



**1111 Bayou Road
La Marque, Texas
409-938-9202**

Mayor Bobby Hocking

Mayor Pro- Tem Keith Bell- District A

Councilmember Chris Lane- District B

Councilmember Robert Michetich-District C

Councilwoman Casey McAuliffe- District D

OFFICIALLY POSTED ON THE
WEB:
DATE: **5.11.18** TIME: **5:50 p.m.**
Added backup 5.12.2018 4:15 pm

**ORDINANCE NO. O-2018-007
RESOLUTION NO. R-2018-0014**

**CITY OF LA MARQUE
REGULAR CITY COUNCIL
AGENDA
of
May 14, 2018**

Notice is hereby given that the City Council of the City of La Marque, Texas will conduct a Regular Meeting on **Monday, May 14, 2018, 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) ELECTION BUSINESS

- a. Discussion/possible action regarding adopting Resolution No. **R-2018-0011**, canvassing the election returns and declaring the results of the May 5, 2018 General Election pursuant the Election – City Clerk R. Eldridge
- b. Administer Oath of Office/Anti-Bribery Statement to newly elected Officials-Mayor Bobby Hocking, Councilmember Keith Bell, District “A” and Councilmember Robert Michetich,
- c. Discussion/possible action regarding the appointment of the Mayor Pro-Tem for one year.

(5) PRESENTATIONS/ PROCLAMATIONS

- a. Introduction of new employees: Library- Sandy Hofstatter; Police- Dana Thomasson
Finance- Sloane Witter
- b. Proclamation—RED NOSE MONTH - May

- c. Report from Keep La Marque Beautiful Commission
- d. Presentation- Hurricane Preparedness- Charlene Warren

(6) 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.

(7) MINUTES

- a. Regular City Council Minutes of April 9, 2018

(8) NEW BUSINESS

- a. Discussion/possible action regarding authorizing The Goodman Corporation to submit a grant application for Transportation Improvements Plan to fund mobility infrastructure projects, and provide direction to City Manager – City Manager C. Buttler
- b. Discussion/possible action regarding possible request for waiver of certain development requirements by Texas City Independent School District for temporary campus, and provide direction to City Manager- City Manager C. Buttler
- c. Discussion/possible action regarding approval of the Budget Calendar – Finance Director S. Kou
- d. Discussion/possible action regarding adopting Resolution No. **R-2018-0012**, denying CenterPoint Energy Houston **Electric**, LLC’s Application for Approval to Amend its Distribution Cost Recovery Factor – City Manager C. Buttler
- e. Discussion/possible action regarding expenditures of Waterline Rehabilitation Project Funds, based on scenarios described, and providing direction to City Manager – Director of Public Services L. Rumburg
- f. Discussion/possible action regarding adopting Ordinance No. **O-2018-004**, amending the FY 2016-17 budget and FY 2017-18 budget for grants, Council approved lease purchases on projects and equipment, and unanticipated expenditures, by increasing (decreasing) certain revenues and increasing (decreasing) certain expenditures to individual budget accounts in certain funds as set forth in attached Exhibit A and Exhibit B – Finance Director S. Kou **THIS IS THE FIRST READING.**
- g. Discussion/possible action regarding adopting Ordinance No. **O-2018-005**, amending the Code Of Ordinances of the City Of La Marque, Texas, by adding to Chapter 14, Buildings And Building Regulations, a new Article XI, entitled “Registration of Residential Rental Units Required”; providing rules and regulations governing same within the City; providing a penalty not to exceed \$500 for each violation; providing for severability; providing for an effective date; and making other provisions related to the subject – City Manager C. Buttler **THIS IS THE FIRST READING**
- h. Discussion/possible action regarding adopting Resolution No. **R-2018-0013**, supporting the addition of an audible emergency alerting system in proximity to Omega Bay and Bayou Vista, and providing direction to City Manager – Councilmember Michetich

- i. Discussion/possible action regarding Ordinance No. **O-2018-006**, amending the City of La Marque Code of Ordinances Chapter 41, Land Development, Article V, Section 41-145. Definitions, adding the definition of a “street tree”, and Division 2, Parking, Lighting, Landscaping, and Other Requirements Section 41-172. Landscaping, to restrict planting “street trees” within a ten foot area of the city right-of-way and sidewalk (between curb and sidewalk) – Tree Committee
- j. Discussion/possible action regarding adopting Ordinance No. **O-2018-007**, amending the City of La Marque Code of Ordinances, Section 56, “**STREETS AND SIDEWALKS**”, by adding a Section to include “Required Specifications for the Construction of Sidewalks” – City Manager C. Buttler **THIS IS THE FIRST READING**

(9) AGREEMENTS/CONTRACTS

- a. Discussion/possible action regarding approving a one (1) year agreement between Texas Rebels Select Baseball League and City of La Marque for use of the baseball fields at Highland Bayou “Mac McGaffey” Park as recommended by the Parks Board – Public Services Director L. Rumburg

(10) APPOINTMENTS

- a. Discussion/possible action regarding appointment of Collective Bargaining Negotiating Committee for La Marque Police Association and Fire Fighters Union, Local 3282, International Association of Fire Fighters – City Manager C. Buttler

(11) EXECUTIVE SESSION

The City Council for the City of La Marque, Texas reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized the Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.086 (Economic Development)

1. Section 551.071 (Consultation with Attorney) – to discuss legal aspects of the Sunset Grove subdivision

2. Section 551.071 (Consultation with Attorney) – to discuss legal aspects of a development agreement related to the Sunset Grove subdivision

3. Section 551.071 (Consultation with Attorney) – to discuss legal aspects of the purchase of property for city facilities and Section 551.052 (Deliberations about Real Property) – Discuss negotiations relating to purchasing property for city facilities

(13) ACTION TAKEN FROM EXECUTIVE SESSION

1. Discussion/possible action regarding possible development agreement as advised by legal counsel for the Sunset Grove subdivision
2. Discussion/possible action regarding entering into a development agreement for the Sunset Grove subdivision

3. Discussion/possible action regarding the adoption of Resolution No. **R-2018-0014** by the City Council of the City of La Marque, Texas, Authorizing Publication of Notice of Intention to Issue Certificates Of Obligation; Approving the Preparation of a Preliminary Official Statement and Notice of Sale; and Approving Other Matters Incidental Thereto

(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 May 11, 2018, before 5:30 p.m.

Robin Eldridge, TRMC
City Clerk

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● This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or
● interpretive services must be made 48 hours prior to this meeting. Please contact the City Clerk's office at (409) 938-
● 9259, or Fax (409) 935-0401, or e-mail cityclerk@cityoflamarque.org for further information.
●
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CITY COUNCIL AGENDA FORM

Meeting Date: May 14, 2018
Prepared by: R. Eldridge
Department: City Clerk

Agenda item: 4a
Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding adopting Resolution No. **R-2018-0011**, canvassing the election returns and declaring the results of the May 5, 2018, General Election, pursuant to the Election Code

X

ATTACHMENTS FOR REFERENCE

1. Resolution
2. Cumulative Report - May 5, 2018

STAFF BRIEFING:

- The City of La Marque conducted a General Election on May 5, 2018, to elect a Mayor, Councilmember for District “A”, and Councilmember for District “C”.
- Councilmember for District “A” and Councilmember for District “C” were both unopposed, but according to Texas Election Code, the names still had to appear on the ballot, since there was an at-large race in the same Election.
- Councilmember Bell received a total of 315 votes, and is declared re-elected for another three-year term.
- Councilmember Michetich received a total number of 295 votes, and is declared re-elected for another three-year term.
- In the Mayor’s race, incumbent Bobby Hocking received a total of 803 votes.
- Kimberley Jones Yancy received a total of 493 votes.
- Resulting in Bobby Hocking being re-elected as Mayor for another three-year term.
- City Attorney has reviewed and approved this resolution.

HISTORY:

- The Mayor and Councilmembers are elected by **majority** vote, according the City Charter.
- The total number of votes shown on the cumulative report does not reflect any provisional votes that may or may not be counted, but does reflect early voting votes, Election Day votes and mail ballot votes, that were not considered provisional.
- At the time of this original posting, there were provisional votes still being determined by the Voter’s Registrar’s Office, if that voter was registered to vote in this election.
- After receiving the FINAL Cumulative report from Galveston County, (5.14.2018 AM), depending on the status of the provisional votes, the numbers may or may not slightly change on the Resolution, but in no way enough to change the outcome of any race.

TARGET IMPLEMENTATION: May 14, 2018

SIGNIFICANT ACTION DATES:

May 5, 2018 – Conducted the City of La Marque General Election.

May 11, 2018 – Last day for Voter’s Registrar’s Office to receive information from voter to determine whether their provisional vote will count.

May 14, 2018 – City receives the FINAL report from Galveston County, which will include any of the provisional votes that can or can’t be counted after determination from Voter Registrar’s Office,



CITY COUNCIL AGENDA FORM

and the City will canvass the votes from the election returns and administer oaths to those candidates who have been elected.

ACTION:

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

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

STAFF'S RECOMMENDATION: Motion to adopt Resolution No. **R-2018-0011**, canvassing the election returns and declaring the results of the May 5, 2018 General Election, pursuant to the Election Code.

