58	0:03:58	0:03:58
	ALARM	0	2	77	79	4%	0:02:50	0:06:13	0:06:31	19:48:54	0:15:03
	ANIMAL ASTRAY	0	0	1	1	0%	0:03:15	0:04:31	0:14:47	0:22:33	0:22:33
	ANIMAL COMPLAINT DOMESTIC	0	1	25	26	1%	0:50:36	0:09:53	0:14:59	31:07:39	1:11:50
	ASSAULT	0	0	12	12	1%	0:03:55	0:06:21	0:36:05	9:16:22	0:46:22
	ASSIST CITIZEN	0	9	35	44	2%	0:07:56	0:07:25	0:13:50	20:21:42	0:27:46
	ASSIST EMS	0	0	2	2	0%	0:00:07	0:00:04	0:33:09	0:39:46	0:19:53
	ASSIST OTHER AGENCY	0	17	29	46	3%	0:02:04	0:05:52	0:21:12	19:20:58	0:25:14
	ATTEMPT TO SERVE WARRANT	0	1	1	2	0%	0:01:07	0:09:07	0:36:31	1:33:30	0:46:45
	BAR CHECK	0	1	0	1	0%	0:00:01	0:00:00	0:09:55	0:09:56	0:09:56
	BE ON THE LOOKOUT	0	0	1	1	0%	3:15:20	0:00:00	0:00:17	3:15:37	3:15:37
	BURGLARY OF BUILDING	0	0	1	1	0%	0:16:15	0:07:46	0:59:57	1:23:58	1:23:58
	BURGLARY OF HABITATION	0	0	10	10	1%	0:10:43	0:05:57	0:22:13	6:28:57	0:38:54
	BURGLARY OF MOTOR VEHICLE	0	0	25	25	1%	0:11:18	0:07:23	0:18:57	15:14:42	0:36:35
	BUSINESS CHECK	0	208	10	218	12%	0:00:15	0:04:34	0:09:16	37:30:00	0:10:19
	CHILD CUSTODY	0	0	3	3	0%	0:01:56	0:03:08	0:35:23	1:40:56	0:33:39
	CIVIL MATTER OR STANDBY	0	0	18	18	1%	0:08:10	0:05:20	0:25:37	11:44:19	0:39:08
	CRIMINAL MISCHIEF	0	0	14	14	1%	0:08:19	0:07:50	0:20:59	8:32:00	0:36:34
	DEAD ON SCENE	0	0	2	2	0%	0:02:22	0:03:04	3:33:36	7:18:02	3:39:01
	DIFFICULTY BREATHING	0	0	1	1	0%	0:00:05	0:07:42	0:10:09	0:17:56	0:17:56
	DISTURBANCE	0	1	53	54	3%	0:02:28	0:03:41	0:19:29	23:01:11	0:25:35
	DRUNK OR INTOXICATED PERSON	0	2	6	8	0%	0:03:01	0:05:37	0:18:19	3:07:04	0:23:23
	DUP	0	1	0	1	0%	0:01:22	0:00:00	0:00:00	0:46:10	0:46:10
	FLEET ACCIDENT	0	1	0	1	0%	0:00:01	0:00:00	1:23:54	1:23:55	1:23:55

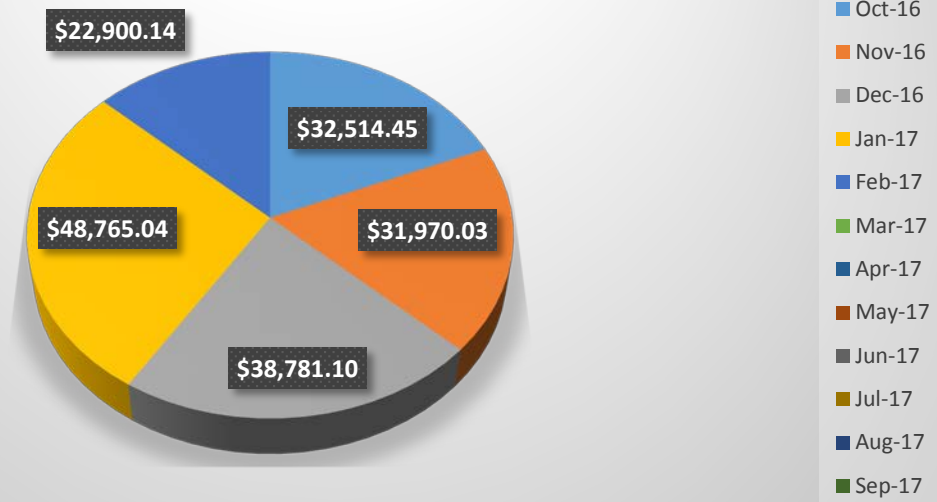
Agency Code	Nature Code	Rpt Only	Self Init	CFS	Total	% Total	Avg Disp Time	Avg Resp Time	Avg Scene Time	Total Call Time	Avg Call Time
	FRAUD - FORGERY - CC ABUSE	1	0	25	26	1%	0:08:04	0:10:18	0:17:49	14:38:08	0:35:08
	FSGI ACCIDENT	0	0	14	14	1%	0:14:36	0:09:03	0:35:25	12:45:57	0:54:43
	GENERAL INFORMATION CALL	0	1	0	1	0%	0:00:00	0:00:00	0:00:39	0:00:39	0:00:39
	HARASSMENT - ALL TYPES	0	0	16	16	1%	0:12:01	0:07:55	0:25:52	11:29:59	0:43:07
	JAIL CHECK	0	0	1	1	0%	0:00:23	0:04:05	0:46:08	0:50:36	0:50:36
	JUVENILE PROBLEM	0	0	14	14	1%	0:05:11	0:07:31	0:18:58	6:57:57	0:29:51
	K-9 NARCOTICS SEARCH	0	0	1	1	0%	0:01:50	0:07:15	0:17:07	0:26:12	0:26:12
	K-9 NARCOTICS SEARCH AOA	0	1	1	2	0%	0:04:12	0:00:10	0:22:53	0:50:09	0:25:05
	K-9 TRACK SUSPECT AOA	0	0	3	3	0%	0:00:48	0:04:25	1:09:41	3:44:45	1:14:55
	LITTERING AND ILLEGAL DUMPING	0	0	1	1	0%	0:02:21	0:09:14	0:09:59	0:21:34	0:21:34
	LOUD MUSIC OR NOISE	0	0	29	29	2%	0:09:06	0:09:47	0:08:43	13:01:12	0:26:56
	MENTAL HEALTH	0	0	10	10	1%	0:03:40	0:04:15	0:12:56	3:28:41	0:20:52
	MISCELLANEOUS	0	7	0	7	0%	0:00:01	0:02:13	0:06:02	0:44:32	0:06:22
	MISSING PERSON ADULT	0	0	7	7	0%	0:12:05	0:06:34	0:35:05	6:09:41	0:52:49
	NARCOTICS CRIMES	0	0	8	8	0%	0:07:07	0:03:58	0:06:50	2:23:17	0:17:55
	OPEN DOOR	0	2	4	6	0%	0:01:25	0:05:05	0:08:36	1:17:38	0:12:56
	PRISONER DETAIL	0	8	6	14	1%	0:02:28	0:00:28	0:47:38	11:05:42	0:47:33
	RECOVD CHILD/PERSON/RUNAWAY	0	0	4	4	0%	0:07:25	0:05:08	0:58:26	4:43:57	1:10:59
	RESIDENTIAL CHECK	0	197	4	201	11%	0:04:35	0:02:54	0:09:16	34:45:19	0:10:22
	RUNAWAY JUVENILE	0	0	4	4	0%	0:13:53	0:06:02	1:02:37	5:38:46	1:24:42
	SEARCH WARRANT	0	1	0	1	0%	0:00:01	0:00:00	2:14:26	2:14:27	2:14:27
	SEX CRIME	0	0	6	6	0%	0:20:16	0:02:25	0:45:26	6:46:19	1:07:43
	SEX OFFENDER COMPLIANCE CHECK	0	4	1	5	0%	0:00:30	0:01:43	0:02:00	0:10:48	0:02:10
	SHOTS FIRED	0	0	10	10	1%	0:05:22	0:05:46	0:12:30	3:38:27	0:21:51
	STRANDED MOTORIST	0	3	3	6	0%	0:08:11	0:03:06	0:17:49	2:19:30	0:23:15
	STRUCTURE FIRE	0	0	1	1	0%	0:00:25	0:03:27	0:26:15	0:30:07	0:30:07

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
	SUICIDE ATTEMPTED OR COMPLETED	0	0	2	2	0%	0:03:18	0:04:42	0:13:04	0:42:06	0:21:03
	SUPPLEMENTAL INFO TO PREV CASE	0	24	28	52	3%	0:09:23	0:07:09	0:23:04	29:31:04	0:34:04
	THEFT / LOST PROPERTY	0	2	48	50	3%	0:07:20	0:08:22	0:27:04	34:06:56	0:40:56
	THREATS ALL CATEGORIES	0	0	16	16	1%	0:08:17	0:06:05	0:24:53	10:28:05	0:39:15
	TRAFFIC COMPLAINT	0	8	26	34	2%	0:06:39	0:05:35	0:15:06	14:38:13	0:26:37
	TRAFFIC STOP	0	370	0	370	21%	0:00:01	0:00:00	0:11:51	73:10:16	0:11:52
	UNCONSCIOUS PERSON	0	0	5	5	0%	0:00:20	0:03:12	0:16:06	1:38:15	0:19:39
	UNDESIRABLE PERSON	0	0	22	22	1%	0:03:25	0:07:18	0:12:44	8:28:30	0:23:07
	UNKNOWN REQUIRES EMS	0	0	2	2	0%	0:00:08	0:25:09	0:00:21	0:30:25	0:15:13
	VEHICLE FIRE	0	0	5	5	0%	0:01:04	0:06:08	0:49:24	4:42:59	0:56:36
	WARRANT ARREST ON VIEW	0	2	18	20	1%	0:24:34	0:08:55	0:34:21	21:54:41	1:05:44
	WELFARE CHECK	0	3	37	40	2%	0:07:12	0:06:27	0:30:04	27:18:00	0:40:57
	Subtotals for No Summary Code	1	878	708	1587	90%	0:09:11	0:05:59	0:28:38	602:43:54	0:41:25
	CHILD CUSTODY	0	0	2	2	0%	0:03:11	0:05:45	0:14:22	0:46:36	0:23:18
	INDECENCY WITH A CHILD	0	0	1	1	0%	0:02:03	0:02:57	0:25:00	0:30:00	0:30:00
	Subtotals for CAC	0	0	3	3	0%	0:02:37	0:04:21	0:19:41	1:16:36	0:26:39
	AUTO PEDESTRIAN ACCIDENT	0	0	1	1	0%	0:05:42	0:01:37	0:24:24	0:31:43	0:31:43
	CIVIL MATTER OR STANDBY	0	0	1	1	0%	0:15:16	0:04:38	0:03:50	0:23:44	0:23:44
	DUP	0	0	1	1	0%	0:00:30	0:02:00	0:16:41	0:19:11	0:19:11
	MAJOR ACCIDENT	0	0	11	11	1%	0:02:01	0:05:02	1:16:17	15:16:47	1:23:21
	MINOR ACCIDENT	0	3	30	33	2%	0:11:58	0:08:47	0:27:08	25:18:52	0:46:02
	Subtotals for MVA	0	3	44	47	3%	0:07:05	0:04:25	0:29:40	41:50:17	0:40:48
	RECOVERED OR FOUND PROPERTY	0	0	8	8	0%	0:07:05	0:15:20	0:28:20	6:14:41	0:46:50
	TRESPASSING	0	0	7	7	0%	0:12:55	0:03:08	0:21:50	4:25:10	0:37:53
	UNAUTH USE OF MOTOR VEHICLE	0	0	6	6	0%	0:19:08	0:04:13	0:21:00	4:45:02	0:47:30

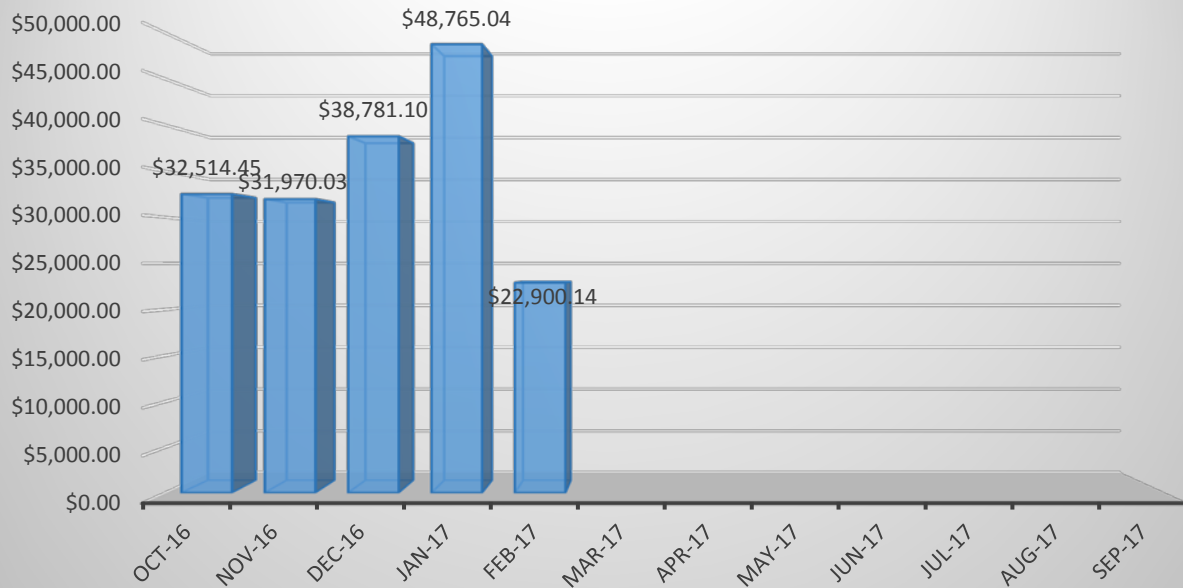
Agency Code	Nature Code	Rpt Only	Self Init	CFS	Total	% Total	Avg Disp Time	Avg Resp Time	Avg Scene Time	Total Call Time	Avg Call Time
Subtotals for PROP		0	0	21	21	1%	0:13:03	0:07:34	0:23:43	15:24:53	0:44:04
	DRUNK OR INTOXICATED PERSON	0	1	0	1	0%	0:00:01	0:00:00	2:57:18	2:57:19	2:57:19
	NARCOTICS CRIMES	0	0	2	2	0%	0:02:01	0:04:02	0:37:58	1:28:02	0:44:01
	SUSPICIOUS CIRCUMSTANCES	0	4	23	27	2%	0:06:05	0:04:55	0:13:59	10:42:08	0:23:47
	SUSPICIOUS PERSON	0	14	15	29	2%	0:03:35	0:05:59	0:17:09	12:20:24	0:25:32
	SUSPICIOUS VEHICLE	0	14	18	32	2%	0:05:11	0:06:04	0:14:54	11:22:44	0:21:20
Subtotals for SUSP		0	33	58	91	5%	0:03:23	0:05:15	0:52:16	38:50:37	0:58:24
	FAMILY DISTURBANCE	0	0	13	13	1%	0:02:00	0:03:33	0:26:36	6:58:00	0:32:09
	STABBING	0	0	1	1	0%	0:01:49	0:03:12	5:34:51	5:39:52	5:39:52
Subtotals for VICR		0	0	14	14	1%	0:01:54	0:03:22	3:00:44	12:37:52	3:06:00
Subtotals for LMPD		1	914	848	1763	100%	0:08:28	0:05:47	0:33:41	712:44:09	0:45:50

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	\$48,765.04	\$22,900.14	
Apr-17	May-17	Jun-17	Jul-17	Aug-17	Sep-17	YTD Total
						\$174,930.76