(Mayor must state: "This concludes the canvassing of the May 5, 2018 Municipal Election".)

FISCAL IMPACT: N/A

RESOLUTION NO. R-2018-0011

RESOLUTION OF THE CITY OF LA MARQUE DECLARING THE RESULTS OF THE CITY COUNCIL GENERAL ELECTION HELD FOR AND BY THE CITY OF LA MARQUE, TEXAS ON MAY 5, 2018, THE CANVASS OF THE VOTES PURSUANT TO THE TEXAS ELECTION CODE

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

THAT, WHEREAS, the County of Galveston Election Judges for the General Election held May 5, 2018, in the City of La Marque, have duly filed the returns of such election, which returns have been verified by the City Clerk; and

WHEREAS, it appears that such election was duly called; that notice thereof was given in accordance with law, and the returns and tabulations should be adopted; and

WHEREAS, the results of such election show the following to-wit; and

**GENERAL ELECTION
MAY 5, 2018**

<u>NAME OF CANDIDATE</u>	<u>TOTAL VOTES</u>	<u>PERCENTAGE</u>
Mayor		
Kimberley Jones Yancy	493	38.04%
Bobby Hocking (I)	803	61.96%
Councilmember District "A"		
Keith Bell (unopposed)	315	100%
Councilmember District "C"		
Robert Michetich (unopposed)	295	100%

NOW, THEREFORE, BE IT RESOLVED, that Bobby Hocking is hereby declared re-elected for a three-year term as Mayor and Keith Bell is hereby re-elected as Councilmember for District "A", for a three-year term, and Robert Michetich is hereby re-elected as Councilmember for District "C" for a three-year term.

PASSED AND APPROVED on this the 14th day of May, 2018.

Bobby Hocking, Mayor

ATTEST:

Robin Eldridge, TRMC
City Clerk

APPROVED AS TO FORM:

Ellis J. Ortego, City Attorney

Cumulative Report — Unofficial

Galveston County — Galveston County General and Special Entity Elections — May 05, 2018

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Total Number of Voters : 9,844 of 0 = 0.00%

Precincts Reporting 194 of 194 = 100.00%

Party	Candidate	Absentee		Early		Election		Total	
Mayor, Vote For 1									
	Kimberley Jones Yancy	84	37.33%	250	35.87%	159	42.51%	493	38.04%
	Bobby Hocking	141	62.67%	447	64.13%	215	57.49%	803	61.96%
LM	Cast Votes:	225	99.56%	697	98.59%	374	99.20%	1,296	98.93%
	Over Votes:	0	0.00%	0	0.00%	0	0.00%	0	0.00%
	Under Votes:	1	0.44%	10	1.41%	3	0.80%	14	1.07%
Council Member District A, Vote For 1									
	Keith Bell	69	100.00%	159	100.00%	87	100.00%	315	100.00%
LM	Cast Votes:	69	92.00%	159	85.48%	87	82.86%	315	86.07%
	Over Votes:	0	0.00%	0	0.00%	0	0.00%	0	0.00%
	Under Votes:	6	8.00%	27	14.52%	18	17.14%	51	13.93%
Council Member District C, Vote For 1									
	Robert Michetich	48	100.00%	176	100.00%	71	100.00%	295	100.00%
LM	Cast Votes:	48	84.21%	176	80.73%	71	73.96%	295	79.51%
	Over Votes:	0	0.00%	0	0.00%	0	0.00%	0	0.00%
	Under Votes:	9	15.79%	42	19.27%	25	26.04%	76	20.49%
Mayor, Vote For 1									
	Jason Tabor	51	39.23%	322	72.36%	135	67.84%	508	65.63%
	Jeff Tambrella	79	60.77%	123	27.64%	64	32.16%	266	34.37%
SI	Cast Votes:	130	100.00%	445	99.33%	199	99.50%	774	99.49%
	Over Votes:	0	0.00%	0	0.00%	0	0.00%	0	0.00%
	Under Votes:	0	0.00%	3	0.67%	1	0.50%	4	0.51%
Council, Place 2, Vote For 1									
	Jason O'Brien	95	100.00%	338	100.00%	156	100.00%	589	100.00%
SI	Cast Votes:	95	73.08%	338	75.45%	156	78.00%	589	75.71%
	Over Votes:	0	0.00%	0	0.00%	0	0.00%	0	0.00%
	Under Votes:	35	26.92%	110	24.55%	44	22.00%	189	24.29%
Council, Place 3, Vote For 1									
	Corey Jannett	95	100.00%	347	100.00%	160	100.00%	602	100.00%
SI	Cast Votes:	95	73.08%	347	77.46%	160	80.00%	602	77.38%
	Over Votes:	0	0.00%	0	0.00%	0	0.00%	0	0.00%
	Under Votes:	35	26.92%	101	22.54%	40	20.00%	176	22.62%



CITY COUNCIL AGENDA FORM

Meeting Date: May 14, 2018
Prepared by: R. Eldridge
Department: City Clerk

Agenda item: 4b
Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Administer Oath of Office/Anti-Bribery Statement to Mayor Bobby Hocking, Councilmember Keith Bell, District “A” and Councilmember Robert Michetich, District “C”

☒ **ATTACHMENTS FOR REFERENCE**

STAFF BRIEFING:

- Mayor Bobby Hocking was re-elected for a three-year term, along with Councilmembers Keith Bell, of District “A”, and Robert Michetich, District “C” in the City of La Marque General Election that was held on Saturday, May 5, 2018.

HISTORY:

- All Elected Officials are required to take an Oath of Office and an Anti-Bribery Statement before resuming their official duties after being elected or appointed into office.

TARGET IMPLEMENTATION: May 14, 2018

SIGNIFICANT ACTION DATES:

May 5, 2018 – City of La Marque General Election

May 14, 2018 – Oaths/Anti-Bribery statements to be administered to the Elected Officials

ACTION:

- | | |
|--|---|
| ☐ Ordinance | ☐ Resolution |
| ☐ Proclamation | ☐ Special Presentation |
| ☐ Finance Report | ☐ Public Hearing |
| ☒ Other – Oath/Anti-Bribery Statement | |
| ☒ 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

STAFF’S RECOMMENDATION: Administer Oaths/Anti-Bribery Statements to newly elected officials.

FISCAL IMPACT: N/A

*Office of the Mayor
of the City of La Marque*

PROCLAMATION

WHEREAS, Red Nose Day is a campaign dedicated to raising money for children and young people living in poverty by simply having fun and making people laugh; and

WHEREAS, Red Nose Day has helped raise over \$1 billion globally, since the campaign's launch in the UK in 1988; inaugural Red Nose Day was held in the US on May 21, 2015; and

WHEREAS, as the name suggests, the day involves the wearing of plastic/foam red noses which are available exclusively at Walgreens nationwide for a donation, and all proceeds help support this cause; and

WHEREAS, the support of Red Nose Day's generous partners has helped to save and change the lives of millions of children in communities across the United States and around the world by providing meals for kids, life-saving vaccines, a safe place for children to learn and play, clean water, access to education, and a safe place to sleep; and

NOW THEREFORE, we the Mayor and City Council by virtue of our authority vested by the City of La Marque, Texas do hereby proclaim the month of May as:

“RED NOSE” MONTH

and urge all citizens, businesses and schools to help inspire young children to learn more about poverty and encourage all to help end poverty.

In testimony whereof, witness my hand and the Seal of the City of La Marque, this 14th day of May, 2018.

Bobby Hocking, Mayor



1111 Bayou
La Marque, Texas 77568
409.938.9202

**CITY OF LA MARQUE
CITY COUNCIL
REGULAR MEETING MINUTES
OF
April 9, 2018**

Regular City Council Meeting Minutes of the City of La Marque City Council held on Monday, April 9, 2018, 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

Bobby Hocking

Keith Bell

Chris Lane

Robert Michetich

Casey Mc Auliffe

Mayor

Mayor Pro-Tem, Councilmember District A

Councilmember, District B

Councilmember, District C – Absent - Excused

Councilwoman, District D

OTHER OFFICIALS PRESENT:

Carol Buttler

Ellis Ortego

Robin Eldridge

City Manager

City Attorney

City Clerk

(3) INVOCATION AND PLEDGE OF ALLEGIANCE

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

(4) PRESENTATIONS/ PROCLAMATIONS

- a. Introduction of new Police Officer Calvin Harp and Oath of Office – Police Chief Jackson introduced Officer Calvin Harp and Mayor Hocking administered the Oath of Office to Officer Harp
- b. Mayor Hocking presented Steven Gordon of CenterPoint the Proclamation for April being “Safe Digging Month”
- c. Mayor Hocking presented Thomasine Allen the Proclamation for April being “Child Abuse and Awareness Month”
- d. Mayor Hocking presented Michael Turner the Proclamation for the second full week in April being “National Public Safety Telecommunications” week and Chief Jackson added, “Without the men and women who sit there in the telecommunication center answering the phone and being your first point of contact when you need help, there would be no public safety.”
- e. Mayor Hocking read the Fair Housing Month Proclamation

(5) CITIZENS PARTICIPATION

There were none.