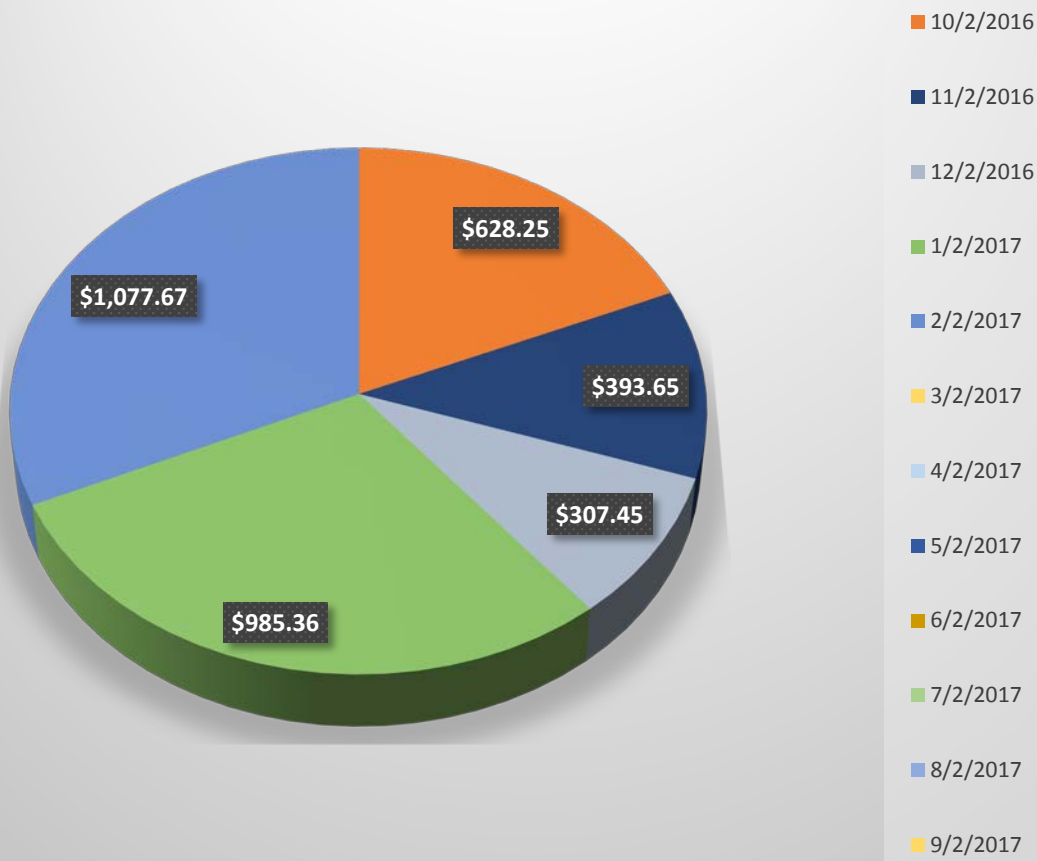
Collection Rate

21%

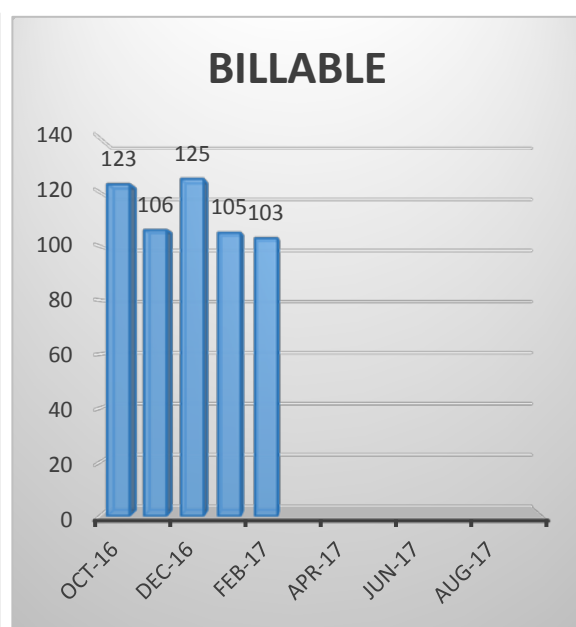
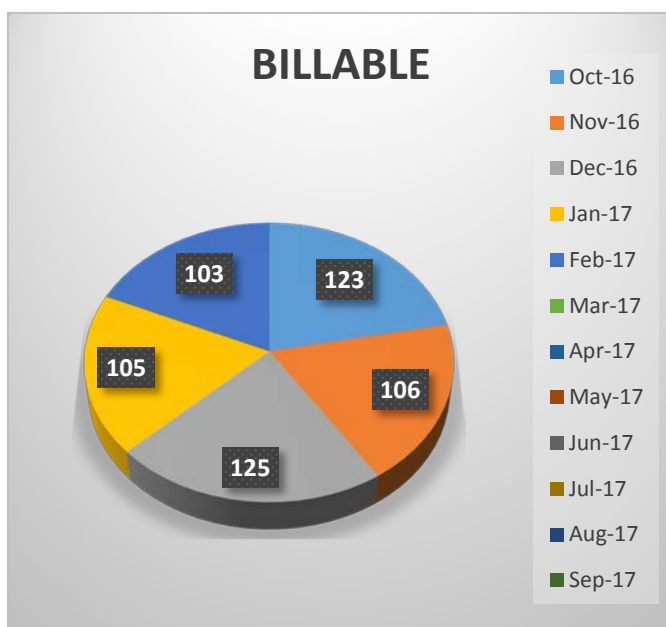
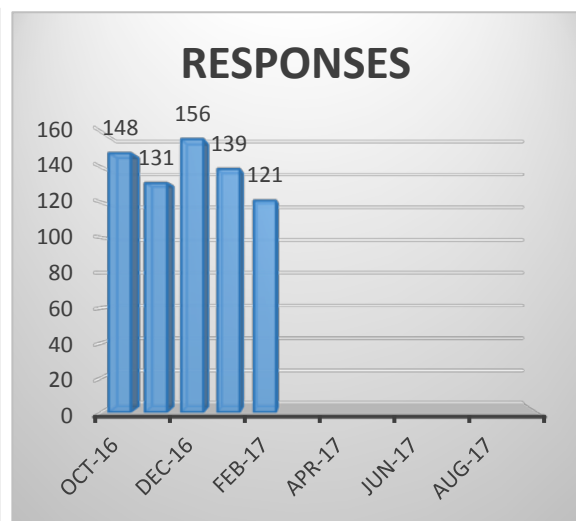
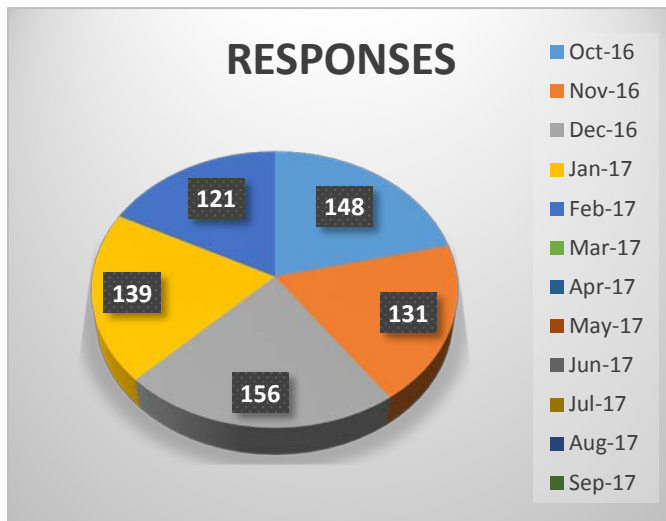
YTD FEES PAID TO INTERMEDIX

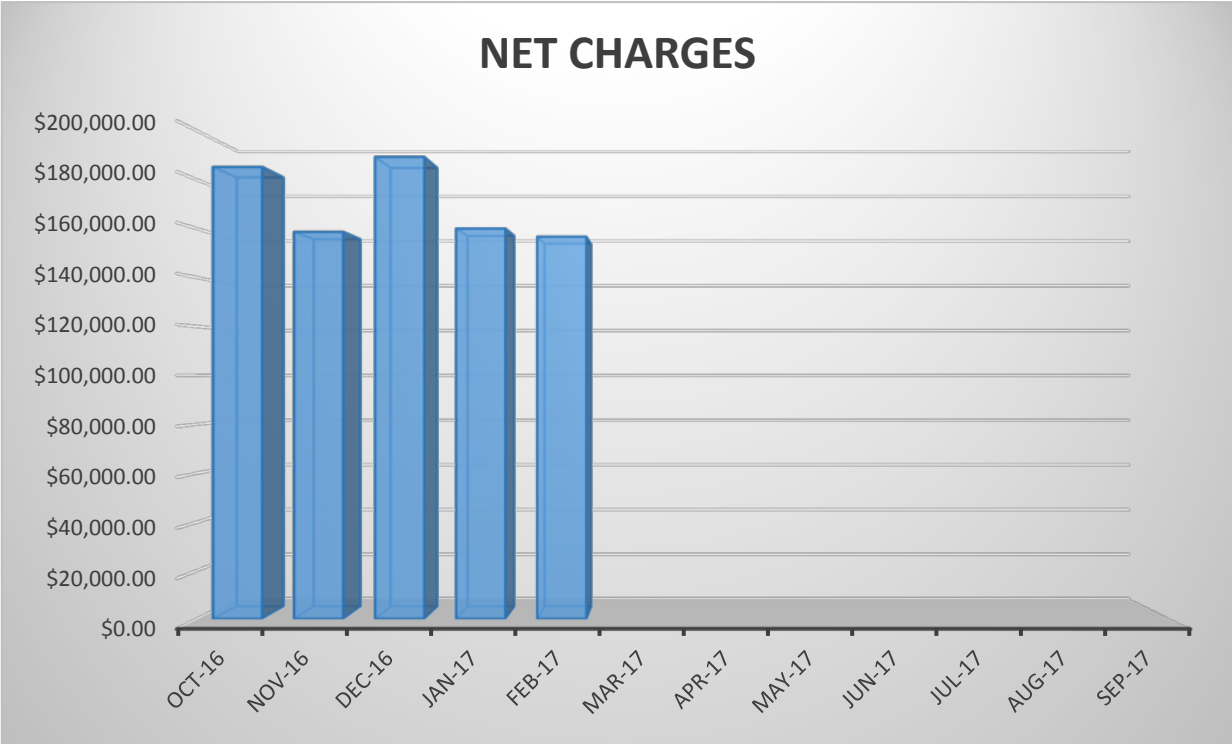
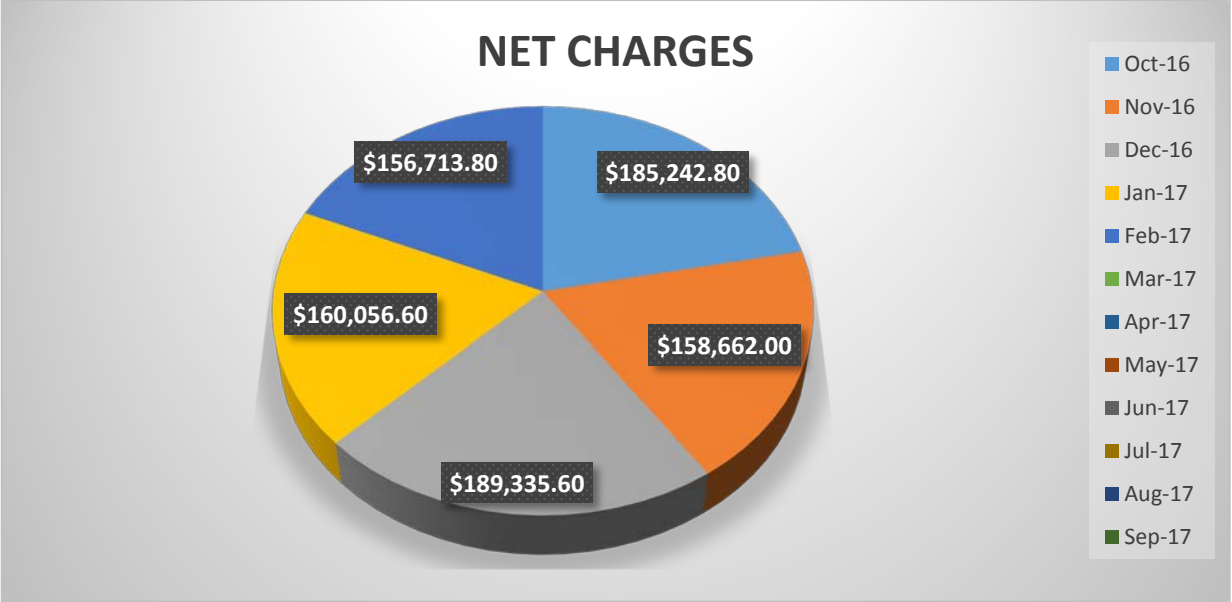
DATE	PAYMENT
10/2/2016	\$628.25
11/2/2016	\$393.65
12/2/2016	\$307.45
1/2/2017	\$985.36
2/2/2017	\$1,077.67
3/2/2017	
4/2/2017	
5/2/2017	
6/2/2017	
7/2/2017	
8/2/2017	
9/2/2017	
YTD TOTAL	\$3,392.38
AVERAGE PAYMENT	\$678.48

YTD FEES PAID TO INTERMEDIX



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	\$160,056.60	105
Feb-17	121	\$156,713.80	103
Mar-17			
Apr-17			
May-17			
Jun-17			
Jul-17			
Aug-17			
Sep-17			
YTD TOTALS	695	\$850,010.80	562





City of La Marque

Fire Department

Month: Feb 1st to Feb 28th

Year: 2017

	<i>Current Month: 02/01/17 to 02/28/17</i>	<i>Current Month/ Previous Year: 02/01/16 to 02/29/16</i>	<i>Previous month: 01/01/17 to 01/31/17</i>	<i>Fiscal Year to Date: 2016-2017</i>	<i>Previous Year to Date: 2015-2016</i>
Fires-	7	9	13	38	32
Overpressures/ Explosions-	0	0	0	0	0
Rescue and EMS-	160	138	191	915	801
Haz-Mat-	3	3	7	31	28
Good Intent-	10	13	13	62	67
False Alarm-	6	6	12	52	46
Mutual Aid Received from(FIRE)-Texas City-	1				
Mutual Aid Given to (FIRE)- Texas City-	0				
Mutual Aid Received from(EMS)- Texas City-	8				
Mutual Aid Given to(EMS)- Texas City-	4				
Mutual Aid Received from(FIRE)-Bayou Vista-	0				
Mutual Aid Given to(FIRE)- Bayou Vista-	0				
Mutual Aid Received from (EMS)-Bayou Vista-	0				
Mutual Aid Given to (EMS)-Bayou Vista-	0				
Mutual Aid Rec'd (FIRE)-Galv. Fire-	0				
Mutual Aid Given to (FIRE)- Galv. Fire-	0				
Mutual Aid Rec'd (EMS)-Galv. EMS	1				
Mutual Aid Given to (EMS)-Galv. EMS	0				
Mutual Aid Rec. from(FIRE)Hitchcock	0				
Mutual Aid Given to (FIRE) – Hitchcock	0				
Mutual Aid Rec. (EMS) – Hitchcock	3				
Mutual Aid Given (EMS)-Hitchcock	0				
Mutual Aid Given to (EMS) – All Others	1				
Mutual Aid Received to (EMS) – All Others	0				
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	121							
<i>Transports</i>	116	108	123	122	104							
<i>Aeromedical</i>	0	0	0	0	0							
<i>Dead On Scene</i>	6	1	3	1	1							
<i>Refusals</i>	25	22	30	16	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	5							
<i>Location - To Hospital</i>	16	16	15	14	14							
<i>To Hospital - At Hospital</i>	8	8	7	8	7							
<i>At Hospital - In Service</i>	28	28	27	27	25							
<i>Location - At Hospital</i>	21	22	21	21	21							
<i>Dispatch - At Hospital</i>	26	28	27	27	27							
<i>Dispatch - In Service</i>	50	52	49	52	48							

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%											0 0%
MD	0 0%	0 0%											0 0%
WomenTx	0 0%	0 0%											0 0%
MHSE	0 0%	0 0%											0 0%
UTMBHosp	4 3%	4 3%											8 3%
HouMeStJon	0 0%	0 0%											0 0%
MHPB	0 0%	0 0%											0 0%
MHCH	0 0%	0 0%											0 0%
CLRH	1 0%	3 2%											4 1%
St John	0 0%	0 0%											0 0%
SanJac	0 0%	0 0%											0 0%
MainInd	111 91%	97 93%											208 92%
Bellaire	0 0%	0 0%											0 0%
Hermann	0 0%	0 0%											0 0%
ShrinrBH	0 0%	0 0%											0 0%
Methodist	0 0%	0 0%											0 0%
St Luke	0 0%	0 0%											0 0%
TXChld	0 0%	0 0%											0 0%

BayAreaMed	5 4%	0 0%											5 2%
Methodist	0 0%	0 0%											0 0%
TOTAL	121 100%	104 100%											225 100%

PATIENT DISPOSITION BY MONTH													
Disposition	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOT
Encounters	139	121											260
Transports	122 87%	104 85%											226 86%
Aeromedical	0 0%	0 0%											0 0%
Dead On Scene	1 0%	1 0%											2 0%
Unfounded	0 0%	0 0%											0 0%
Refusals	16 11%	16 13%											32 12%

CALLS BY TIME OF DAY													
Time	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOT
0600-1159	51 36%	34 28%											85 32%
1200-1759	47 33%	42 34%											89 34%
1800-2359	24 17%	25 20%											49 18%
0000-0559	17 12%	20 16%											37 14%

PATIENT AGE BY MONTH													
Years Old	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOT

<1	0 0%	2 1%											2 0%
1-8	3 2%	4 3%											7 2%
9-12	1 0%	0 0%											1 0%
13-17	1 0%	3 2%											4 1%
18-25	12 8%	3 2%											15 5%
26-50	43 31%	30 25%											73 28%
51-75	50 36%	49 40%											99 38%
76-100	26 19%	28 23%											54 21%
>100	0 0%	1 0%											1 0%

DISPATCHED CALL TYPES PER MONTH													
Call Type	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOTAL
	0 0%	0 0%											0 0%
	0 0%	4 3%											4 1%
Abd Pain	3 2%	0 0%											3 1%
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%	2 1%											2 0%
Auto Ped	0 0%	0 0%											0 0%

Automated Crash Noti	0 0%	0 0%											0 0%
Back Pain	1 0%	2 1%											3 1%
Burns	0 0%	0 0%											0 0%
CO Poison	0 0%	0 0%											0 0%
CPR	1 0%	1 0%											2 0%
Cardiac	18 12 %	2 1%											20 7%
Chest Pain (Non Trau	2 1%	10 8%											12 4%
Childbirth	1 0%	2 1%											3 1%
Choking	1 0%	0 0%											1 0%
DOS	0 0%	0 0%											0 0%
Diabetic	7 5%	5 4%											12 4%
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%	7 5%											16 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%	2 1%											2 0%
Healthcare Professio	0 0%	0 0%											0 0%

Heat/Cold	0 0%	0 0%											0 0%
Hemorrhage	2 1%	2 1%											4 1%
Ind Accident	0 0%	0 0%											0 0%
MVA	11 7%	10 8%											21 8%
Medical	34 24 %	30 24 %											64 24%
Medical Alarm	0 0%	0 0%											0 0%
No Other Appropriate	0 0%	0 0%											0 0%
Other	7 5%	3 2%											10 3%
Overdose	5 3%	2 1%											7 2%
Pandemic/Epidemic/O u	0 0%	0 0%											0 0%
Person Down	0 0%	2 1%											2 0%
Psych	2 1%	1 0%											3 1%
Respiratory	11 7%	12 9%											23 8%
Seizures	9 6%	12 9%											21 8%
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%	2 1%											6 2%
Unconscious	10 7%	6 4%											16 6%

Unknown	0 0%	2 1%											2 0%
---------	---------	---------	--	--	--	--	--	--	--	--	--	--	---------

CALL LOCATIONS BY MONTH													
Map Page	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	TOT
38C													
563													
563A													
565A													
699G													
736A													
736V													
737J													
737K													
737L													
737N													
737P													
737T													
737U													
737Z													
738H													
999999999													
NONE													
PATIENT 1													
PATIENT 2													

RESPONSE TIMES PER MONTH (minutes)													
Unit Status	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	AVG
Dispatch - Location	5	5											5
Location - To Hospital	14	14											14
To Hospital - At Hospital	8	7											8

At Hospital - In Service	28	25											26
Location - At Hospital	21	21											21
Dispatch - At Hospital	27	27											27
Dispatch - In Service	52	48											50

LAMARQUE

Incident Type Report (Summary)

Alarm Date Between {02/01/2017} And {02/28/2017}

Incident Type	Count	Pct of Incidents	Total Est Loss	Pct of Losses
1 Fire				
131 Passenger vehicle fire	5	2.50%	\$13,600	87.17%
134 Water vehicle fire	1	0.50%	\$2,000	12.82%
150 Outside rubbish fire, Other	1	0.50%	\$0	0.00%
	7	3.50%	\$15,600	100.00%
3 Rescue & Emergency Medical Service Incident				
320 Emergency medical service, other	15	7.50%	\$0	0.00%
321 EMS call, excluding vehicle accident with	130	65.00%	\$0	0.00%
322 Motor vehicle accident with injuries	9	4.50%	\$0	0.00%
323 Motor vehicle/pedestrian accident (MV Ped)	1	0.50%	\$0	0.00%
324 Motor Vehicle Accident with no injuries	5	2.50%	\$0	0.00%
	160	80.00%	\$0	0.00%
4 Hazardous Condition (No Fire)				
412 Gas leak (natural gas or LPG)	1	0.50%	\$0	0.00%
440 Electrical wiring/equipment problem, Other	1	0.50%	\$0	0.00%
445 Arcing, shorted electrical equipment	1	0.50%	\$0	0.00%
	3	1.50%	\$0	0.00%
5 Service Call				
500 Service Call, other	4	2.00%	\$0	0.00%
510 Person in distress, Other	2	1.00%	\$0	0.00%
550 Public service assistance, Other	1	0.50%	\$0	0.00%
552 Police matter	1	0.50%	\$0	0.00%
553 Public service	1	0.50%	\$0	0.00%
554 Assist invalid	5	2.50%	\$0	0.00%
	14	7.00%	\$0	0.00%
6 Good Intent Call				
600 Good intent call, Other	3	1.50%	\$0	0.00%
611 Dispatched & cancelled en route	7	3.50%	\$0	0.00%
	10	5.00%	\$0	0.00%
7 False Alarm & False Call				
700 False alarm or false call, Other	3	1.50%	\$0	0.00%
730 System malfunction, Other	1	0.50%	\$0	0.00%

LAMARQUE

Incident Type Report (Summary)

Alarm Date Between {02/01/2017} And {02/28/2017}

Incident Type	Count	Pct of Incidents	Total Est Loss	Pct of Losses
7 False Alarm & False Call				
733 Smoke detector activation due to	1	0.50%	\$0	0.00%
743 Smoke detector activation, no fire -	1	0.50%	\$0	0.00%
	<u>6</u>	<u>3.00%</u>	<u>\$0</u>	<u>0.00%</u>

Total Incident Count: 200

Total Est Loss:

\$15,600

LAMARQUE

Unit Response Time Analysis

Alarm Date Between {02/01/2017} And {02/28/2017}

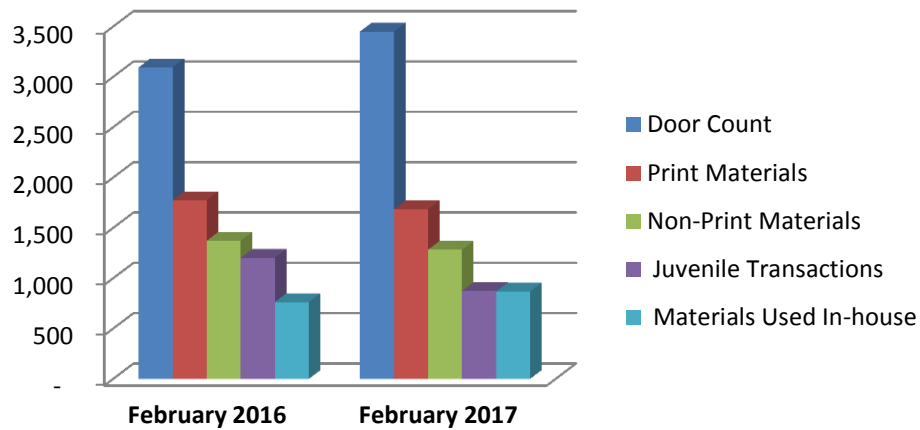
Response		Count	Percentage
Hrs	Mins		
	< 01	4	1.4%
	01	21	7.8%
	02	15	5.6%
	03	37	13.8%
	04	37	13.8%
	05	34	12.7%
	06	27	10.1%
	07	28	10.4%
	08	17	6.3%
	09	16	5.9%
	10	8	2.9%
	11	5	1.8%
	12	3	1.1%
	13	5	1.8%
	14	3	1.1%
	15	3	1.1%
	16	2	0.7%
	18	1	0.3%
	19	1	0.3%

Overall Average Response Time: 00:05:53

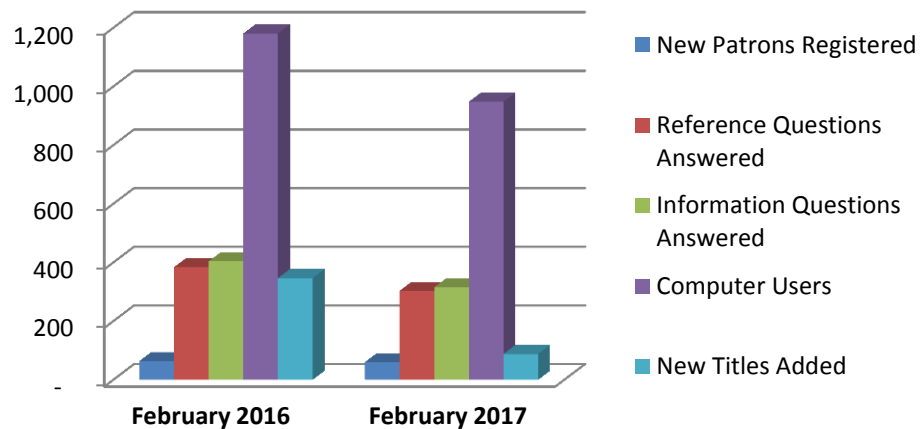
LIBRARY DEPARTMENT

**La Marque Public Library
February Statistics
2016/2017 Comparisons**

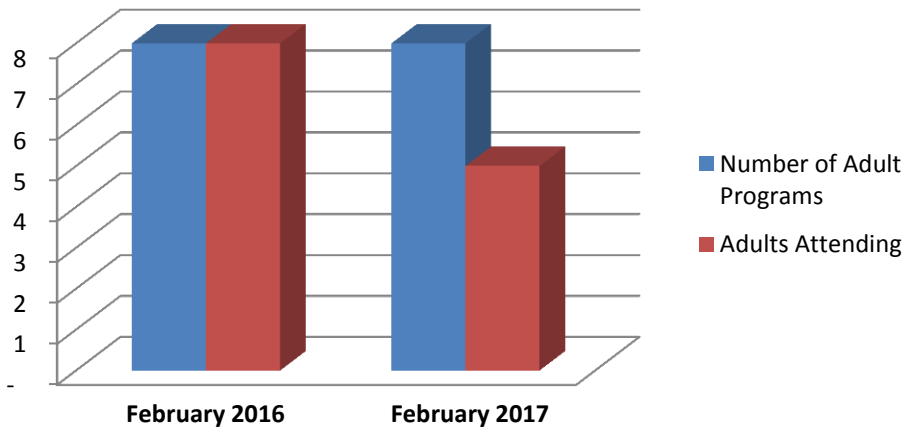
Circulation and Door Count



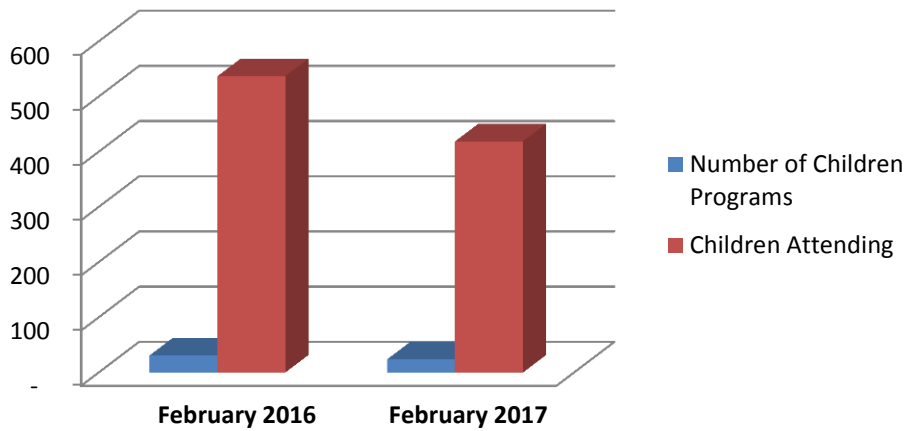
Public Services



Adult Programs

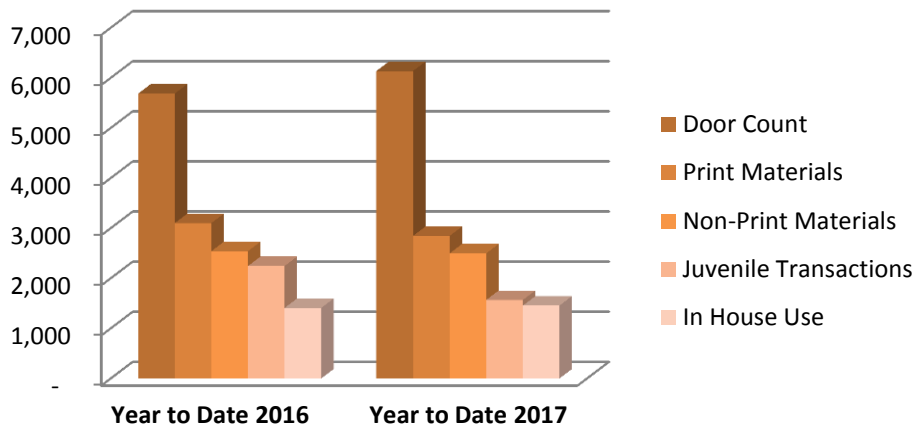


Children's Programs

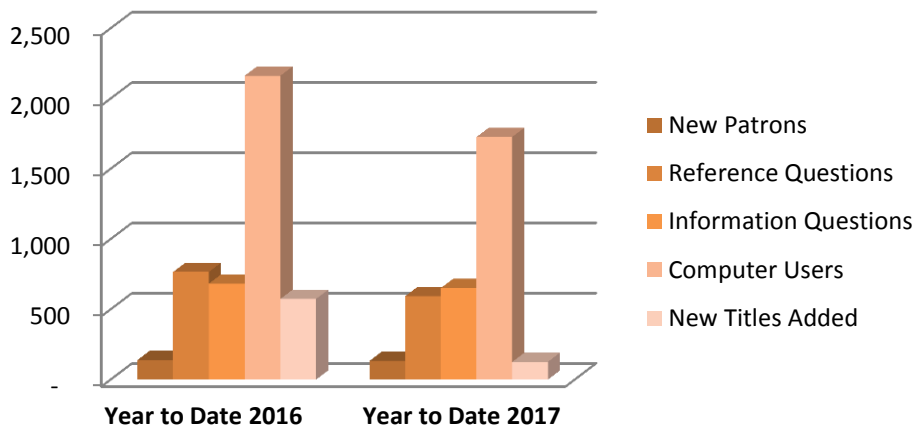


La Marque Public Library
February Statistics
2016/2017 Year to Date Comparisons

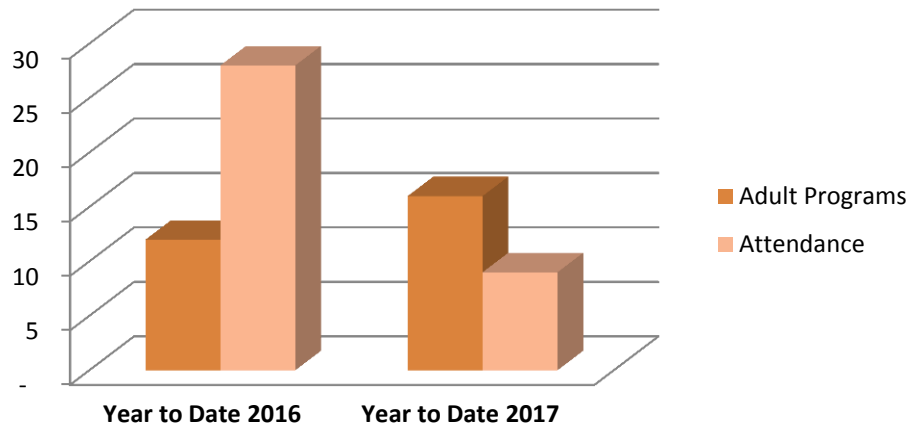
Circulation and Door Count



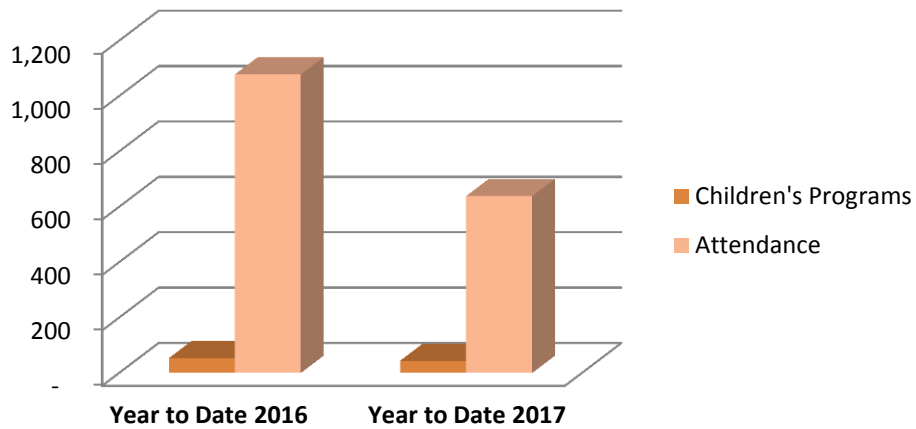
Public Services



Adult Programs



Children's Programs



La Marque Public Library

Report for January 28th – February 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 **3,450** visitors this month.