1111 Bayou
La Marque, Texas 77568
409.938.9202

(6) MINUTES

- a. Regular City Council Meeting minutes of March 12, 2018

** Councilmember Lane made a motion to approve the Minutes of March 12, 2018
** Mayor Pro-Tem Bell seconded. **MOTION CARRIED UNANIMOUSLY.**

(7) NEW BUSINESS

- a. Discussion/possible action regarding ratifying City Manager's approval of expenditures of Texas Pride Utilities for costs involved in emergency sewer line repairs in the amount of \$102,395.00.
- ** Mayor Pro-Tem Bell made a motion to approve the ratification of expenditures of Texas Pride Utilities for costs involved in emergency sewer line repairs in the amount of \$102,395.00.
- ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**

(8) APPOINTMENTS

- a. Discussion/possible action regarding appointments and/or reappointments to fill vacancies to various positions of the Boards and Commissions.
- ** After first receiving the approval of Councilmember Lane, Councilwoman Mc Auliffe appointed Diane Winston to the Building Standards Commission.
- ** Mayor, after also receiving the approval of Councilmember Lane appointed C.J. Leggett as Alternate for the Parks Board.

Appointments stood as submitted.

(9) EXECUTIVE SESSION

1. Section 551.071 (Consultation with Attorney) – Chemetco Site Settlement Agreement

Mayor Hocking closed the Regular meeting and went into Executive Session at 6:22 p.m.

Mayor Hocking reconvened to the Regular meeting at 6:43 p.m.

(10) ACTION TAKEN IN EXECUTIVE SESSION

1. Discussion/possible action regarding a Settlement Agreement with Chemetco
- ** Mayor Pro-Tem Bell made a motion to direct the City Manager to enter into a Settlement Agreement with Chemetco Site in the amount of \$5,000.00.
- ** Councilwoman Mc Auliffe seconded. **MOTION CARRIED UNANIMOUSLY.**

(11) REQUEST AND ANNOUNCEMENTS (this item was taken before going into the Executive Session)



1111 Bayou
La Marque, Texas 77568
409.938.9202

Councilwoman Mc Auliffe thanked Colleen Merritt for her hard work in the latest edition of the Inside La Marque publication.

Councilmember Lane thanked all for attending the meeting and invited everyone to a book club meeting he will be hosting at the La Marque Library on April 12, 2018, the book is "It's not a Crime to be Poor."

Mayor Pro-Tem Bell encouraged all to go out and vote in the upcoming election. "We do have a Mayor race within the City, and we all should be well educated on both of those persons, it doesn't matter who you vote for, vote for who think will be the better person, based on records, qualifications and vision for the City."

Mayor Hocking thanked Councilwoman Mc Auliffe for helping to bring Council around in getting rid of plastics and cans and using products that cannot hurt the environment. "If this were to be my last meeting, I want everyone in La Marque to know what an honor it is to serve as your Mayor. It's my passion, and I am certainly proud of what we have accomplished as a Council in the last seven years, going from 3.2 million dollar deficit to a million dollar deficit and now having a balanced budget and a surplus for the last five years. I commend this Council for the work that they have done in helping to achieve that. I pray that I will be back here on May the 14th."

(12) ADJOURNMENT

- ** Councilwoman Mc Auliffe made a motion to adjourn the Regular Meeting at 6:43 p.m.
- ** Councilmember Lane seconded. **MEETING ADJOURNED.**

Bobby Hocking, Mayor

ATTEST:

Robin Eldridge, TRMC
City Clerk



CITY COUNCIL AGENDA FORM

Meeting Date: May 14, 2018

Prepared by: Carol Buttler

Department: Administration

Agenda item: 8a

Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding authorizing The Goodman Corporation to submit a grant application for Transportation Improvements Plan to fund mobility infrastructure projects and providing direction to City Manager

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ATTACHMENTS FOR REFERENCE

1. Gulf Coast Center Interlocal Agreement
2. Memo dated 4/20/2018 from The Goodman Corporation
3. PowerPoint presentation of proposed projects

STAFF BRIEFING:

- The Goodman Corp. (TGC), through an Interlocal Agreement with the Gulf Coast Center (GCC), is working with the City of La Marque to develop an Economic Development and Mobility Strategy which would provide a framework for federal and state eligible infrastructure improvements for the next five (5) to seven (7) years
- In conjunction with the Gulf Coast Center – Connect Transit, TGC and City staff have been working to identify and prioritize a list of mobility infrastructure projects
- H-GAC is releasing a Call for Projects on June 1, 2018 which will distribute over \$1 billion in the region for projects through 2028
- TGC recommends leveraging this discretionary federal and state funding, which may require a 20% local funding match
- Staff and TGC are requesting Council direction on project priorities and local match contributions for H-GAC's upcoming Call for Projects
- Finance Director has attended meetings and is aware of need for matching funds, if awarded
- Two members of the Grants Administration Team have been regularly involved in project discussions with TGC

HISTORY:

- **5.15.2017** – Council authorized the creation of the La Marque Economic Development and Mobility Strategy
- **12.29.2012** – TGC obtained \$204,454 in New Freedom ADA Pedestrian-Transit Access improvement funding for 28 ADA-related sidewalk improvements on Lake Road. City of La Marque match was \$49,003

TARGET IMPLEMENTATION: June 1, 2018 – Call for Projects

SIGNIFICANT ACTION DATES:

5.15.2017 – Interlocal Agreement with Gulf Coast Center executed

6.1.2018 – H-GAC's Call for Projects released



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:	
Grants Requested	\$17.4M
Actual Bid	N/A
Estimated Match	\$3.5M
Acct. Name(s)	To be determined
Line Items #	To be determined
Other Funding	To be determined

STAFF'S RECOMMENDATION: Motion to authorize The Goodman Corporation to submit a grant application for Transportation Improvements Plan to fund mobility infrastructure projects, and provide direction to City Manager

FISCAL IMPACT: Dependent on projects selected by City Council for submission, funds awarded, and City match required

THE STATE OF TEXAS §
 §
COUNTY OF GALVESTON §

**INTERLOCAL AGREEMENT
INTERLOCAL CONTRACT**

This Interlocal Contract ("Agreement") is made and entered into and effective as of the 15th day of May, 2017 ("Effective Date") pursuant to the Texas Interlocal Cooperation Act, Chapter 791 of the Texas Government Code (the "Act"), by and between, the **City of La Marque**, (the "City"), a political subdivision of the State of Texas incorporated pursuant to Chapter 43 of the Local Government Code, and the **Gulf Coast Center** (the "Center"), established pursuant to provisions of Chapter 534 of the Texas Health & Safety Code Ann. (Vernon 1992) as amended.

RECITALS

WHEREAS, pursuant to the Act, the City and the Center are authorized to contract with eligible political subdivisions of the state of Texas, to perform governmental functions and services, including governmental functions in which the contracting parties are mutually interested;

WHEREAS, The Center (and its public transportation department Connect Transit), provide fixed route transit services within Galveston County and La Marque;

WHEREAS, the Center and City desire to create a strategy to identify and implement mobility projects tied to economic development, to enhance transit – pedestrian access for residential neighborhoods, spur downtown development, connect activity centers and schools, provide bikeway access; and, create roadway related mobility improvements ;

WHEREAS, the City and the Center, through its transit consultant The Goodman Corporation (TGC), desire to create the La Marque Economic Development and Mobility Strategy (EDMS) which will provide a framework for federal and state eligible infrastructure improvements for the next five (5) to seven (7) years;

WHEREAS, the Center is a FTA grantee, and thus can file for grants, receive federal funding, oversee transit service contracts, develop capital facilities and enter into Interlocal Agreements with project partners;

WHEREAS, the City can pursue federal and state mobility infrastructure funding through the Texas Department of Transportation, Transportation Alternative Set-Aside (TAS) program, Houston – Galveston Area Council's (H-GAC) Transportation Improvement Program (TIP), and other discretionary federal and state resources; and,

WHEREAS, the City has immediate plans to design and construct, among other facilities and improvements, pedestrian-transit access infrastructure which can become eligible for federal funding due to its connectivity with future transit services; and,

WHEREAS, the Center and City desire to complete the proposed Economic Development and Mobility Strategy (EDMS), in accordance with the Scope and Budget attached as Exhibit A; and,

WHEREAS, the City is requested to commit \$37,500 in FY 2017 and \$37,500 in FY 2017 as the local match to complete the EDMS; and,

WHEREAS, the Center will commit federal funding in the amount of \$37,500 in FY 2017 and \$37,500 in FY 2018 to support development of the EDMS.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained in this Agreement and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the City and Center agree to the following terms, covenants, and conditions:

ARTICLE 1 – CREATION OF THE CITY OF LA MARQUE ECONOMIC DEVELOPMENT AND MOBILITY STRATEGY

The City and Center agree to work together to create the proposed EDMS through TGC, the Center's transportation consultant. The plan will be completed and pursuit of capital funding will occur during the twelve (12) month length of the project upon execution of this interlocal agreement.

ARTICLE 2 – FINANCIAL SUPPORT OF THE CITY

The City agrees to provide the Center \$37,500 in FY 2017 and \$37,500 in FY 2018.