Customers saved **\$41,412** by checking out items at La Marque Public Library.

Staff added **88** new items to the collection this month.

The library issued **60** new cards.

Circulation Statistics

Print and eBooks	1,684
Audiobooks	8
DVDs	1,275
Total Circulation	2,967
Interlibrary Loans	36

Computer Use

Total logins	948
Total computer time	678 hours
Online catalog searches	1,002

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	303
Information requests	315

Volunteers

Hours worked	106 hours
---------------------	------------------

Volunteers helped clean DVDs, shelved and straightened returned books and assisted with program preparation and clean up.

Programming

- | | |
|------------------------------|------------|
| • Adult programs | 8 |
| • Attendance | 5 |
| • Children's programs | 24 |
| • Attendance | 419 |

Meetings and Continuing Education

- Amy and Terri met with Carol Tillman of Bay Area Jack and Jill on 2/07 to plan this year's community literacy event scheduled for 4/22.

- Terri attended the La Marque Lyons Club meeting on 2/07.
- Terri attended the Marathon STEM Lab Opening at Texas City High School on 2/09 and spoke with students about library programs and services that support STEM principles.
- La Marque hosted the monthly meeting of Galveston County Library Directors on 2/14.
- Terri completed Demco's "Libraries Equal Education" webinar on 2/23. This training gave ideas on how to effectively present the mission of the public library to the community.
- Friends of La Marque Public Library held a membership meeting on 2/25.

Library Happenings

- La Marque Public Library has re-introduced a children's program to our weekly calendar. *Dance and Grow* takes place on Friday mornings at 11:00. The goal of *Dance and Grow* is to introduce nursery rhymes and traditional children's songs to children age 3-5 as they are beginning their journey into literacy. The program also incorporates tactile elements that encourage movement, rhythm and hand-eye coordination.
- This month, the library began a new writing group for all ages called *Wright Here, Right Now*. Members start by watching a short video clip of an author talking about their technique or giving advice for new writers. Participants then move on to writing prompts based on both written and/or visual cues. At the end of the session, they have an opportunity to share their work with the group and get insight on developing their writing from other members.
- Terri represented the library at two school outreach events this month. She attended *Family Reading Night* at La Marque Primary School and *Lunch with a Loved One* at La Marque Elementary. Between the two events, she reached over 200 people and promoted library events and services.
- The library added the popular Chilton Auto Repair database to our selection of electronic resources.

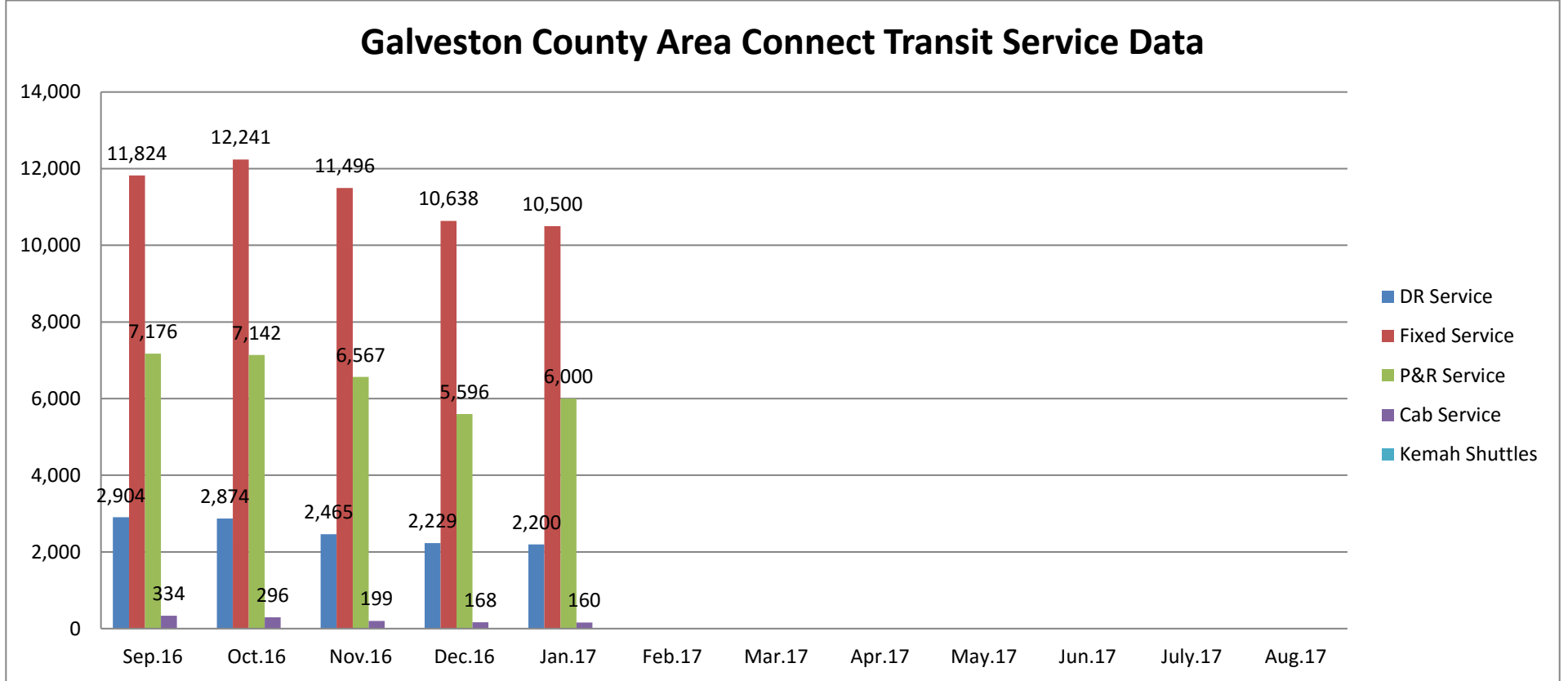
MONTH-TO-YEAR
La Marque Public Library

	MONTHLY TOTALS			YEAR TO DATE TOTALS		
Description	February 2016	February 2017	%Change 2015 vs 2016	February 2016 Previous Year	February 2017 This year	% Change 2016 vs 2017
DOOR COUNT	3,095	3,450	11%	5,686	6,134	8%
CIRCULATION						
Print Materials	1,775	1,684	-5%	3,102	2,843	-8%
Non-Print Materials	1,373	1,283	-7%	2,541	2,495	-2%
Juvenile Transactions	1,203	872	-28%	2,245	1,566	-30%
Materials Used In-house	763	869	14%	1,408	1,454	3%
PUBLIC SERVICES						
New Patrons Registered	64	60	-6%	139	134	-4%
Reference Questions Answered	384	303	-21%	766	594	-22%
Information Questions Answered	404	315	-22%	683	652	-5%
Computer Users	1,181	948	-20%	2,162	1,727	-20%
New Titles Added	347	88	-75%	574	126	-78%
PROGRAM ATTENDANCE						
Number of Adult Programs	8	8	0%	12	16	33%
Adults Attending	8	5	-38%	28	9	-68%
Number of Teen Programs	1	-	0%	1	-	
Teens Attending	0	-		0	-	
Number of Children Programs	31	24	-23%	53	44	-17%
Children Attending	537	419	-22%	1,078	639	-41%
Volunteer Hours	3	106	3433%	12	127	958%
Inter-Library Loan Requests	24	18	-25%	43	51	19%

HOTEL TRANSIT SERVICES

Galveston County Area Connect Transportation Service Data_ FY2017

Mode/Month	Sep.16	Oct.16	Nov.16	Dec.16	Jan.17	Feb.17	Mar.17	Apr.17	May.17	Jun.17	July.17	Aug.17	Total
DR Service	2,904	2,874	2,465	2,229	2,200								12,672
Fixed Service	11,824	12,241	11,496	10,638	10,500								56,699
P&R Service	7,176	7,142	6,567	5,596	6,000								32,481
Cab Service	334	296	199	168	160								1,157
Kemah Shuttles	0	0	0	0	0								0
Total	22,238	22,553	20,727	18,631	18,860	0	0	0	0	0	0	0	103,009



PUBLIC SERVICES

PUBLIC WORKS ADMINISTRATION
ACTIVITY REPORT
Venisha Henderson

2017/January	WEEK 1	WEEK 2	WEEK 3	WEEK 4	MONTHLY	JAN
	1/1-1/7	1/8-1/15	1/16-1/23	1/24-1/31	TOTALS	2016
Calls / Customers						
Water Leaks	8	6	5	4	23	18
Sewer Stops	20	18	25	21	84	48
Leak at Meter	2	1	3	2	8	2
Low Pressure / No Water	2	1	1	0	4	16
Dress-Ups	0	0	0	0	0	2
Billing Department	10	8	11	9	38	59
Blue Cart / Trash Pick Up	6	5	5	4	20	19
Co-Compliance	0	1	0	0	1	0
Pot Holes	2	2	3	2	9	2
Street Repair	1	2	0	0	3	0
Driveway Repair	0	0	0	0	0	0
Dirt Request	0	0	0	0	0	5
Culverts	2	1	0	0	3	2
Mowers / Mowing	2	3	1	1	7	0
Street Signs	1	2	1	0	4	3
Traffic Lights	1	1	0	0	2	0
Street Light Outage	0	0	0	0	0	0
Street Light Request	1	0	0	0	1	0
Director	10	9	7	5	31	20
PW/Utility Dept Supervisors	5	4	2	2	13	17
City Manager	0	0	0	0	0	0
City Hall Admin Assist.	0	0	0	0	0	0
Human Resource	1	1	0	0	2	3
TOTALS					253	216

PUBLIC WORKS ADMINISTRATION
ACTIVITY REPORT
Venisha Henderson

2017/January	WEEK 1	WEEK 2	WEEK 3	WEEK 4	MONTHLY	JAN
	1//1-1/7	1/8-1/15	1/16-1/23	1/24-1/31	TOTALS	2016
Calls / Customers						
City Clerk	0	0	0	0	0	1
Inspections	2	1	3	1	7	5
Animal Control	0	0	0	0	0	0
Mosquito Spray	0	0	0	0	0	0
Locates	2	1	2	0	5	5
LM's	0	0	0	0	0	1
Customer at Window	5	6	8	5	24	20
Recycling	3	2	1	2	8	1
Community Service	4	3	3	2	12	4
Gas Company	1	2	0	0	3	0
Miscellaneous Calls	10	8	7	6	28	24
TOTALS					87	61

**PARKS AND RIGHT-OF-WAY
MAINTENANCE REPORT
Amanda Hobby**

2017/January						Monthly	Jan	COMPLETED WORK
PARK MAINTENANCE	WK 1	WK 2	WK 3	WK 4	WK 5	Man Hours	2016	DESCRIPTION OF WORK
	1/1-1/3	1/4-1/10	1/11-1/17	1/18-1/24	1/25-1/31	Totals	TOTALS	
Highland Bayou Park- Man Hours	5.5	7.75	3.25	9.25	7	32.75	22	Cleaned/Mantained Restrooms;empty trash
Mahan Park- Man Hours	5.5	7.75	3.25	9.25	7	32.75	16	Cleaned/Mantained Restrooms;empty trash
All Parks/Cemetery	0	0	0	12	0	12	38	Cleaned/Mantained Restrooms;empty trash
RIGHT-OF-WAY MAINTENANCE	1/1-1/3	1/4-1/10	1/11-1/17	1/18-1/24	1/25-1/31	Total Hours		DESCRIPTION OF WORK
Utility Patch- Man Hours	0	0	2	0	2	4	0	
Culverts- Linear Feet Set	78	40	0	48	0	166	0	
Man Hours	21	2	0	9	0	32	0	
Trimming Tree Limbs-Man Hours	0	0	0	0	0	0	0	
Driveway Tie In-Man Hours	0	0	0	0	0	0	0	
Traffic Sign Repair/Install-Man Hours	0	1.5	5.5	0	0	7	99	
Pot Holes Filled	0	135	70	185	196	586	177	
Man Hours	0	12.5	31	36.5	37	117	36	
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	0	6.5	0	0	0	6.5	9	
Grate Repair-Man Hours	0	0	0	0	0	0	0	
Weed-Eat/Mowing-Man Hours	0	0	0	0	16	16	0	
Dress-Ups-Man Hours	0	0	0	0	0	0	0	
Check Drains & Ditches-Man Hours	22	0	28	0	0	50	35	
Safety Meeting	1	1	1	1	1	5	0	
Brush/Debris Removal-Ma Hours	0	7.5	0	0	0	7.5	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	0	0	1	0	1	0	
Misc.-Crosswalks for Striping	0	0	0	0	0	0	0	
Misc.-X-Mas Lights, Poles & Signs	0	12	2	0	0	14	0	
TOTAL MAN HOURS						332.5	255	
Comments:								

WATER & SEWER MAINTENANCE DIVISION
ACTIVITY REPORT
Rodney Gamble

2017/JANUARY Utility 22	WEEK 1	WEEK 2	WEEK 3	WEEK 4	MONTHLY	JAN
	1/1-1/7	1/8-1/15	1/16-1/22	1/23-1/31	TOTALS	2016
WATER						
Water leaks repaired	4	11	7	10	32	21
Residential Water Taps	1	1	1	0	3	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	1	0	0	1	2
Low Pressure Customer Side	2	0	3	2	7	0
Meter Boxes & Lids Replaced	0	0	0	0	0	0
Water Turned On/Off - Citizens	0	0	0	0	0	2
Bad Taste/Smelly Water	0	0	0	0	0	0
Drains Cleaned	0	0	0	0	0	0
		TOTAL WORK ORDERS			43	25
Fire Hydrants						
Fire Hydrants Installed	0	0	0	0	0	0
Fire Hydrants Repaired	0	0	0	0	0	0
Fire Hydrants Serviced	0	0	0	0	0	0
SPECIAL PROJECTS						
Storm Drains Repaired	0	0	0	0	0	0
Pick Up Trash	0	0	0	0	0	0

2017/JANUARY
Utility 22

	WEEK 1	WEEK 2	WEEK 3	WEEK 4	MONTHLY	JAN
	1/1-1/7	1/8-1/15	1/16-1/22	1/23-1/31	TOTALS	2016
SEWER						
Sewer Stoppages Resolved	17	20	31	27	105	97
Sewer Lines Repaired	3	6	6	5	20	0
Service Lines Repaired	1	0	1	1	3	0
Residential Sewer Taps	0	1	1	0	2	0
Commercial Sewer Taps	0	0	0	0	0	0
Clean-Out Tops Replaced	0	0	0	0	0	0
Clean-Outs Installed	1	0	2	0	3	0
Sewer Lines Installed	0	0	0	0	0	0
Manhole Repaired	0	0	0	0	0	0
Manhole Installed	0	0	0	0	0	0
Sink Holes	1	0	1	0	2	0
Lines Locate, Water & Sewer	0	0	0	0	0	8
Miscellaneous						
Dress-Ups	0	0	0	0	0	0
Saw Cuts	0	0	0	0	0	0
Valves Replaced	0	0	0	0	0	0
TOTAL WORK ORDERS					135	105

ANIMAL SERVICES

Galveston County Health District



Animal Services Division
Animal Resource Center - Monthly Report by Jurisdiction
January 2017

Jurisdiction	Incoming Animals		Outgoing Animals-Disposition Method										
	Incoming Field	Incoming Shelter	Adoptions	Foster	Rescued by Group	Redeemed by Citizen	Escaped	Euthanized	Euthanasia Request by Owner	Disposal Request by Owner	Quarantine Return	Died in Care	Dead on Arrival
Bayou Vista	0	1	1	0	0	0	0	0	0	0	0	0	0
Clear Lake Shores	0	0	0	0	0	0	0	0	0	0	0	0	0
Dickinson	0	3	1	0	0	0	0	0	2	0	0	0	0
Hitchcock	10	7	9	2	2	2	0	9	1	0	0	0	0
Kemah	2	1	0	0	0	0	0	3	0	0	0	0	0
La Marque	29	22	18	0	5	3	0	19	0	0	0	0	0
Santa Fe	0	1	0	0	1	0	0	0	0	0	0	0	0
Texas City	114	81	69	10	31	22	0	64	4	0	0	1	0
Tiki Island	1	0	0	0	0	0	0	2	0	0	0	0	0
Unincorporated	72	59	36	5	27	17	0	32	5	1	0	1	0
Totals	228	175	134	17	66	44	0	129	12	1	0	2	0

Euthanasia Breakdown

Jurisdiction	Aggressive			Behavior Issue			Health Condition			Illness			Injured			Time/Space			Feral Cat
	Dog	Cat	Other	Dog	Cat	Other	Dog	Cat	Other	Dog	Cat	Other	Dog	Cat	Other	Dog	Cat	Other	
Bayou Vista																			
Clear Lake Shores																			
Dickinson																			
Hitchcock	2			4	2					1									
Kemah	1			1	1														
La Marque	2			4				3		2			1	1		1			5
Santa Fe																			
Texas City	7	1		10	3		6	5	1	3	5	1	3			2			17
Tiki Island					1														
Unincorporated	2			7	1			5		3	1	1	1			2			9
Totals	14	1	0	26	8	0	6	14	1	9	6	2	5	1	0	5	0	0	31