ARTICLE 3 – FINANCIAL SUPPORT OF THE CENTER

The Center agrees to provide \$37,500 in FY 2017 and \$37,500 in FY 2018 in federal funding to support development of the strategy.

ARTICLE 4 – MONTHLY PAYMENTS

The City and the Center will review monthly invoices and progress reports to be furnished by TGC, and provide payment on a lump sum percentage of completion by task basis; work progress and project deliverables will be reviewed by the City and the Center as a basis of payment. The Center will utilize the City's cash support to provide the local share match federal planning funding, and to fund the non-transit portions of the Capital Projects Funding Strategy. The Center will identify which portions of monthly invoices

as a basis of payment. The Center will utilize the City's cash support to provide the local share match federal planning funding, and to fund the non-transit portions of the Capital Projects Funding Strategy. The Center will identify which portions of monthly invoices require the City's cash contribution based upon approval by City and Center of work performed.

ARTICLE 5 - TERM OF AGREEMENT

This Agreement will terminate after an initial twelve (12) month period. However, the agreement may be extended through agreement by both parties.

ARTICLE 6- CANCELLATION OF AGREEMENT

This agreement may be cancelled at any time by either party providing sixty (60) days notice of intention to terminate.

ARTICLE 7 – LIABILITY

Section 7.01 - No Personal Liability of Center. To the extent allowed by law the Center's officers, either singularly or collectively, are not personally liable on this Agreement or for any breach thereof.

Section 7.02 - No Personal Liability of the City. To the extent allowed by law, the City's officers, agents and employees, either singularly or collectively, are not personally liable on this Agreement or for any breach thereof.

ARTICLE 8 – MISCELLANEOUS

Section 8.01 - Laws. The parties hereto agree to abide with all applicable laws, regulations, and grant provisions of the United States, the State of Texas, and any other lawful authorities having jurisdiction.

Section 8.02 - Notices. All notices, demands, or requests from one party to another shall be in writing and shall be personally delivered, sent by mail, certified, registered, express or overnight, postage prepaid, or sent by facsimile transmission, to the addresses stated in this Section, or to such other address as the party may request in writing, and are deemed to have been given at the time of delivery:

Gulf Coast Center, 123 Rosenberg, 6th Floor, Galveston, Texas 77550 (express or overnight mail), to the attention of the Executive Director.

City of La Marque, 1111 Bayou Road, La Marque, Texas, 77568 (express or overnight mail), to the attention of the City Manager.

Section 8.04 - Legal Construction. In case any one or more of the provisions contained in this Agreement is for any reason held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability does not affect any other provision hereof and this Agreement will be construed as if such invalid, illegal, or unenforceable provision had never been contained herein, if consistent with the overall intent of this Agreement.

Section 8.05 - Amendment. No amendment, modification, or alteration of the terms of this Agreement is binding unless in writing, dated subsequent to the Effective Date and executed by the City and the Center or their successors and permitted assigns.

Section 8.06 - Exhibits. All Exhibits attached to this Agreement are incorporated by reference.

Section 8.07 - Counterparts. This Agreement may be executed in any number of counterparts, and each counterpart is deemed to be an original instrument, but all such counterparts together constitute but one Agreement. A photocopy or facsimile reproduction of an original signature of a party on this Agreement binds that party to the terms, covenants and conditions of this Agreement.

Section 8.08 - Time is of the Essence. Time is of the essence in this Agreement.

Section 8.09 - Headings. The headings, captions, and arrangements used in this Agreement are for convenience only and do not affect the interpretation of this Agreement.

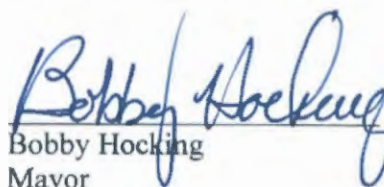
APPROVED:
The Gulf Coast Center



Melissa Tucker
Chief Executive Officer

Dated:

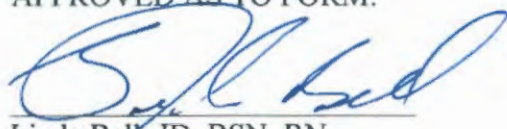
APPROVED:
City of La Marque



Bobby Hocking
Mayor

Dated:

APPROVED AS TO FORM:



Linda Bell, JD, BSN, RN
General Counsel

**HOUSTON:**

3200 Travis Street
Suite 200
Houston, TX 77006
(713) 951-7951

THEGOODMANCORP.COM

AUSTIN:

1715 6th Street
Suite 112
Austin, TX 78702
(512) 236-8002

PROJECT SCOPE

LA MARQUE ECONOMIC DEVELOPMENT AND INFRASTRUCTURE IMPROVEMENT STRATEGY

The City of La Marque is part of the Texas City/La Marque Urbanized Area (UZA) with a 2010 population of 105,994. As a small UZA, the Texas City/La Marque/Dickinson areas generate approximately \$1,400,000 annually in Federal Transit Administration (FTA) formula funding, to support Connect Transit's fixed route and ADA paratransit operations within UZA. These federal formula funds can also be used for the planning, design, and implementation of transit-related infrastructure improvements and other amenities to attract and support ridership for the transit system. In this context, the Gulf Coast Center - Connect Transit has entered into partnerships for the development of mobility and transit infrastructure with the cities of Dickinson and Texas City using a combination of local funding to match available federal and state funding. These funds have been used for improved infrastructure which supports the community, enhances economic development opportunities, and improves mobility. In some instances, the federal funding is available through the GCC - Connect Transit federal formula funding distributed annually to support transit. In other cases, the GCC and its transit partners will pursue discretionary federal and state funding to support infrastructure development.

The GCC and La Marque have previously partnered on the development of sidewalks on Lake Road, supported by local and federal New Freedom funding. The City also benefitted from the American Recovery and Reinvestment Economic Stimulus funding which supported the installation of bus stop signs and shelter improvements along the transit network.

With the recent announcement of the Texas Department of Transportation (TxDOT) Transportation Alternatives Set Aside (TAS) "call for projects" due May 21st, and the Houston - Galveston Area Council (H-GAC) Transportation Improvement Program (TIP) "call for projects", due in September, representatives of the City, The Goodman Corporation, and La Marque Economic Development Corporation recently met to discuss creation of a partnership with the GCC to achieve a transit and mobility infrastructure strategy seeking to leverage discretionary federal and state funding. The proposed strategy will consider the following objectives:

- Consideration of the upcoming TxDOT TAS and H-GAC TIP "calls", and the identification and data and justification to support for project submittals;
- Consideration of a potential Galveston County Bond issue and what La Marque mobility projects might be candidates to utilize County bond proceeds to leverage discretionary state and federal funding;

- Consideration of the City's completion of a downtown master plan and elements within that plan which might be eligible for federal and state funding;
- Consideration of City local investment in utilities, drainage, and other infrastructure which can be used to match/leverage federal and state funding.
- Consideration of a five (5) year Connect related transit improvement program which targets better pedestrian – transit connectivity for La Marque constituents.

The proposed strategy would be jointly funded by the GCC and City of La Marque, through FY 2017 and FY 2018 resources. The following pages include a Scope of Services, Deliverables, Budget and Timetable for creation of the La Marque Economic Development and Infrastructure Improvement Strategy.

Task 1 – Initial Data and Information Review

- TGC will obtain the latest geographic data and define a study area as consistent with the up-to-date La Marque city limits. TGC will map any pertinent features and activity centers to include any Special District boundaries.
- TGC will coordinate with La Marque City and Economic Development Corporation (EDC) staff in order to gather, review, and summarize previously completed planning documents, to include the under-development Downtown La Marque Master Plan. TGC will also review information relative to existing and planned developments and activity centers at this time.
- TGC will coordinate with Public Services staff in order to document a capital project summary to include: previously completed projects, funded projects, and short and long term priority projects.
- TGC will coordinate with La Marque EDC staff in order to understand the purpose, need, and intent of the Downtown Master Plan as well as the individual key components related to infrastructure and general mobility.
- TGC will coordinate with GCC-Connect staff in order to best understand ridership trends and characteristics within the study area.
- TGC will review the TIP, Regional Transportation Plan, TxDOT Planning Map, and other regional planning documents in order to identify planned and programmed improvements on adjacent roadways and on TxDOT maintained facilities.
- TGC will review and map trail, bike, and other multi-use facilities within the study area.
- TGC will review and map publicly available traffic counts on La Marque facilities.
- TGC will review the regional travel demand forecast model in order to review levels of service and congestion on La Marque roadways.
- TGC will conduct a desktop and field assessment of transportation facilities within the study area in order to identify areas where infrastructure is lacking (sidewalks, curbs, ADA ramps) and where existing roadway facilities are in need of upgrade and/or repair.

Deliverables: TGC will prepare a technical document that summarizes the information gathered and provides a high level summary of recommended projects on the basis of connectivity, congestion reduction, multi-modal access, economic development, and transit optimization.