Euthanasia Totals	
Dogs	65
Cats	61
Other	3
Grand Total	129

Calls/Reasons For Calls

Jurisdiction	Calls Received	Avg Response Time	Assist Law Enforcement	Bite Reports	Contained by Citizen or Trap	Other	Owner Surrender	Sick or Injured	Stray	Transport	Trap Drop off/Pick up	Unrestrain/Property	Welfare Check or Neglect	Wildlife Assist
Bayou Vista	0	0:00	0	0	0	0	0	0	0	0	0	0	0	0
Hitchcock	44	0:36	0	0	3	0	0	2	23	0	0	0	14	2
Kemah	5	1:05	0	0	1	0	0	0	3	0	0	0	0	1
La Marque	96	0:30	2	1	5	0	0	3	64	1	2	0	14	4
Tiki Island	1	0:42	0	0	1	0	0	0	0	0	0	0	0	0
Unincorporated	201	0:27	3	6	10	0	1	34	103	9	3	0	26	6
Totals	347	0:29	5	7	20	0	1	39	193	10	5	0	54	13

Additional Information

Jurisdiction	Quarantines	Citations Issued	Notices Issued	Registration
Bayou Vista	0	0	0	0
Hitchcock	0	7	8	5
Kemah	0	0	1	0
La Marque	1	16	7	6
Texas City	2	1	0	4
Tiki Island	0	0	0	0
Unincorporated	9	45	32	11
Totals	12	69	48	26

Texas City Activities	
Avg Response Time	0:10
Bite Reports	4
Transports	10
TOTAL	14

Notes:

Physical Count of animals at ARC on 1/31/17: 188

Galveston County Health District



Animal Services Division
Animal Resource Center - Monthly Report by Jurisdiction

City: La Marque
Month: January 2017
Completed By: Marissa Worsham

ANIMALS:**Incoming Animals: 51****Outgoing Animals-Disposition Method: 45**

Incoming Field	29
Incoming Shelter	22

Adoptions	Foster	Rescued by Group	Redeemed by Citizen	Escaped	Euthanized	Disposal Request by Owner	Quarantine Return	Died in Care
18	0	5	3	0	19	0	0	0

Includes 0
Owner
Request Euth

Euthanasia Breakdown (Does not include the Owner Request Euthanasias)

	Dog	Cat	Other
Aggressive	2		
Behavior Issue	4		
Health Condition		3	
Illness	2		
Injured	1	1	
Time/Space	1		
Feral Cat		5	
TOTALS	10	9	0

Euthanasia Totals	
Dogs	10
Cats	9
Other	0
Grand Total	19

CALLS: 96**Average Response Time** 0:30 (hours)

	Assist Law Enforcement	Bite Case	Contained by Citizen/Trap	Other	Owner Surrender	Sick/Injured	Stray	Transport	Trap Pick Up/Drop Off	Unrestrained/Property	Welfare Check/Neglect	Wildlife Assist
Animal Not Found						1	11				3	
Animal Picked Up	1		4			2	15				1	3
Citation/Notice Issued							11				1	
Conference w/Owner/Complainant							2		1		1	
Dead on Arrival												
Escaped During Transfer												
Incident Closed							4				3	
Other												
Return to Owner												
Trap Set Up/Pick up							1		1			
Unable to Capture	1		1				9				1	1
Unable to Make Contact												
Unfounded Incident												
Unresolved		1					2				4	
Veterinarian Appointment								1				
Warning(s)							9					
TOTALS	2	1	5	0	0	3	64	1	2	0	14	4

ADDITIONAL INFORMATION:

Quarantined	1
Citations Issued	16
Notices Issued	7
Registration	6

FINANCE DEPARTMENT



**City of La Marque
Budget vs Actual
January 2017**

General Fund		January	January	Year To Date	Benchmark	Year To Date	Change
Revenues:	Budget	FY 2017	FY 2016	FY 2017	33%	FY 2016	%
Property Taxes	3,209,750	913,002.58	845,280.61	2,534,743.66	79%	2,266,142.88	12%
Sales Tax	3,732,155	317,536.62	290,141.45	603,876.50	16%	577,759.00	5%
Franchise Fees	864,000	141,320.10	130,088.07	141,433.61	16%	132,484.23	7%
Other Taxes	102,000	76.20	9,349.13	417.60	0%	11,780.78	-96%
Licenses and Permits	327,300	166,669.00	83,254.00	788,499.20	241%	340,957.70	131%
Fines and Forfeits	799,100	50,799.32	58,944.84	199,488.50	25%	204,533.43	-2%
Charges for Services	95,950	15,695.45	5,191.89	60,345.02	63%	33,392.05	81%
Fire and Ambulance Services	365,500	47,005.72	29,548.77	155,654.05	43%	111,783.49	39%
Investment Earnings	10,000	4,186.20	1,578.57	13,011.80	130%	3,459.30	276%
Miscellaneous Revenues	1,000	759.60	10.80	4,566.69	457%	266.68	1612%
Reimbursements	62,000	-	3,083.33	-	0%	12,333.32	-100%
Intergovernmental	79,050	8,602.88	-	8,602.88	11%	15,800.47	-46%
General Fund - Total Revenues	9,647,805	\$ 1,665,653.67	\$ 1,456,471.46	\$ 4,510,639.51	47%	\$ 3,710,693.33	18%
Expenditures:	Budget	January	January	Year To Date	Benchmark	Year To Date	Change
General Government Division		FY 2017	FY 2016	FY 2017	33%	FY 2016	%
Administration	467,877	41,990.75	19,390.60	129,606.91	28%	74,209.80	75%
Finance	461,111	35,468.28	29,335.36	127,796.90	28%	112,393.55	14%
Inspection	646,035	32,412.91	19,823.94	157,323.33	24%	71,919.88	119%
Judicial	382,809	15,209.87	22,795.14	72,222.35	19%	85,942.19	-16%
City Clerk	160,509	16,999.74	6,662.85	39,955.02	25%	30,239.51	32%
Library	260,931	19,548.77	18,104.00	72,213.32	28%	66,959.30	8%
Information Technology	153,765	11,111.28	6,370.84	47,338.40	31%	28,760.23	65%
Fund Expenditures	1,050,153	276,545.38	138,413.58	471,146.71	45%	391,569.74	20%
	3,583,191	\$ 449,286.98	\$ 260,896.31	\$ 1,117,602.94	31%	\$ 861,994.20	23%
Public Safety Division	Budget	January	January	Year To Date	Benchmark	Year To Date	Change
		FY 2017	FY 2016	FY 2017	33%	FY 2016	%
Police	3,664,292	275,183.93	247,284.74	961,312.14	26%	921,057.34	4%
Animal Control	97,827	-	-	24,921.25	25%	-	#DIV/0!
Emergency Management	89,136	865.99	1,374.80	1,820.48	2%	1,581.79	15%
Fire/EMS	2,177,073	146,436.84	150,880.16	562,066.60	26%	529,484.33	6%
Fire Marshal	0	-	-	-	#DIV/0!	353.61	
Subtotal of PSD Expenditures	6,028,328	\$ 422,486.76	\$ 399,539.70	\$ 1,550,120.47	26%	1,452,477.07	6%



**City of La Marque
Budget vs Actual
January 2017**

		January	January	Year To Date	Benchmark	Year To Date	Change
Public Works Division	Budget	FY 2017	FY 2016	FY 2017	33%	FY 2016	%
Parks	0	-	(1,107.11)	-	#DIV/0!	-	#DIV/0!
Shop/Service	0	-	(421.23)	-	#DIV/0!	-	#DIV/0!
PW Admin	0	-	-	-	#DIV/0!	-	#DIV/0!
Street	817,148	65,830.15	54,687.93	197,393.94	24%	192,768.63	2%
Subtotal of PWD Expenditures	817,148	\$ 65,830.15	\$ 53,159.59	\$ 197,393.94	24%	\$ 192,768.63	2%
General Fund - Total Expenditures	10,428,667	\$ 937,603.89	\$ 713,595.60	\$ 2,865,117.35	27%	\$ 2,507,239.90	12%
Revenues over Expenditures	(780,862)	\$ 728,049.78	\$ 742,875.86	\$ 1,645,522.16		\$ 1,203,453.43	
Beginning Unassigned Fund Balance:				4,331,516.49			
Ending Fund Balance:				5,977,038.65			

*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
January 2017

Utility Fund		January	January	Year To Date	Benchmark	Year To Date	Change
Revenues:		FY 2017	FY 2016	FY 2017	33%	FY 2016	%
Budget							
Operating Revenue	3,793,727	322,430.47	307,340.18	1,394,454.29	37%	1,323,099.26	5%
Other Revenue	1,000,500	66,537.25	48,956.45	138,772.71	14%	120,299.72	15%
Utility Fund - Total Revenues	4,794,227	\$ 388,967.72	\$ 356,296.63	\$ 1,533,227.00	32%	\$ 1,443,398.98	6%
Expenditures:		January	January	Year To Date	Benchmark	Year To Date	Change
Budget		FY 2017	FY 2016	FY 2017	33%	FY 2016	%
UB/Accounting	271,274	24,103.13	17,027.58	75,583.18	28%	57,622.80	31%
Utility Line Maint	1,189,221	70,201.50	49,030.27	164,210.07	14%	202,169.15	-19%
Water & Sewer Operations	2,606,338	162,997.72	168,557.34	536,151.11	21%	613,925.89	-13%
Debt Service	399,667	-	-	76,830.34	19%	45,201.64	70%
Storm Water	18,825	199.72	-	199.72	1%	76.94	160%
Fund Expenditures	913,952	21,845.67	(1,213.75)	145,473.43	16%	109,515.66	33%
Utility Fund - Total Expenditures	5,399,277	\$ 279,347.74	\$ 233,401.44	\$ 998,447.85	18%	\$ 1,028,512.08	-3%
Capital Project-Hwy 3 @ Cedar						133,964.24	
Revenues over Expenses	(605,050)	109,619.98	122,895.19	534,779.15		280,922.66	
Cash and Cash Equivalent Balance as of 1/31/17:				5,008,610.41			

*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
January 2017

Debt Service								
Revenues:	Budget	January FY 2017	January FY 2016	Year To Date FY 2017	Benchmark 33%	Year To Date FY 2016	Change %	
Property Taxes	616,455	167,032.79	153,415.88	463,990.80	75%	410,242.56	13%	
Other Revenue	1,000	575.99	224.36	1,944.09	194%	526.20	269%	
Debt Service Fund - Total Revenues	617,455	\$ 167,608.78	\$ 153,640.24	\$ 465,934.89	75%	\$ 410,768.76	12%	
Expenditures:	Budget	January FY 2017	January FY 2016	Year To Date FY 2017	Benchmark 33%	Year To Date FY 2016	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	167,608.78	153,640.24	407,975.16		410,768.76		
Beginning Balance:				691,577.70				
Ending Balance:				1,099,552.86				

*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
January 2017

HOT Fund		January	January	Year To Date	Benchmark	Year To Date	Change
Revenues:		FY 2017	FY 2016	FY 2017	33%	FY 2016	%
	Budget						
Occupancy Tax Collected	100,000	(11,487.29)	8,412.98	12,884.39	13%	15,486.97	-17%
Other Revenue	500	512.29	191.93	1,729.08	346%	455.96	279%
HOT Fund - Total Revenues	100,500	(10,975.00)	8,604.91	14,613.47	15%	15,942.93	-9%
Expenditures:		January	January	Year To Date	Benchmark	Year To Date	Change
		FY 2017	FY 2016	FY 2017	33%	FY 2016	%
	Budget						
Interconnect Transit System	40,000	2,427.24	3,333.33	7,264.91	18.16%	9,999.99	-27%
PROFESSIONAL FEES	50,000	-	-	-	0.00%	-	#DIV/0!
Promotional within CLM	3,000	-	-	-	0.00%	-	#DIV/0!
BAYOU FEST	109,079	2,739.06	-	20,607.64	18.89%	24,834.90	-17%
CHRISTMAS EVENT	57,737	6,481.19	1,968.96	13,331.06	23.09%	4,886.41	173%
MWL-SPONSORSHIP	15,000	-	-	15,000.00	100.00%	-	#DIV/0!
COLM PROMOTIONS	0	800.00	-	3,305.00	#DIV/0!	-	#DIV/0!
CITY PROMOTION - TC-LM C OF C	25,000	-	-	-	0.00%	-	#DIV/0!
Transfer Out - General Fund							
	299,816	\$ 12,447.49	\$ 5,302.29	\$ 59,508.61	19.85%	\$ 39,721.30	33%
	(199,316)	(23,422.49)	3,302.62	(44,895.14)		(23,778.37)	
Beginning Fund Balance:				690,078.74			
Ending Fund Balance:				645,183.60			

*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 1/31/17

Funds	Amounts
General Fund	6,608,503.94
Utility Fund	5,008,610.41
Utility Restricted Investment	268,667.06
Westside Construction Fund	28,088.75
Equipment Replacement Fund	46,720.70
Library Fund	3,715.42
PD Child Outreach Program	6,228.39
Hotel Motel Fund	580,417.49
Drug Seizure Fund	47,810.98
Home Program Grant	38,552.46
Debt Service Fund	1,111,942.72
Utility Debt Service Fund	0.00
PID Funds	512,394.51
EDC	5,825,389.41
Equipment Maintenance Fund	33,485.02
CDBG Grant	0.00
CDBG Disaster	0.00
2005 CO Capital Projects	498,240.19
2007 CO Capital Projects	672,527.14
2016 CO Capital Projects	9,198,983.05
Section 8 Housing Grant	136,044.45
Sanitation	502,908.24
Disasters Fund	300.00
Parks Fund	33,770.44
Court Technology	41,332.54
Court Security	77,792.81
Child Safety	43,385.63
LEOSE Training Fund	17,293.54
Health Reimbursement Account	(1,294.00)
Clean City Fund	37,934.81
PEG	59,605.68
Donations Fund	153,504.46
Cemetery Fund	25,084.33
Fire Reserve	83,935.37
Library Grants Fund	2,200.84
Capital Improvements	250,091.75
Risk Management Fund	59,496.59
	32,013,665.12

*Note-Cash and investments excluded amounts held in GCWA



FINANCIAL HIGHLIGHTS

January 31, 2017

GENERAL FUND

REVENUES (Overall increased by 18%)

- Property taxes increased by 12%. This is due to timing of tax payments and tax roll values.
- Sales tax continues to be ahead by 5%.
- Franchise increased by 7% mainly due to electricity.
- Gulf Greyhound Parks admission fees decreased from \$3,079 to \$418 in comparison to last year.
- Licenses and permits revenues increased from \$340,958 to \$788,499.
 - Pipeline permits-the City received \$264,015 from HSC current year.
 - Building permits increased by 112%.
 - Plan review fees increased from \$11,090 to \$24,172.
 - Coin operated machines increased from \$252,910 to \$389,515.
- Fines and forfeitures decreased 2%.
- Fire and ambulance service revenues increased by 39%.
 - Ambulance services increased from \$106,059 to \$144,289.
 - Fire code plan review increased from \$1,460 to \$6,260.
 - Fire code inspection increased from \$2,285 to \$5,105.
- Interest revenue increased from \$3,459 to \$13,012.

EXPENDITURES (Overall increased by 12%)

Highlights contributing increase include the following:

- Administration increased by 75% mainly due to personnel related expenditure.
- Development Services increased from \$71,920 to \$157,323 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.



FINANCIAL HIGHLIGHTS

January 31, 2017

- Fund expenditure decreased 20% mainly due to transfer out to Capital Projects Fund for demolition, drainage, streets maintenance, and police projects as approved by Council through budget process.

UTILITY FUND

Revenues overall increased by 6%.