Cost: \$25,000

Time Frame: 90 days

Task 2 – Refinement of Draft Project Listing

- Using the data and information gathered in Task 1, TGC will host a meeting with La Marque stakeholders in order to review the draft TGC recommendations. At this meeting TGC will further explore what other projects may be priorities and how the recommendations made by TGC can be modified in order to best align with La Marque objectives.

- TGC will take the feedback obtained from the City of La Marque and other stakeholders and modify the project listing to be consistent with the comments received. At this time, TGC will provide high-level costs (linear foot cost basis) for the projects and provide a summary of the anticipated local/state/federal costs that could be attributable to each project.
- TGC will coordinate with La Marque staff to review the cost projections to ensure that the project listings are realistic and feasible in terms of implementation.
- TGC will continue to work with La Marque stakeholders and City Council to refine the project listing to the extent that the project stakeholders are satisfied with the documented projects.
- The projects will be segmented into short and long term improvements, with short term improvements being designated as 1-5 years and long range projects being 5-10 years.

Deliverables: TGC will produce a stand-alone map that denotes the projects identified, their high-level cost estimates, as well as their status as either a short or long range project. TGC will provide briefings to the La Marque City Council to consolidate support on the finalized list of projects.

Cost: \$15,000

Time Frame: 60 days

Task 3 – Data and Analysis on Selected Projects

- TGC will work to prioritize the selected projects with La Marque stakeholders. This prioritization exercise is to identify the top ten (10) projects [lets further discuss] for which additional data and analysis should be gathered to support future pursuit of funding, and the programming of local funds for engineering activities. The type and extent of additional data and analysis for the ten (10) priority projects is documented below. Note that not all analysis will be performed for each project, but instead will be gathered if applicable/warranted:

- Project termini, scope, purpose and need, construction, PE, and design cost estimates, existing and proposed project cross-sections, project maps/photographs/images, pavement condition survey, vehicle/capacity assessment, traffic counts, traffic micro-simulation, travel demand macro-simulation, crash data review, nexus to public transportation, existing/needed signalization, connections to adjacent activity centers, connections to adjacent transportation facilities, desktop drainage assessment, lighting assessment, and documentation of area specific economic development needs;
 - Draft profiles, when created, will be shared with La Marque staff for their review and approval. This is done to make sure that TGC assumptions regarding project characteristics are supported by the City of La Marque.

Deliverables: Individual project profiles that document the information noted above. Long range projects will be listed and depicted on an overall projects map to include termini, purpose, need, and scope.

Cost: \$50,000

Time Frame: 90 days

Task 4 – Desktop Environmental Review

- TGC will review each federally eligible project from a National Environmental Policy Act (NEPA) perspective and will provide a desktop environmental assessment of each to identify potential challenges. The results of each assessment will include the expected level of environmental analysis that will be required prior to applying for federal funding: C-List Programmatic or D-List Documented Categorical Exclusion, Environmental Assessment (when determination of impacts is unclear) or an Environmental Impact Statement (when impacts are evident but severity is unclear). Estimated severity of Phase I Environmental Site Assessment findings will also be documented.

Deliverables: A desktop environmental assessment to include data relative to future National Environmental Policy Act and Environmental Site Assessment submittals.

Cost: \$15,000

Time Frame: 30 days

Task 5 – Cost-Benefit Analysis

- Based on the “delta” between the existing conditions and proposed infrastructure improvements, TGC will identify potential benefits related to: reduced vehicle emissions, transit ridership, and vehicular level of service, reconstruction versus continued maintenance, safety, access, congestion,, livability, and economic development. Based on cost-benefit criteria as used by the United States Department of Transportation and the Houston-Galveston Area Council, TGC will rank the ten (10) priority projects against each other in order to determine which projects are the most beneficial from a cost-benefit standpoint. TGC will analyze the project listing in this manner and provide a summary ranking of prioritization from the perspective of cost-benefit analysis. TGC will provide an order of magnitude estimate on the amount of monetized quantified benefit for each project.

Deliverables: A cost-benefit analysis that will prioritize the top ten (10) priority projects in relation to their estimated ranking via USDOT/H-GAC scoring methodology. Order of magnitude estimates on quantified, monetized benefit.

Cost: \$20,000

Time Frame: 90 days

Task 6 – Plan Documentation and Implementation Strategy

- TGC will compile the information gathered in tasks 1-5 to create a comprehensive strategy document which can be supported by La Marque stakeholders. The strategy will include a prioritized list of projects to include termini, scope costs, and benefits. The final document will also include a documented phased approach for priority project development, with associated funding and implementation strategies

- TGC will provide presentations to La Marque City Council, the La Marque Economic Development Corporation, and Gulf Coast Center – Connect Transit staff, in order to summarize the strategy and the projects identified. TGC will complete any revisions/modifications per the request of the City of La Marque.

Deliverables: Delivery of full comprehensive strategy document to include two (2) hard copies and a digital .pdf version. Presentations of findings and recommendations; Revisions as necessary.

Cost: \$10,000

Time Frame: 30 days

Task 7 – Pursuit of Funding

- TGC will pursue funding opportunities, such as the recent TxDOT TAP call, during the course of the infrastructure strategy development; and,
- Upon completion of the Strategy, TGC will identify funding opportunities for the implementation of the identified priority projects. In this context, TGC will assemble up to three (3) grant applications for submittal to the H-GAC TiP call for projects, for the City of La Marque, in order to pursue discretionary federal and state funding. TGC efforts will include:
 - Monitoring funding opportunities and briefing La Marque staff.
 - Attending workshops related to calls for projects.
 - Assembling grant applications to include narrative and full cost-benefit analysis.
 - Coordination and acquisition of support documentation from project partners, stakeholders, and elected officials.

Deliverables: Monthly progress reports relative to federal and state funding opportunities and the preparation of up to three (3) grant application and all supporting materials.

Cost: \$15,000

Time Frame: 120 days

BUDGET SUMMARY		
TASK	DESCRIPTION	COST
1	Initial Data and Information Review	\$25,000
2	Refinement of Draft Project Listing	\$15,000
3	Data and Analysis on Selected Projects	\$50,000
4	Desktop Environmental Review	\$15,000

5	Cost-Benefit Analysis	\$20,000
6	Plan Documentation and Implementation Strategy	\$10,000
7	Pursuit of Funding	\$15,000
	Total	\$150,000

BUDGET TOTALS	
ENTITY	COST
City of La Marque	\$75,000
Gulf Coast Center – Connect Transit	\$75,000
Total	\$150,000



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Houston, TX 77006

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Suite 200
Austin, TX 78757

PHONE: (713) 951-7951

**CREATIVE
MOBILITY
SOLUTIONS**

THEGOODMANCORP.COM

To: La Marque City Council
Cc: Carol Buttler, City Manager
From: Monisha Khurana AICP, Senior Associate
Date: April 20, 2018
Re: La Marque Economic Development and Mobility Strategy

INTRODUCTION

The Goodman Corporation (TGC) is under contract with the City of La Marque to develop an Economic Development and Mobility Strategy. As part of this planning effort, the City of La Marque, in conjunction with the Gulf Coast Center (GCC) – Connect Transit and TGC are working to develop a prioritized list of mobility infrastructure projects. This process also involves a recommended approach to leverage discretionary federal and state funding. The Houston-Galveston Area Council (H-GAC) is releasing a Call for Projects on June 1, 2018 which will allow municipalities to submit applications for mobility projects to receive federal funding. The Call for Projects will distribute over \$1 billion in the region for projects programmed through 2028; many project categories require a 20% local funding match.

The purpose of this memorandum is to provide information on the analysis of mobility projects to date and obtain La Marque City Council's opinion on project priorities and local match contributions for applications to the upcoming H-GAC Call for Projects.

PROJECT SELECTION & EVALUATION

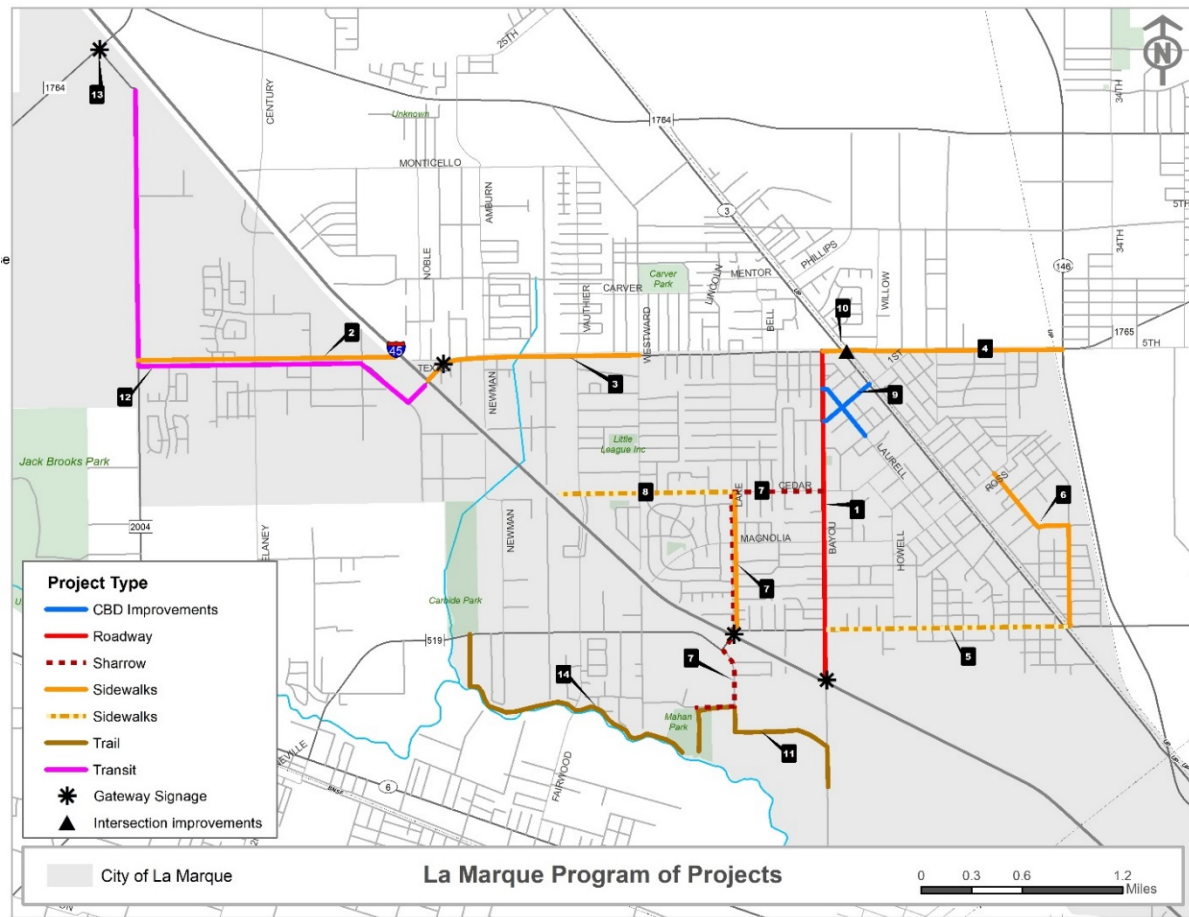
Using available background data, prior city plans, and existing conditions, TGC developed a list of potential mobility infrastructure projects for the City of La Marque. Working with City of La Marque staff, the list of projects was refined for further scoping and analysis. The costs and benefits for each project was developed and projects were prioritized based on the benefits and other planning factors and criteria.

The complete list of projects that were costed, scoped and analyzed is listed in Table 1 below. A map with the locations is shown in Figure 1 below.

Table 1: La Marque Program of Projects

ID	Roadway Name	Project Limits	Project Scope
1	Bayou Road	FM 1765 to I-45	Reconstruction with drainage improvements and non-motorized facilities: curb and gutter, 4-6' bike lanes, 6' sidewalks
2	FM 1765/Texas Avenue	FM2004 to I-45	Sidewalks on south side of roadway
3	FM 1765/Texas Avenue	I-45 to Westward Avenue	Sidewalks on south side of roadway
4	FM 1765/Texas Avenue	Bayou Road to SH146	Sidewalks on south side of roadway
5	FM 519	Bayou Road to SH3	Sidewalks on both sides of roadway
6	3rd Avenue, Banana Street, Maple Avenue	Main Street (FM519) to Ross Street	Sidewalks on west side of roadway
7	Lake Road, Cedar Drive	Lake Road: Cedar Drive to Woodland Street Cedar Drive: Lake Road to Bayou Road	Sidewalks on west side only of Lake Road only, sharrow on Lake Road. Sharrow only on Cedar Drive portion and south of I-45
8	Cedar Drive	I-45 to Lake Road	Sidewalks on south side of roadway
9	Central Business District	Laurel Street: Bayou to Yupon 1st Street: Bayou to SH3	Reconstruction of roadways including: 8' parallel parking lanes, 12' travel lanes, 10' sidewalks, 5' bike paths
10	SH3/FM 1765/Oak Street Intersection	Intersection of SH 3/Oak St/FM 1765	Intersection improvements (primarily visual) including gateway signage, brick pavers, new mill and overlay, mast arms with back illuminated signage, ornamental lighting
11	Highland Bayou Trail: Phase I	Mahan Park to Bayou Road, connection to Lake Road.	Trail project for biking and walking: 10' shared use path
12	Wayfinding and welcome sign	4 distinct potential locations: off exit 8 on I-45, near Bayou Road, off Main Street (FM 519) or Texas Avenue (FM 1765), north of FM 1764 (near Sam's Club)	Gateway sign with lighting
13	GCC Route change for La Marque route	Gulf Greyhound Park to FM 1765	Extend service west of I-45; from Gulf Greyhound Park, go south on 2004 to FM 1765/Texas Avenue to serve west side; rejoin with route
14	Highland Bayou Trail: Phase II	Carbide Park to Mahan Park	Trail project for biking and walking: 10' shared use path

Figure 1: La Marque Program of Projects



PROJECT PRIORITIES AND NEXT STEPS

Based upon cost-benefit ratios and evaluation of various planning factors, the top project priorities include:

- Project 1: Bayou Road Reconstruction
- Project 9: Central Business District (CBD) Revitalization Project
- Project 3: FM 1765 Sidewalks: I-45 to Westward Ave.
- Project 5: FM 519 Sidewalks

Based on conversations and meetings with the City Staff, the major priorities are the two roadway projects: Bayou Road Reconstruction from I-45 to FM 1765 and the Central Business District (CBD) Revitalization Project, including 1st Street and Laurel Street, from Bayou Road to SH3 and Yupon Street. The cost for the Bayou Road reconstruction is approximately \$11.1 million; 20% of this amount for a local funding share would be about \$2.2 million. The cost for the CBD reconstruction is approximately \$6.3 million; 20% of this amount for a local funding share would be about \$1.3 million. Detailed line-item costs for the Bayou Road Reconstruction and the CBD Revitalization projects are attached in Appendix A.

TGC recommends either or both projects for submittal to the H-GAC Call for Projects funding opportunity. If choosing between the two, TGC recommends the Bayou Road Reconstruction project.

La Marque: Bayou Rd - FM 1765 to IH 45 NBFR (8900' = 1.7 miles)

Reconstruct roadway with curb and gutter, sidewalk, bike lanes

Existing pavement: 42' - 45' FM 1765 to FM 519 @7660'

Existing pavement: 42' - 45' FM 519 to IH 45 @ 1240'

8900'