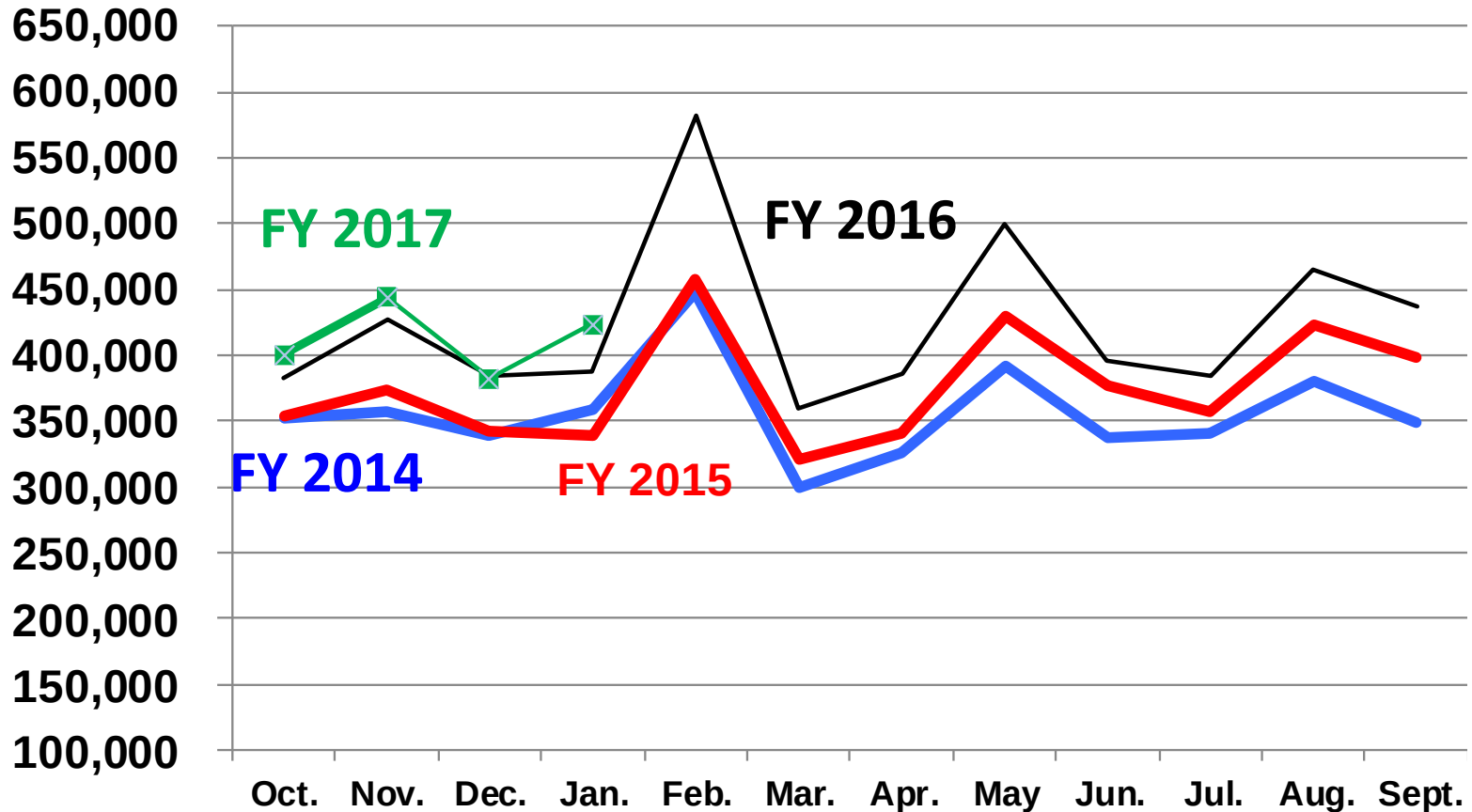
- Investment interest increased from \$2,864 to \$13,621.

Expenses overall decreased by 3%:

- Debt increased by 70% due to issuance of 2016 CO for capital.



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	423,367	36,526	9
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>1,648,755</u>	<u>\$69,162</u>	<u>4.38</u>

LA MARQUE ECONOMIC DEVELOPMENT CORPORATION
COMBINED BALANCE SHEET
FISCAL YEAR 2016-17
Month Ending January 31, 2017

	<u>EDC</u>
<u>ASSETS:</u>	
Cash	138,676
Sub-Total	<u>138,676</u>
Investments:	
Investments - General	4,202,468
Investments - Restricted/Revitalization	1,047,178
Certificate of Deposit - ACU	100,000
Certificate of Deposit - Amoco	100,457
Certificate of Deposit - Texas First	200,801
Money Market - Texas First	35,815
Sub-Total	<u>5,686,720</u>
Prepays	503
Receivables	258
Buildings	682,006
Land & Improvements	3,988,335
Accumulated Amortized-Depreciation	
Capitalized Interest & Cost	
Total Assets	<u>10,496,499</u>
<u>LIABILITIES / EQUITY:</u>	
Liabilities:	
Accrued T.M.R.S.	2,664
Taxes	221
Fort Dearborn Life	26
Health Insurance	1,189
Dental Insurance	85
Vision Insurance	20
Worker's Comp. Payable	-437
Def. Outflows-Subsequent Contributions	-5,336
Def. Outflows-Difference in Earnings	-3,051
Current Earned Sick & Vacation	27,487
Def. Inflows-Difference in Experience	1,198
Net Pension Liability	28,847
Accounts Payable	20,143
Total Liabilities	<u>73,054</u>
Equity:	
Reserved for Capital Assets	933,904
Reserved for Revitalization	93,980
Unreserved:	9,395,561
Total Equity	<u>10,423,444</u>
Total Liabilities / Equity	<u>10,496,499</u>

Prepared By:
Suzy Kou

Approved By:

LA MARQUE ECONOMIC DEVELOPMENT CORPORATION
COMBINED INCOME STATEMENT
FISCAL YEAR 2016-17
FOR THE PERIOD ENDED JANUARY 31, 2017

	BUDGET	YEAR TO DATE	%
<u>REVENUES:</u>			
1/2 Cent Sales Tax	\$ 1,000,000	203,305	20
Insurance Proceeds	-	-	-
Interest / Investments	5,000	9,177	184
Interest - Revitalization	-	2,613	-
Sale of Assets	-	953,888	-
Miscellaneous Income	-	-	-
Revitalization - Assets Exchange	-	-	-
Revitalization - Rental	36,000	22,433	62
Revitalization - ROW Permits	-	105,770	-
Miscellaneous Donations	-	-	-
Reserve for Sams	-	-	-
TOTAL REVENUES:	1,041,000	1,297,187	\$ 125

OPERATING EXPENSES:

City Supported:

Operating Supplies	10,500	6,269	60
Postage	-	7	-
Janitorial Supplies		1,861	#DIV/0!
General Insurance	5,000		-
Communications	10,000		-
Utilities	2,750	997	36
Accounting Services	35,000		-
Clerical Services	2,000		-
Total City Supported	65,250	9,134	14

General Operating:

Uniforms, Maint & Safety Gear	-	-	-
R & M - Facilities	40,000	138	-
R & M - Equipment		-	-
Professional Fees	125,500	17,709	14
Executive Director and staff	240,963	56,117	23
Advertising & Promotion	45,000	3,680	8
Travel - Education & Training	15,000	1,419	9
Dues, Memberships, & Subscriptions	10,000	1,215	12
Grants	269,759	55,000	20
Public Improvements	10,000	-	-
Revitalization Projects			-
Blight Reduction Pilot Program	25,000	-	-
Mowing - Landscaping / Maintenance	22,500	1,575	7
Total General Operating	803,722	136,853	17

Prepared By:
Suzy Kou

Approved By:

LA MARQUE ECONOMIC DEVELOPMENT CORPORATION
COMBINED INCOME STATEMENT
FISCAL YEAR 2016-17
FOR THE PERIOD ENDED JANUARY 31, 2017

Capital Expenditures:

Buildings, Furniture & Fixtures, Land	15,000		-
Land	169,259	14,755	9
Total Capital Expenditures	184,259	14,755	8

TOTAL EXPENSES:	1,053,231	160,742	15
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REVENUES OVER(UNDER) EXPENSES:

\$	(12,231)	\$	1,136,445
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**City of La Marque
Economic Development Corporation
Investment Schedule
as of January 31, 2017**

	Beginning Balance	Deposits	Withdrawals	Monthly Interest Earnings	Accumulated Fiscal Year Interest	Ending Balance
TEXPOOL 449/848300001	1,426,152.86	0.00	250,000.00	569.63	1,499.84	1,176,722.49
LOGIC 6012995002	2,133,084.68	898,000.00	8,188.89	2,201.41	5,543.24	3,025,097.20
LOGIC - Revitalization 6012995003	1,038,135.73	8,188.89	0.00	853.71	1,134.79	1,047,178.33
Texas First Bank Money Market 11036103 **	35,815.22	0.00	0.00	0.00		35,815.22
DWS 6540001279	648.36	0.00	0.00	0.00		648.36
Texas First Bank 10141331	200,801.22					200,801.22
ACU - Certificate of Deposit**** X722***	100,000.00					100,000.00
Amoco - Certificate of Deposit**** 6670	100,005.00			89.50	451.67	100,456.67
Investment Totals	5,034,643.07	906,188.89	258,188.89	3,714.25	8,629.54	5,686,719.49

** - Statement Not Available at Time of Report.

*** - Checks not received at time of report.

**** ACU mailed us the interest check each month.

****_Amoco CD interest has been deducted from EDC Logic and added to EDC Revitalization Logic

Pay Type - 0 Overtime		Pay Type History Report						
Fund Number - 1 GENERAL FUND		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	01/06/17	70264	7.00			207.36	
20126	MYSTY NAUCK	01/20/17	70375	1.50			44.44	
Total for Employee				8.50			251.80	
Total for Program - FINANCE/ACCOUNTING/TAX				8.50			251.80	
Total for Department - 2 FINANCE/ACCOUNTING/TAX				8.50			251.80	
40128	SHEILA MAYA	01/06/17	70273	6.00			103.50	
40128	SHEILA MAYA	01/20/17	70384	2.25			38.81	
Total for Employee				8.25			142.31	
Total for Program - JUDICIAL				8.25			142.31	
Total for Department - 4 JUDICIAL				8.25			142.31	
50193	TROY ANDERS	01/06/17	70299	12.00			435.08	
50193	TROY ANDERS	01/20/17	70410	11.75			420.73	
Total for Employee				23.75			855.81	
50186	EVELYN ARREDONDO	01/06/17	70293	3.00			119.02	
50186	EVELYN ARREDONDO	01/20/17	70404	7.50			297.54	
Total for Employee				10.50			416.56	
50163	ANDREW BEST	01/20/17	70400	9.00			376.80	
Total for Employee				9.00			376.80	
50148	TINA CRAWFORD	01/20/17	70393	14.00			450.35	
Total for Employee				14.00			450.35	
50202	MATTHEW CYPERT	01/06/17	70303	24.25			829.50	
50202	MATTHEW CYPERT	01/20/17	70414	16.00		N	547.30	
Total for Employee				40.25			1,376.80	
50176	JESSE GUZMAN	01/06/17	70292	13.25			514.98	
50176	JESSE GUZMAN	01/20/17	70403	12.00			459.41	
Total for Employee				25.25			974.39	
50192	RICHARD HERNANDEZ	01/06/17	70298	24.00			895.72	
Total for Employee				24.00			895.72	
50187	JOSHUA HUMAN	01/06/17	70294	24.00			1,111.68	
50187	JOSHUA HUMAN	01/20/17	70405	12.00		N	566.64	

praptrp2 City of La Marque
Pay Type - 0 Overtime
Fund Number - 1 GENERAL FUND

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Pay Type History Report

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Department Number - 5 POLICE Program Number - POLICE

Employee Number	Employee Name	Check Date	Check Number	Units	Pay Rate 1	Ovr Amt	Amount	Account Compressed
Total for Employee				36.00			1,678.32	
50199	STEPHONIA JACKSON	01/06/17	70302	12.00			410.47	
50199	STEPHONIA JACKSON	01/20/17	70413	6.75			230.89	
Total for Employee				18.75			641.36	
50156	JESSICA JOHNSON	01/06/17	70286	16.00			607.75	
50156	JESSICA JOHNSON	01/20/17	70397	12.00			455.81	
Total for Employee				28.00			1,063.56	
50205	KELLIE LADD	01/06/17	70306	24.00			693.04	
50205	KELLIE LADD	01/20/17	70417	22.00			634.00	
Total for Employee				46.00			1,327.04	
50208	FETURILLA MCNEAL	01/06/17	70307	16.00			355.20	
50208	FETURILLA MCNEAL	01/20/17	70418	12.00			270.00	
Total for Employee				28.00			625.20	
50188	DANIEL O'CONNOR	01/06/17	70295	24.00		N	866.23	
50188	DANIEL O'CONNOR	01/20/17	70406	13.00			467.26	
Total for Employee				37.00			1,333.49	
50154	TIAWANNA PORTER	01/06/17	70285	24.00			703.12	
50154	TIAWANNA PORTER	01/20/17	70396	12.00			351.56	
Total for Employee				36.00			1,054.68	
50134	GEOFFREY PRICE	01/06/17	70278	4.00			195.94	
Total for Employee				4.00			195.94	
50203	MICHAEL RAMSEY	01/06/17	70304	13.50			573.99	
50203	MICHAEL RAMSEY	01/20/17	70415	12.00			511.06	
Total for Employee				25.50			1,085.05	
50209	RANDALL RICE	01/06/17	70308	12.00			401.69	
Total for Employee				12.00			401.69	
50161	GILBERTO RODRIGUEZ	01/06/17	70288	2.50			129.41	
50161	GILBERTO RODRIGUEZ	01/20/17	70399	12.00			622.64	
Total for Employee				14.50			752.05	
50165	SHELBY SAMUELSON	01/06/17	70290	10.25			500.58	
50165	SHELBY SAMUELSON	01/20/17	70401	19.50			952.32	
Total for Employee				29.75			1,452.90	
50196	JOSE SANTOS	01/20/17	70411	17.00			643.59	
Total for Employee				17.00			643.59	
50197	BRITTANY SMITH	01/06/17	70301	12.00			413.44	

praptrp2 City of La Marque
 Pay Type - 0 Overtime
 Fund Number - 1 GENERAL FUND

skou
 Pay Type History Report

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Department Number - 5 POLICE Program Number - POLICE

Employee Number	Employee Name	Check Date	Check Number	Units	Pay Rate 1	Ovr Amt	Amount	Account Compressed
Total for Employee				12.00			413.44	
Total for Program - POLICE				491.25			18,014.74	
Total for Department - 5 POLICE				491.25			18,014.74	
60092	MICHAEL BILLIOTT	01/06/17	70314	24.00			794.05	
Total for Employee				24.00			794.05	
60009	JOHN BRASHER	01/06/17	70310	24.00			898.24	
Total for Employee				24.00			898.24	
60124	JASON CROCKOM	01/06/17	70323	49.00			1,271.84	
Total for Employee				49.00			1,271.84	
60077	JOSE GONZALEZ	01/06/17	70312	24.00			939.17	
Total for Employee				24.00			939.17	
60123	JAMES MATTHEWS	01/20/17	70435	4.50			104.31	
Total for Employee				4.50			104.31	
60097	WILLIAM REED	01/20/17	70428	6.00			258.96	
Total for Employee				6.00			258.96	
60127	ASHLEY ROBINSON	01/06/17	70326	12.00		N	297.76	
Total for Employee				12.00			297.76	
60119	TONY WRIGHT	01/06/17	70320	1.00			37.20	
Total for Employee				1.00			37.20	
Total for Program - FIRE				144.50			4,601.53	
Total for Department - 6 FIRE				144.50			4,601.53	
120155	CHRISTOPHER BIVENS	01/06/17	70339	27.00		N	445.10	
120155	CHRISTOPHER BIVENS	01/20/17	70453	.50			8.24	
Total for Employee				27.50			453.34	
240122	EUSTACIO GONZALES	01/06/17	70343	1.00		N	25.02	
Total for Employee				1.00			25.02	
210124	AMANDA HOBBY	01/06/17	70341	18.25			486.95	
Total for Employee				18.25			486.95	

Pay Type -		Overtime	Pay Type History Report					
Fund Number -		1 GENERAL FUND	Department Number -		12 PUBLIC SERVICES	Program Number -		PUBLIC SERVICES
Employee Number	Employee Name	Check Date	Check Number	Units	Pay Rate 1	Ovr Amt	Amount	Account Compressed
120120	JOSEPH MOSE	01/06/17	70336	4.50			110.09	
120120	JOSEPH MOSE	01/20/17	70450	9.00			220.19	
Total for Employee				13.50			330.28	
120157	JARED WILSON	01/06/17	70340	25.25			416.25	
120157	JARED WILSON	01/20/17	70454	2.00			32.97	
Total for Employee				27.25			449.22	
Total for Program - PUBLIC SERVICES				87.50			1,744.81	
Total for Department - 12 PUBLIC SERVICES				87.50			1,744.81	
Total for Fund - 1 GENERAL FUND				740.00			24,755.19	
220135	ERNEST DICKEY	01/20/17	70466	9.00			161.35	
Total for Employee				9.00			161.35	
220140	LEONARD FAULK	01/06/17	70354	21.50		N	354.43	
220140	LEONARD FAULK	01/20/17	70468	4.50			74.18	
Total for Employee				26.00			428.61	
220138	BRODERICK FRANK	01/06/17	70353	55.75		N	999.49	
220138	BRODERICK FRANK	01/20/17	70467	1.50			26.89	
Total for Employee				57.25			1,026.38	
220102	RODNEY GAMBLE	01/06/17	70349	14.00		N	348.60	
220102	RODNEY GAMBLE	01/20/17	70463	8.50			211.65	
Total for Employee				22.50			560.25	
220143	RYAN JONES	01/06/17	70357	9.50			156.61	
220143	RYAN JONES	01/20/17	70471	3.50			57.70	
Total for Employee				13.00			214.31	
220141	JASON MOSES	01/06/17	70355	7.00			115.40	
Total for Employee				7.00			115.40	
220142	APOLINAR RESENDEZ	01/06/17	70356	20.00			329.70	
220142	APOLINAR RESENDEZ	01/20/17	70470	10.00			164.85	
Total for Employee				30.00			494.55	
Total for Program - UTILITY LINE MAINTENANCE				164.75			3,000.85	
Total for Department - 22 UTILITY LINE MAINTENANCE				164.75			3,000.85	