APPENDIX A: PROJECT COSTS

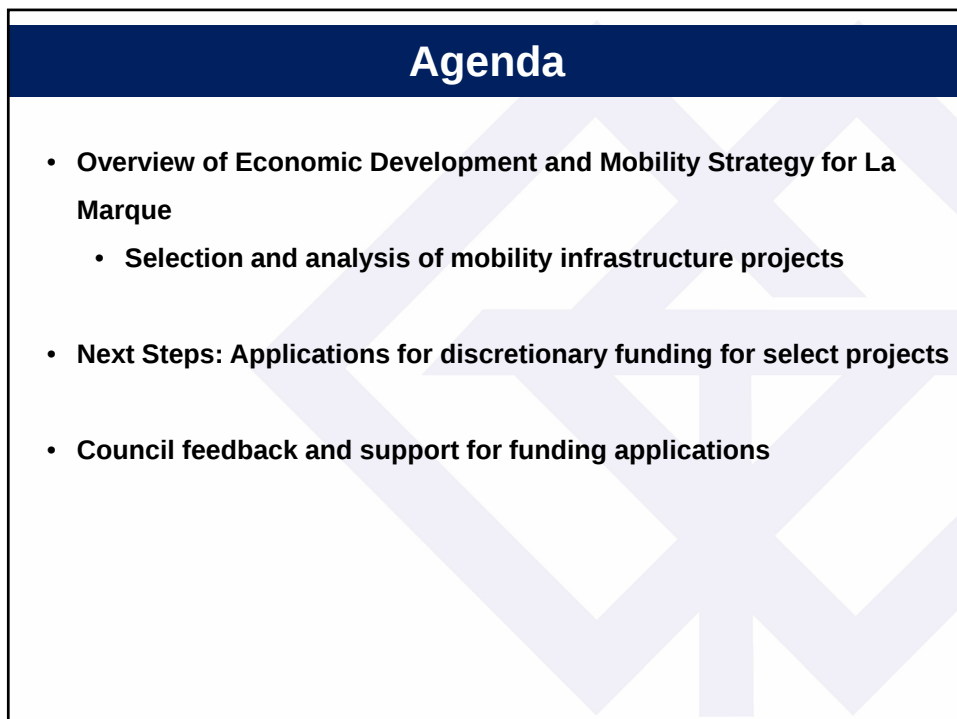
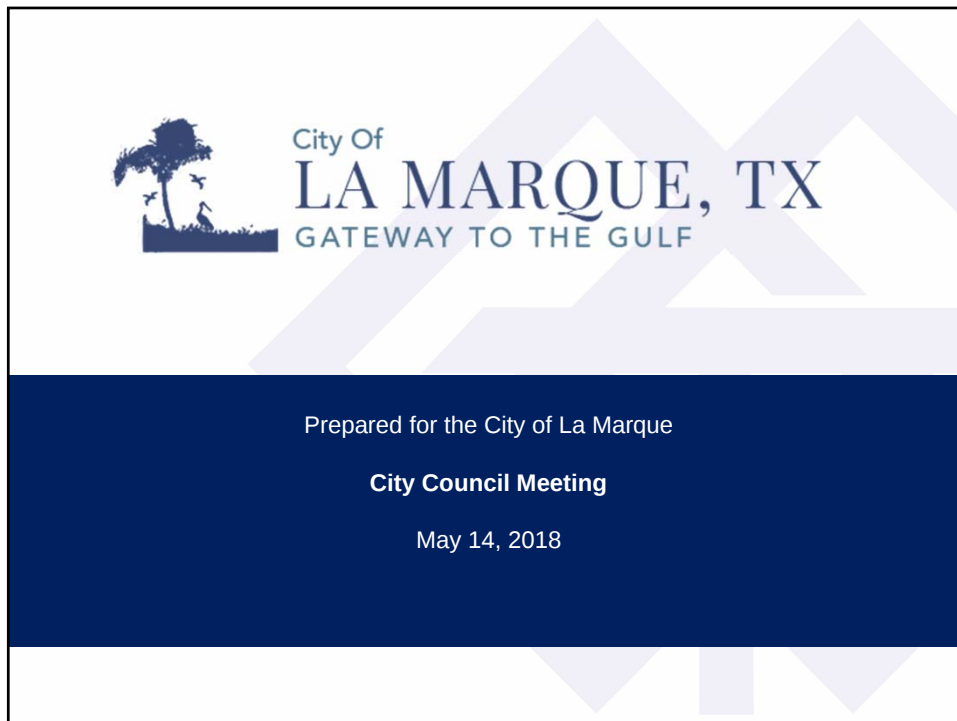
Item No.	Description	Units	Price	Quantity	Cost
100-2002	Prep ROW	STA	\$2,500	89	\$ 222,500
104-2001	Remove Concrete Pavement	SY	\$5	38300	\$ 178,095
104-2015	Remove Concrete Sidewalk	SY	\$5	2553	\$ 12,765
104-6029	Remove Concrete Curb & Gutter	LF	\$1	15320	\$ 22,061
104-6017	Remove Concrete Driveway	SY	\$5	2544	\$ 11,957
105-2008	Remove ACP & BS	SY	\$3	3310	\$ 9,930
110-2001	Excavate Roadway	CY	\$11	25052	\$ 275,572
134-2005	Backfill	CY	\$87	5933	\$ 513,205
260-6073	LTS 8"	SY	\$4	37578	\$ 150,312
275-6003	CTB 6"	SY	\$20	37578	\$ 751,560
292-6002	ASB (1")	TON	\$60	1850	\$ 111,592
360-6032	Concrete Pavement (10"JRC)	SY	\$61	33622	\$ 2,036,485
464-2005	RCP (24")	LF	\$54	9470	\$ 512,990
465-6175	Inlet (Ty C)	EA	\$3,430	30	\$ 102,900
496-20025	Remove Inlet	EA	\$325	15	\$ 4,875
496-2003	Remove MH	EA	\$580	30	\$ 17,400
496-2007	Remove Pipe	LF	\$12	7660	\$ 91,920
506-	SW3P	LF	\$3	35600	\$ 116,412
512-	Prt. CTB	LF	\$11	17800	\$ 197,580
512-605	Concrete Curb	LF	\$4	17800	\$ 71,912
530-6004	Driveway (Concrete)	SY	\$65	2544	\$ 164,648
531-2005	Curb Ramps (ADA)	EA	\$1,700	54	\$ 91,800
531-600	Concrete Sidewalk	SY	\$52	11334	\$ 584,154
610-6104	Rdwy Illum.	EA	\$1,060	20	\$ 21,200
618-6023	Conduit	LF	\$8	8900	\$ 73,247
620-2004	Elc. Cond	LF	\$3	8900	\$ 22,784
644-6004	Sml. Rd Sign	EA	\$560	30	\$ 16,808
666-2111	Pv Mk (4")	LF	\$0	17800	\$ 5,874
666-6036	Pv Mk (8")	LF	\$1	17800	\$ 21,360
666-6042	Pv Mk (12")	LF	\$3	810	\$ 2,219
666-6078	Pv Mk (Word)	EA	\$127	30	\$ 3,809
668-	Bike arrow & symbol	EA	\$210	30	\$ 6,300
1013-2001	Trash Receptacle	EA	\$800	30	\$ 24,000
1014-	Bench/Bike Rack	EA	\$5,400	30	\$ 162,000
1018-200	Tree Protect	EA	\$435	50	\$ 21,750
7049	FH & Adjust/Install	EA	\$6,857	12	\$ 82,284
	Traffic Control	MO	\$6,000	12	\$ 72,000
	Subtotal				\$ 6,788,258
	Mobilization	10%			\$ 678,826
	CPDS	4%			\$ 237,589
	PS&E	10%			\$ 678,826
	TxDOT fee	13% Includes CA, CM, MT			\$ 882,474
	Contingency	20%			\$ 1,853,195
	TOTAL				\$ 11,119,167
	Local Share	20%	31		\$ 2,223,833

La Marque CBD (1st and Laurel) 3,385' (0.64 mi.)**Reconstruct roadway with curb and gutter, sidewalk, bike lanes**

Existing pavement: 42' - 45'

Prop pvmt: 50' (parallel), 58' (angle), Total ROW: 70'

Item No.	Description	Units	Price	Quantity	Cost
100	Prep ROW	STA	\$2,500.00	34	\$ 85,000
104	Remove Conc Pavement	SY	\$4.65	15797	\$ 73,456
104	Remove Concrete Sidewalk	SY	\$5.00	562	\$ 2,810
104	Remove Curb and Gutter	LF	\$1.44	1782	\$ 2,566
104	Remove Concrete Driveway	SY	\$4.70	8762	\$ 41,181
110	Excavate Roadway	CY	\$11.00	10531	\$ 115,841
134	Backfill	CY	\$86.50	2006	\$ 173,519
260	LTS 8"	SY	\$4.00	18806	\$ 75,224
275	CTR 6"	SY	\$20.00	18806	\$ 376,120
292	ASB (1")	TON	\$60.32	1035	\$ 62,431
360	Concrete Pavement (10" JRCP)	SY	\$60.57	18806	\$ 1,139,079
464	RCP (24")	LF	\$54.17	3950	\$ 213,972
465	Inlet (Ty C)	EA	\$3,430.00	12	\$ 41,160
496	Remove Inlet	EA	\$325.00	14	\$ 4,550
496	Remove Pipe	LF	\$12.00	1782	\$ 21,384
506	SW3P	LF	\$3.27	13540	\$ 44,276
512	Port CTB	LF	\$11.10	6770	\$ 75,147
529	Concrete Curb	LF	\$4.04	6770	\$ 27,351
530	Driveway (Concrete)	SY	\$64.72	8762	\$ 567,077
531	Curb Ramp (ADA)	EA	\$1,700.00	22	\$ 37,400
531	Construct Sidewalk	SY	\$51.54	7189	\$ 370,521
610	Rdwy Illum	EA	\$1,060.00	12	\$ 12,720
618	Conduit	LF	\$8.23	3385	\$ 27,859
620	Elec Con	LF	\$2.56	3385	\$ 8,666
644	Smll Rd Sign	EA	\$560.26	20	\$ 11,205
666	Pvmt mks (4")	LF	\$0.33	6770	\$ 2,234
666	Pvmt mks (8")	LF	\$1.20	6770	\$ 8,124
666	Pvmt mks (12")	LF	\$2.74	400	\$ 1,096
666	Pvmt mk (word)	EA	\$126.95	20	\$ 2,539
668	Bike arrow & symbol	EA	\$210.00	20	\$ 4,200
1013	Trash Receptacle	EA	\$800.00	20	\$ 16,000
1014	Bench/Bike Rack	EA	\$5,400.00	20	\$ 108,000
1018	Tree Protect	EA	\$435.00	30	\$ 13,050
7049	FH Adjust /Inst.	EA	\$6,857.00	3	\$ 20,571
	Traffic Control	MO	\$12,000.00	6	\$ 72,000
	Subtotal			\$	3,858,328
	Mobilization	10%		\$	385,833
	CPDS	4%		\$	135,041
	PS&E	10%		\$	385,833
	TxDOT fee	13% Includes CA, CM, MT		\$	501,583
	Contingency	20%		\$	1,053,324
	TOTAL			\$	6,319,942
	Local Share	20%		\$	1,263,988