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				
240123	VALENTIN GARCIA		01/06/17	70362	4.50			93.41					
Total for Employee					4.50			93.41					
120152	SHANE IRISH		01/06/17	70359	6.00			107.78					
120152	SHANE IRISH		01/20/17	70473	12.00			215.57					
Total for Employee					18.00			323.35					
240101	RONALD REED		01/06/17	70360	25.25			650.96					
240101	RONALD REED		01/20/17	70474	12.50			322.26					
Total for Employee					37.75			973.22					
Total for Program -					60.25			1,389.98					
Total for Department - 24 WATER AND WASTEWATER OPER					60.25			1,389.98					
Total for Fund - 2 UTILITY FUND					225.00			4,390.83					
Total for Pay Type -					965.00			29,146.02					
Grand Totals -					965.00			29,146.02					

Employee		Department Number - 5		POLICE		Program Number -		POLICE	
Employee Number	Employee Name	Check Date	Check Number	Units	Pay Rate 1	Ovr Amt	Amount	Account Compressed	
50163	ANDREW BEST	01/06/17	70289	36.00			1,513.67		
50163	ANDREW BEST	01/20/17	70400	14.00			586.13		
Total for Employee				50.00			2,099.80		
50191	DASHIELL CANTU	01/06/17	70297	24.00			853.16		
50191	DASHIELL CANTU	01/20/17	70408	12.00			438.28		
Total for Employee				36.00			1,291.44		
50148	TINA CRAWFORD	01/20/17	70393	12.00			386.01		
Total for Employee				12.00			386.01		
50160	FORREST GANDY	01/06/17	70287	7.00			357.07		
50160	FORREST GANDY	01/20/17	70398	12.00		N	612.13		
Total for Employee				19.00			969.20		
50139	RICHARD GARCIA	01/06/17	70279	24.00			1,382.72		
50139	RICHARD GARCIA	01/20/17	70390	12.00			692.84		
Total for Employee				36.00			2,075.56		
50204	KENNETH HERNANDEZ	01/06/17	70305	24.00			847.22		
50204	KENNETH HERNANDEZ	01/20/17	70416	12.00			426.08		
Total for Employee				36.00			1,273.30		
50205	KELLIE LADD	01/06/17	70306	4.00			115.51		
Total for Employee				4.00			115.51		
50190	NICOLE PERALES	01/06/17	70296	24.00			915.52		
50190	NICOLE PERALES	01/20/17	70407	12.00			457.76		
Total for Employee				36.00			1,373.28		
50134	GEOFFREY PRICE	01/06/17	70278	6.00			293.90		
Total for Employee				6.00			293.90		
50209	RANDALL RICE	01/20/17	70419	12.00			408.80		
Total for Employee				12.00			408.80		
50196	JOSE SANTOS	01/06/17	70300	27.00			993.02		
Total for Employee				27.00			993.02		
50214	AARON SKAGGS	01/20/17	70420	12.00			386.30		
Total for Employee				12.00			386.30		
50145	HARVEY WALTON	01/06/17	70281	5.00			228.16		
Total for Employee				5.00			228.16		
Total for Program - POLICE				291.00			11,894.28		

praptrp2 City of La Marque
Pay Type - MO Mid Overtime
Fund Number - 1 GENERAL FUND

skou
Pay Type History Report

01/31/17 18:42

Page 2

Department Number - 5 POLICE Program Number - POLICE

Employee Number	Employee Name	Check Date	Check Number	Units	Pay Rate 1	Ovr Amt	Amount	Account Compressed
Total for Department - 5 POLICE				291.00			11,894.28	
Total for Fund - 1 GENERAL FUND				291.00			11,894.28	
Total for Pay Type - MO Mid Overtime				291.00			11,894.28	
Grand Totals -				291.00			11,894.28	

ORDINANCE NO. O-2017-008

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS,
APPROVING AN EXCHANGE OF EASEMENTS FOR 3801 MCKINNEY EXTENSION.**

WHEREAS, Chapter 272 of the Texas Local Government Code provides that land or a real property interest owned by a political subdivision and originally acquired for easements may be exchanged for other land to be used for streets, rights-of-way, easements, or other public purposes with an abutting property owner who owns the underlying fee simple; and

WHEREAS, the City of La Marque, Texas (the “City”) owns an easement across 3801 McKinney Extension owned by New Hope Bible Church that was originally acquired for an easement; and

WHEREAS, the City desires to exchange the existing easement for a similar easement on the same property; **NOW, THEREFORE**

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

SECTION 1. That the City Manager is authorized and directed to execute the “Exchange Easement” attached hereto as Exhibit A, as part of the settlement of *William and Margaret Bunch v. New Hope Bible Church et al.*, Cause No. 15CV0596, in the 212th District Court of Galveston County, Texas.

PASSED AND APPROVED by the City Council of the City of La Marque on the First reading this the ____ day of _____, 2017.

PASSED, APPROVED AND ADOPTED by the City Council of the City of La Marque 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 Ortego
City Attorney

SETTLEMENT AGREEMENT
BY AND AMONG
JAMES NEAL, CRAFTSMAN MASONRY, INC.,
AND THE
CITY OF LA MARQUE, TEXAS

This Settlement Agreement ("***Agreement***") is made and entered into by and between JAMES NEAL ("***Neal***"), an individual, and CRAFTSMAN MASONRY, INC., ("***Craftsman***"), a Texas Corporation, who are jointly called "***Property Owners***", and the CITY OF LA MARQUE, Texas, (the "***City***") a home-rule municipal corporation located in Galveston County, Texas. Neal, Craftsman, and the City may also be referred to individually as a "***Party***" and collectively as the "***Parties***"). This Agreement is effective as of [DATE] (the "***Effective Date***").

ARTICLE I
CONSTITUENT DOCUMENTS

This Agreement governs the resolution of pending litigation brought by Neal and Craftsman against the City (as described below) and describes the rights of the Property Owners in certain real property in Galveston County, Texas owned by Craftsman. To accomplish these purposes, this Agreement contemplates the contemporaneous execution of certain documents, including joint motion for voluntary dismissal on behalf of the Parties, a resolution passed by the City Council authorizing execution of this Agreement (collectively, the "***Constituent Documents***"). The Constituent Documents include, but are not necessarily limited to, any permits, approvals, license or commitments regarding future activities on the Property consistent with this Agreement.

ARTICLE II
RECITALS AND COVENANTS

- 2.1 Craftsman Masonry, Inc. owns a tract of real property in the City of La Marque, Galveston County, Texas, described in Exhibit A, attached hereto and generally known as 3004 Taylor Street comprising 0.633 acres, more or less (the "***Property***").
- 2.2 Prior to the City's adoption of Zoning Ordinance No. 953 (Dec. 12, 2005), the Property Owners operated a masonry business on the Property. The Zoning Ordinance placed the Property in a zoning district restricted to residential use. The City Council of the City of La Marque has denied the Property Owners' request that the Property be rezoned for commercial use, but the City's Ordinances make provisions for the continuation of the existing use of the Property as a non-conforming use.
- 2.4 In January 2016, Neal, individually, and Craftsman filed suit against the City and others in the 10th Judicial District Court of Galveston County, Texas, under Cause No. 16-CV-0051 (the "***Litigation***") seeking declaratory and injunctive relief, mandamus, and other relief in connection with various claims arising under Article I, Section 17 of the Texas Constitution.

- 2.5 The City asserted denials and affirmative defenses to claims asserted by the Property Owners.
- 2.6 The Property Owners and the City have determined that it is in their best interests to settle the Litigation.
- 2.7 The Parties have agreed upon a final settlement of any and all claims, demands and causes of action arising out of claims asserted, or that may have been asserted, by the Parties in the Litigation. The Parties acknowledge that all claims between them as set forth above and in the pleadings on file are in dispute. The settlement of their claims is based upon the uncertainty of litigation and is not to be construed as an admission of liability by any party.
- 2.8 In addition to settling the Litigation, Craftsman desires to operate its masonry business ("***Commercial Activity***") on the Property pursuant to the terms, conditions and mutual covenants set forth in this Agreement and the applicable Constituent Documents, and the City acknowledges that in the future, the Property Owners, or their successors or assigns, may apply for a permit(s) on the Property within the City to conduct a same or similar business.
- 2.9 In executing this Agreement, the City in no way impairs, alters or waives its legislative duties, rights, privileges or responsibilities or general police powers regarding building codes, drainage, nuisance abatement, or zoning.

NOW THEREFORE, for and in consideration of the promises and mutual covenants set forth in this Agreement, including the Recitals and Covenants set forth above, and for other good and valuable consideration the receipt and adequacy of which are acknowledged and agreed by the Parties, James Neal, Craftsman Masonry, Inc., and the City of La Marque further agree as follows:

ARTICLE III

THE PARTIES, THEIR INTERESTS AND AUTHORITIES

3.1 The "Property Owners" Defined

James Neal is an individual, who owns Craftsman Masonry, Inc., a Texas corporation.

3.2 The City

The City of La Marque is a home-rule municipal corporation.

3.3 Authorities

- 3.3.1 Each of the Parties to this Agreement represents and warrants that they have the sole right and exclusive authority to execute this Agreement in the capacity in which they sign and that they have not sold, assigned, transferred, conveyed or otherwise disposed of any claims, demands, obligations or causes of action referred to in this Agreement.
- 3.3.2 The City further represents and warrants that this Agreement has been approved by the City Council in accordance with all applicable public notice requirements (including, but not necessarily limited to, the Texas Open Meetings Act, Chapter 551 of the Texas Government Code) and that the individual executing this Agreement on behalf of the City has been duly authorized by the City Council to do so.

ARTICLE IV

TERMS AND CONDITIONS REGARDING DEVELOPMENT OF THE PROPERTY

4.1 Nonconforming Use

The Parties agree that the Property Owners' nonconforming use of the Property includes the lease, maintenance, occupancy, rent, sell or use of the Property (land and structures) for the following Commercial Activity which otherwise does not comply with the City's zoning regulations applicable to the district in which the Property is located:

A. Masonry contracting in accordance with the site plan attached hereto as Exhibit A; or

B. A similar construction/special trade contracting business enterprise that performs most of its work at the construction site, that is of substantially the same size, intensity and essential nature as the use described in subsection 4.1(A), and is limited to 6 or fewer employees and 5 or fewer trucks, with business hours between 7 a.m. and 6 p.m., including the following uses, subject to the conditions of this section:

1. Plumbing contracting;
2. Air conditioning contracting;
3. Painting Contractor.

C. Provided further, however, that the Commercial Activity or nonconforming use shall not include the following uses:

1. Neighborhood retail sales and service;
2. Business offices;
3. Professional offices, such as, doctors, dentists, attorneys, chiropractors, psychologists, insurance, real estate, architects, engineers, accountants, building contractors, and other similar uses;
4. Clinics, both medical and dental, that could include pharmaceutical sales, provided that such pharmacies are complementary to the

primary clinic use of the structure. Other similar medical or dental, diagnostic or therapeutic facilities (except residences) are permitted;

5. Bakeries, cafes, confectioneries, ice cream shops, and restaurants that prepare foodstuffs for onsite retail sale only;

6. Automobile parking lots and structures;

7. Other neighborhood retail sales or service uses, which are similar in character to those enumerated above, and which will not be dangerous or otherwise detrimental to persons residing or working in the vicinity thereof, or to the public welfare, and will not impair the use, enjoyment or value of any property;

8. Churches;

9. Public utility and public service uses;

10. Printer;

11. Antique shops;

12. Art galleries and museums;

13. Banks and financial institutions;

14. Camera and photographic supply stores;

15. Coin and philatelic stores;

16. Department stores;

17. Dry goods stores;

18. Florist shops and conservatories;

19. Furniture stores;

20. Furrier shops, including the incidental storage and conditioning of furs;

21. Household appliance stores including sales and services;

22. Leather goods and luggage stores;

23. Loan offices;

24. Musical instruments sales and repair; office supply stores; optical sales;

25. Physical culture and health services and reducing salons;

26. Picture framing;

27. Sporting goods stores;

28. Tailor shops;

29. Telegraph offices;

30. Theaters, indoors;

31. Ticket agencies, amusement;

32. Tobacco shops;

33. Travel bureaus and transportation ticket offices;

34. Schools, trade;

35. Repair and storage garages;

36. Telephone exchanges;

37. Theaters, lodges, assembly halls, auditoriums;

- 38. Tire repair shops;
- 39. Auto body operations;
- 40. Automobile accessory stores;
- 41. Automobile service stations, including the incidental storage of rental trucks and trailers, except that trucks and trailers for storage or rental may not be parked within the public right-of-way;
- 42. Blueprinting and photostatting establishments;
- 43. Business machine sales and service establishments;
- 44. Carpet and rug stores;
- 45. Catering establishments;
- 46. China and glassware stores;
- 47. Clothing and costume rental stores;
- 48. Employment agencies;
- 49. Exterminating shops;
- 50. Floor covering;
- 51. Interior decorating shops, including upholstering and making of draperies, slipcovers, and other similar articles when conducted as part of the retail operation and secondary to the principal use;
- 52. Paint and wallpaper stores;
- 53. Phonograph, record, sound equipment and sheet music stores;
- 54. Schools for music, dance, business or trade;
- 55. Upholstery shops;
- 56. Water softener sales and services;
- 57. Vehicle service centers;
- 58. Cleaning and dyeing facilities;
- 59. Recreational vehicle parks;
- 60. Commercial recreation uses, including bowling alleys, arcades, golf driving ranges, gymnasiums, miniature golf courses, pool halls, swimming pools and skating rinks;
- 61. Storage and warehousing establishments; or
- 62. Other retail sales and service uses

4.3 Residential Protection Required

Current and future activities on the Property shall be carried out in a manner that does not constitute a danger to the health and safety of surrounding residential properties. No hazardous materials, as defined by the Texas Solid Waste Disposal Act, shall be stored on the Property. Fencing shall be maintained in a manner sufficient to keep out unauthorized trespassers, including children.

4.4 City's Authority to Abate Nuisances Unaffected

Nothing herein shall be interpreted as a waiver or abrogation of the City's authority to enforce its ordinances relating to the abatement of a public nuisance, or any regulation

exempted by Section 245.004 of the Texas Local Government Code. Subject to the limitations of Chapter 245, the City reserves the right to enforce duly-adopted City ordinances and regulations relating to noise, vibration, pollution response and clean-up, drainage, and other matters directing affecting the health or safety of its citizens.

ARTICLE V RECORDATION AND CERTIFICATES OF COMPLIANCE

This Agreement, including all amendments hereto and assignments hereof, or any notice referring to the same, may be recorded in the real property records of Galveston County, Texas, by any Party. This Agreement, when recorded, shall be a covenant running with the land and binding upon the Property, the Parties and their grantees, successors, trustees and assigns and all others holding any interest in the Property now or in the future so long as this Agreement remains in effect.

ARTICLE VI EVENTS OF DEFAULT & REMEDIES

6.1 Events of Default; Required Notice

No Party shall be in default under this Agreement unless and until: (a) the complaining Party delivers to the Party allegedly in default written notice that sets forth in reasonable detail the alleged failure of performance (the “**Default Notice**”); and (b) the Defaulting Party has failed to cure the instance(s) of alleged default within 30 days after receiving such notice (the “**Cure Period**”).

6.2 Remedies for Events of Default

If a Party is in default, the aggrieved Party may, at its option and without prejudice to any other right or remedy under this Agreement, seek any relief available at law or in equity, including, but not limited to, an action under the Uniform Declaratory Judgment Act, specific performance, mandamus, and injunctive relief. UNLESS OTHERWISE SPECIFICALLY SET FORTH HEREIN, NO DEFAULT UNDER THIS AGREEMENT SHALL:

- (a) entitle the Party to terminate the Agreement; or
- (b) entitle the aggrieved Party to suspend performance under this Agreement;
- (c) adversely affect or impair the continued validity of any permit, approval or other entitlement issued by the City in connection with the Property, provided that the permittee remains in compliance with the terms and conditions of the applicable permit; or
- (d) adversely affect or impair Property Owners' Rights.

6.3 Excusable Limitations on Party's Ability to Perform

6.3.1 *Generally.* The Parties recognize that a Party's ability to perform its obligations in a timely manner can be limited by factors or circumstances beyond that Party's control, including (without limitation) the circumstances described in Section 6.3.2 (*Force Majeure*), or regulatory issues that are not a direct result of any intentional or negligent violation of any law or regulation by a Party. In addition to those protections afforded below, the Parties agree that any failure to cure a default within the applicable Cure Period that results from ongoing negotiations with federal, state or other local officials, administrative proceedings or litigation regarding the necessary cure steps, then the Cure Period shall be extended until such negotiations, administrative proceedings or litigation are concluded. Provided, further, that such extension of cure steps shall not preclude the City from enforcing its Ordinances relating to the abatement of a public nuisance or any regulations exempted by Section 245.004 of the Texas Local Government Code.

6.3.2 *Force Majeure.* Each Party shall use good faith, due diligence and reasonable care in the performance of its respective obligations under this Agreement, and time shall be of the essence in such performance; however, in the event a Party is unable, due to force majeure, to perform its obligations under this Agreement, then the obligations affected by the force majeure shall be temporarily suspended. Within five business days after the occurrence of a force majeure, the Party claiming the right to temporarily suspend its performance, shall give Notice to all the Parties, including a detailed explanation of the force majeure and a description of the action that will be taken to remedy the force majeure and resume full performance at the earliest possible time. The term "force majeure" shall include events or circumstances that are not within the reasonable control of the Party whose performance is suspended and that could not have been avoided by such Party with the exercise of good faith, due diligence and reasonable care, including without limiting a delay or failure of performance caused by any act of God, war, natural disaster, strike, lockout, labor dispute, work stoppage, fire, third-party criminal act, or quarantine restriction.

6.4 Other Exceptions; Effects of Termination

Notwithstanding anything in this Agreement to the contrary, no event of default under this Agreement or any of the Constituent Documents, or the termination of thereof by any Party or by order of a court of competent jurisdiction, shall have any adverse effect on any of the following matters:

- (a) Property Owners' Rights as defined herein;
- (b) the validity of any permit, approval or other entitlement issued by the City in connection with the development of all or any portion of the Property, provided that the permittee remains in compliance with the terms and conditions of the applicable permit; or

- (c) any and all other rights, protections or privileges that have accrued to Property Owner's or his Assignees pursuant to Chapter 245 of the Texas Local Government Code or any other similar provision of statutory or common law.

ARTICLE VII

RELEASE AND DISMISSAL

7.1 Mutual Release and Discharge

The Parties and each of them personally and on behalf of their principals, beneficiaries, partners, officers, officials, employees, agents, successors in interest, attorneys and legal representatives do waive, release and forever discharge all other Parties and each of them, as well as their principals, beneficiaries, partners, officers, officials, employees, agents, successors in interest, attorneys and legal representatives of and from any claims, causes of action, demands, or damages whatsoever, whether in law or in equity, which they have had or now have against the other Parties, and each of them, and their principals, beneficiaries, partners, officers, officials, employees, agents, successors in interest, attorneys and legal representatives, that relate to or arise from the Litigation. It is expressly acknowledged and agreed that the foregoing Mutual Release and Discharge shall not become effective until the Court enters an order granting the joint stipulation to voluntary dismissal provided for in Paragraph 7.2.2 below.

7.2 Dismissal of the Litigation

7.2.1 *Conditions Precedent.* For the purposes of this Paragraph 7.2, the term "***Conditions Precedent***" shall be understood to include all of the following:

- (a) the execution of this Agreement; and
- (b) the passing of a resolution by the City of La Marque City Council authorizing the City Manager to execute this Agreement.

7.2.2 *Entry of Stipulation of Dismissal.* The Parties have authorized their respective counsel to seek and execute a dismissal of the Litigation with prejudice. To that end, the Parties agree to execute a Joint Motion for Voluntary Dismissal within ten (10) business days following execution of this Agreement.

ARTICLE VIII

COOPERATIVE DEFENSE OF AGREEMENT, THE CONSTITUENT DOCUMENTS AND RELATED PERMITS

8.1 Cooperative Defense of the Agreement and Related Permits

The Parties hereby agree to cooperate in defending any legal action instituted by a third party challenging any of the following:

- (a) the validity, in whole or in part, of the Agreement;
- (b) the validity, in whole or in part, of any of the Constituent Documents; or
- (c) discretionary action and approvals of the City regarding permits or other entitlements for use and development of all or a portion of the Property.

8.2 No Indemnity or Joint/Several Liability

- 8.2.1 Nothing in this ARTICLE VIII shall obligate either Party to indemnify the other for the costs of attorney's fees or costs associated with a cooperative defense under Section 8.1.
- 8.2.2 Nothing in this ARTICLE VIII shall cause a Party to be jointly or severally liable for an adverse judgment awarding damages, costs, or attorney's fees against the other Party for a lawsuit arising out of a third party challenge described in Section 8.1.

ARTICLE IX GENERAL TERMS AND CONDITIONS

9.1 Notice

Any notice or other communication required by this Agreement to be given, provided, or delivered to a Party shall be in writing addressed to the Parties as set forth below. Notices shall be considered "given" for purposes of this Agreement: (a) if sent by Certified Mail, five business days after deposited with the U.S. Postal Service, Certified Mail, Return Receipt Requested; (b) if by private delivery service (e.g., FedEx or UPS), on the date delivered to the notice address as evidenced by a receipt signed by any person at the notice address; or (c) if by any other means (including, but not limited to, telecopy [FAX] and E-Mail), when actually received by the Party at the notice address.

9.1.1 *Notice to City*

City of La Marque
Attn: City Manager
1111 Bayou Rd
La Marque, Texas 77568

With a copy to:

City of La Marque
Attn: City Clerk
1111 Bayou Rd
La Marque, Texas 77568

9.1.2 *Notice to Property Owners*

Craftsman Masonry, Inc.
c/o James Neal
3004 Taylor Street
La Marque, Texas 77474

With a copy to:

Mark Stevens
P.O. Box 8118
Galveston, Texas 77553

9.2 Governing Law; Venue

It is understood and agreed that this Agreement shall be governed by, construed, and enforced in accordance with and subject to the laws of the State of Texas. The Parties further agree that proper venue for enforcing the terms of this Agreement shall lie exclusively in the State Courts of Galveston County.

9.3 Entire Agreement; Successors in Interest

This Agreement and the Constituent Documents referred to herein contain the entire agreement between the Parties with regard to the matters set forth therein. Each Party acknowledges and agrees that the covenants, agreements and obligations therein contained shall extend to, bind, and inure to the benefit of the Parties hereto, and each of them, and their respective personal representatives, heirs, successors, transferees, assigns, officers, officials (elected or appointed), principals, beneficiaries, agents and partners.

9.4 Integrated Agreement; Amendments

The Parties agree and acknowledge that there are no other contemporaneous oral or written agreements or representations between the Parties other than those incorporated into this Agreement and the Constituent Documents, and that this Agreement may not be modified or amended except in a properly executed writing signed by all Parties.

9.5 No Presumptions

The language of this Agreement shall be construed as a whole, according to its fair meaning and intent, and not strictly for or against any Party, regardless of who drafted or was principally responsible for drafting the Agreement or any specific term or condition hereof. This Agreement shall be deemed to have been drafted by all Parties, and no Party shall urge otherwise.

9.6 Recitals

The recitals contained in this Agreement: (a) are true and correct as of the Effective Date; (b) form the basis upon which the Parties negotiated and entered into this Agreement; (c) are legislative findings of the City Council; and (d) reflect the intent of the

Parties with regard to the subject matter of this Agreement. In the event it becomes necessary to interpret any provision of this Agreement, the intent of the Parties, as evidenced by the recitals, shall be taken into consideration and, to the maximum extent possible, given full effect. The Parties have relied upon the recitals as part of the consideration for entering into this Agreement.

9.7 Severability; Invalidity

If any provision of this Agreement, or any amendments thereto, shall for any reason be found to be invalid, illegal or unenforceable in any respect, then (a) such invalidity, illegality or unenforceability shall not affect any other provision of this Agreement; and (b) any part of this Agreement not found to be invalid, illegal or unenforceable shall remain in effect—the Agreement shall be construed as if it did not contain the invalid provision and the rights and obligations of the Parties shall be construed and enforced accordingly.

9.8 No Third-Party Beneficiaries

This Agreement only inures to the benefit of, and may only be enforced by, the Parties or their legal successors or assignees. No other person or entity shall have any right, title, or interest under this Agreement or otherwise be deemed to be a third-party beneficiary of this Agreement.

9.9 Additional Documents

All Parties agree to cooperate fully and execute any and all supplementary documents and take all additional actions which may be necessary or appropriate to give full force and effect to the basic terms and intent of this Agreement and which are not inconsistent with its terms.

9.10 Waiver

Unless expressly set forth herein to the contrary, no waiver of any other provisions of this Agreement shall be deemed or shall constitute a waiver of any other provision, whether or not similar, nor shall any waiver constitute a continuing waiver. No waiver shall be binding unless executed in writing by the Party or Parties making the waiver.

9.11 Limited Waiver of Immunity; No Impairment of Governmental Powers or Functions

9.11.1 Property Owner's has relied upon the enforceability of the Agreement as a material consideration for entering into this Agreement.

9.11.2 By execution of this Agreement, the City does not waive or surrender any of its governmental powers, immunities, or other rights except as specifically set forth herein.

9.12 City's Reservation of Rights in Future Proceedings

9.12.1 The City and Property Owner's recognize that activities in the Property are subject to regulation by other governmental entities and their various

departments and agencies. The City and Property Owners also recognize that the City may have an interest in activities in the City's corporate limits that are regulated by other governmental entities. Nothing in this Agreement is intended to limit the City's right and authority to communicate its interest in, or opposition to, those activities to the applicable regulatory agencies or to participate, to the extent allowed by law, in any proceeding.

- 9.12.2 Notwithstanding the foregoing, by virtue of the covenants, promises and agreements reached herein and in the Agreement, the City agrees to forego any challenge to the other governmental permits as they exist as of the Effective Date provided that the activities authorized therein are being implemented in compliance with the terms and conditions set forth therein. This subsection shall not apply to limit the City's rights with respect to future amendments to those approvals that seek authority for any alteration or expansion of the regulated activity authorized therein.

9.13 No Admission of Liability

This Agreement is executed by the Parties for the purpose of compromising and settling the matters involved in the subject dispute, and it is expressly understood and agreed, as a condition of the compromise, that this Agreement shall not constitute or be construed to be an admission on any part of the City or as evidencing or indicating in any degree an admission of the truth or correctness of any claims asserted in the Litigation.

9.14 Mistake of Fact or Law

In entering and making this Agreement, the Parties assume the risk of any mistake of fact or law. If the Parties, or any of them, should later discover that any fact they relied upon in entering this Agreement is not true, or that their understanding of the facts or law was incorrect, the Parties shall not be entitled to seek rescission of this Agreement by reason thereof. This Agreement is intended to be final and binding upon the Parties, their successors and assigns regardless of any mistake of fact or law.

9.15 Voluntary Action; Representation of Comprehension of Document

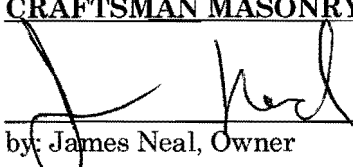
In entering into this Agreement, the Parties represent that they have relied upon the legal advice of counsel of their own choosing, and that the terms of this Agreement have been completely read and explained to them, and that those terms are fully understood and voluntarily accepted by them.

9.16 Counterparts

This Agreement may be executed in multiple counterparts, each of which shall be deemed an original and all of which, when taken together, shall constitute one and the same Agreement.

EXECUTED by the Parties hereto as of the date first set forth below.

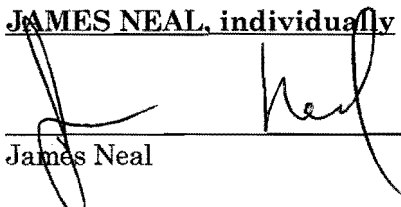
— **CRAFTSMAN MASONRY, INC.**


by: James Neal, Owner

Date

2-27-17

— **JAMES NEAL, individually**


James Neal

Date

2-27-17

THE CITY OF LA MARQUE, a Texas Municipal Corporation

Carol Buttler, City Manager

Date

ATTEST:

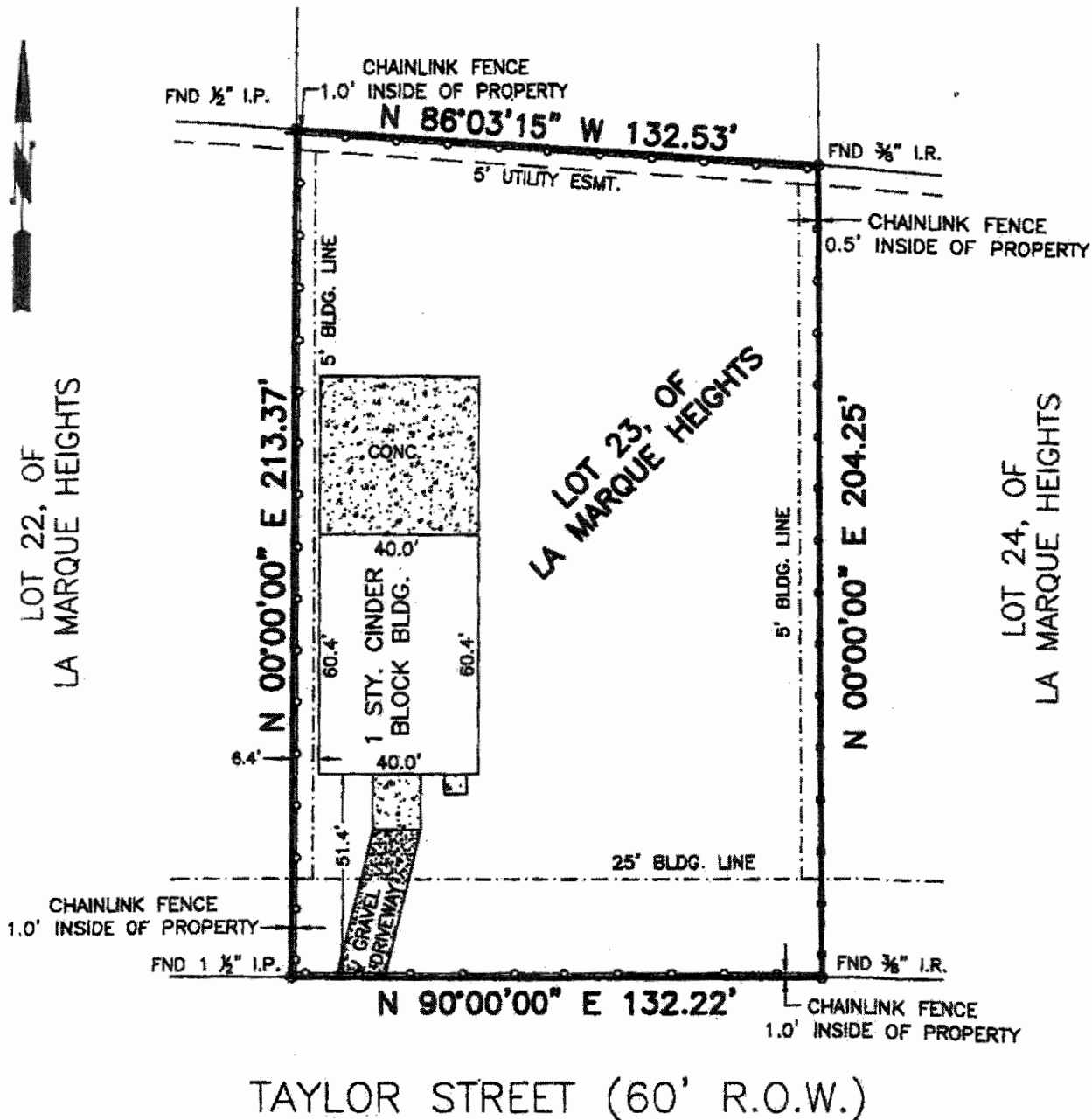
Robin Eldridge, City Clerk

Date

ATTACHMENTS: Exhibit A – Site Plan

EXHIBIT A

LOT 17, OF LA MARQUE HEIGHTS



OWNER: CRAFTSMAN MASONRY, INC.
PROPERTY ADDRESS: 3004 TAYLOR STREET

Lot 23, of La Marque Heights, a subdivision in Galveston County, Texas, according to the map or plat thereof, recorded in Volume 254A, Page 60, and transferred to Plat Record 4, Map No. 73A, of the Map Records of Galveston County, Texas.

I, the undersigned, a Registered Professional Land Surveyor of the State of Texas, do hereby certify that this survey was made on the ground of the property legally described hereon and is true and correct to the best of my knowledge and belief.