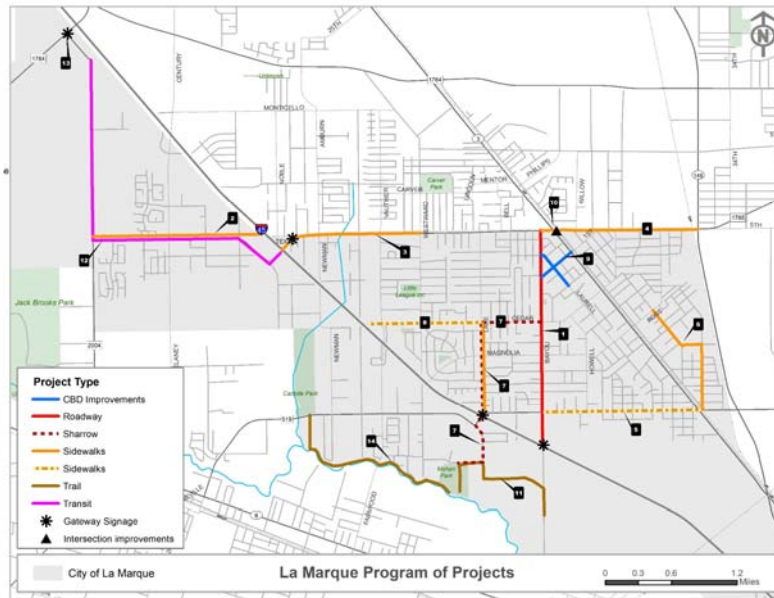
TGC Scope and Project Purpose

- Need to complete comprehensive planning effort: create a prioritized Capital Improvement Project (CIP) plan for long term planning and capital development
- Projects: developed scope, costs and benefits
- Funding opportunities on horizon: can apply for discretionary federal/state funds; opportunity to leverage local dollars
 - H-GAC: Call for Projects – immediate opportunity

Program of Projects

- | | |
|---|--|
| <ol style="list-style-type: none"> 1. Bayou Road Reconstruction 2. FM 1765 Sidewalks: FM 2004 to I-45 3. FM 1765 Sidewalks: I-45 to Westward 4. FM 1765 Sidewalks: Bayou to SH 146 5. FM 519 Sidewalks 6. 3rd/Banana/Maple Sidewalks 7. Lake Road/Cedar Dr. Sidewalks & Sharrow | <ol style="list-style-type: none"> 8. Cedar Drive Sidewalks 9. CBD Revitalization 10. SH 3/FM 1765/Oak Street Intersection Improvements 11. Highland Bayou Trail: Phase I 12. GCC Route Change 13. Gateway Signage 14. Highland Bayou Trail: Phase II |
|---|--|

Program of Projects



Project 1: Bayou Road Reconstruction

Scope

- Bayou Road from I-45 to FM 1765
- Bike lanes, sidewalks, 2 travel lanes
- Reconstruction to concrete with improved drainage

Project Need

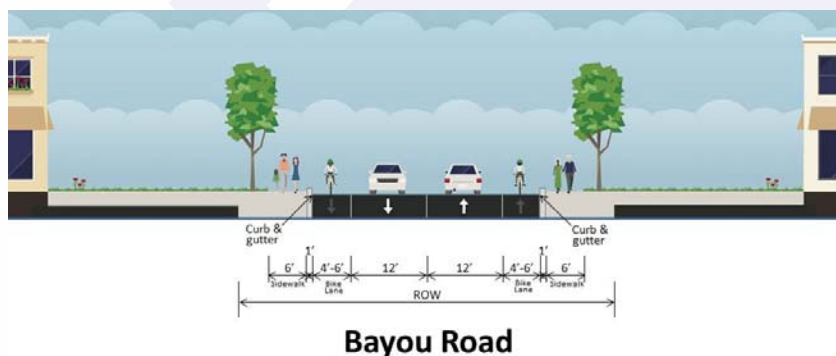
- Pavement in poor condition
- Stormwater drainage issues
- Contains majority of bike crashes

Project Cost

- \$11,120,000

Project Benefit

- **HIGH**



Project 2: FM 1765 Sidewalks (FM 2004 to I-45)

Scope

- Sidewalk on south side of FM 1765
- From FM 2004 to I-45
- 7,060 linear feet

Project Need

- Additional projected development
 - Community uses
 - Residential subdivisions

Challenges

- Bridge along corridor: would need to rebuild to implement sidewalk

Project Cost

- ~\$2,600,000

Benefits

- **LOW**



Project 3: FM 1765 Sidewalks (I-45 to Westward Ave)

Scope

- Sidewalk on south side of FM 1765
- From I-45 to Westward Avenue
- 5,860 linear feet

Project Need

- Pedestrian crashes on corridor, including fatality
- Sidewalks would support connectivity
- Can also enhance bus stops in conjunction

Project Cost

- ~\$620,000

Benefits

- **HIGH**



Project 4: FM 1765 Sidewalks (Bayou Rd. to SH 146)

Scope

- Sidewalk on south side of FM 1765
- From Bayou Road to SH 146
- 6,590 linear feet

Project Need

- Sidewalks would support connectivity
- Access to transit stops

Project Cost

- ~\$750,000

Benefits

- **LOW**



Project 5: FM 519 Sidewalks

Scope

- Sidewalk on both sides of FM 519
- From Bayou Road to SH 3
- 13,460 linear feet

Project Need

- Sidewalks would improve safety
- Connectivity to transit route
- Opportunity to enhance bus stops

Project Cost

- ~\$1,570,000

Benefits

- **HIGH**



Project 6: 3rd/Banana/Maple Sidewalks

Scope

- Sidewalk on 3rd/Maple/Banana on the west and south sides
- From FM 519 to Ross St.
- 5,460 linear feet

Project Need

- Sidewalks would increase access to bus stops along these roadways

Project Cost

- ~\$1,190,000

Benefits

- **LOW**



Project 7: Lake Rd/Cedar Dr – Sidewalks/Sharrows

Scope

- Sidewalk on the west side of Lake Road from Cedar Drive to I-45 (3,715 linear feet)
- Sharrow on Lake Road from I-45 to Mahan Park, via Woodland Street (7,080 linear feet)
- Sharrow on Cedar Drive from Lake Road to Bayou Road (2,505 linear feet)

Project Need

- Sidewalks would tie into existing sidewalk network on Lake Road
- Sharrow would create "mini" bike network in conjunction with other projects

Project Cost

- Sidewalks: ~\$460,000
- Sharrow: ~\$60,000

Benefits

- **LOW**



Source: NACTO

Signing and Marking Recommendations

Project 8: Cedar Drive – Sidewalks

Scope

- Sidewalk on south side of Cedar Drive from I-45 to Lake Road
- 4,785 linear feet

Project Need

- Sidewalks would tie into existing sidewalk network on south side of Cedar Drive

Project Cost

- ~\$1,450,000

Benefits

- **LOW**



Project 9: CBD Revitalization

Scope

- Reconstruction of 1st and Laurel
- Repaving roadway, sidewalks, bike lane, parallel parking

Project Need

- Reconstruction would support economic development goals

Project Cost

- ~\$6,320,000

Benefits

- **HIGH**



Project 10: Intersection of SH 3/FM 1765/Oak Street

Project Scope

- Visual/aesthetic improvements to intersection, including brick pavers, new mill and overlay, mast arms with back illuminated signage, illuminated lighting

Project Need

- Intersection is listed as weakness in the La Marque Economic/Community Development Plan

Project Cost

- ~\$500,000+

Benefits

- No quantifiable benefits



Project 11: Highland Bayou Trail Phase I

Scope

- 10 foot concrete trail path connecting Mahan Park to Mac McGaffey Highland Bayou Park

Project Need

- Connectivity to recreational areas
- Creation of a trail/bike network

Project Cost

- ~\$570,000

Benefits

- MEDIUM



Project 14: Highland Bayou Trail Phase II

Scope

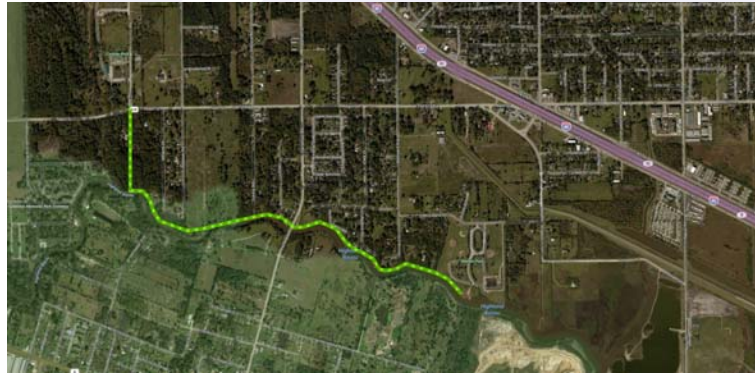
- 10 foot concrete trail path along the Highland Bayou, connecting Mahan Park to Carbide Park

Project Need

- Connectivity to trail network and recreational opportunities

Project Cost

- Concrete:
~\$720,000
- Right of Way:
Additional \$\$\$



Project 12: GCC Route Change

Scope

- Reroute GCC's La Marque route to go from Gulf Greyhound Park along FM 2004 to FM 1765/Texas Avenue, serving west side of La Marque
 - Existing route goes south on I-45 frontage road

Project Need

- Serve west side of La Marque
- Future development: community uses and residential subdivisions

Status

- GCC has tentatively agreed to rerouting
- Will be incorporated in future plans – details TBD



Project 13: Gateway Signage

Scope

- Gateway signage at following locations:
 - Bayou Road and I-45
 - Lake Road and I-45
 - FM1765 and I-45
 - SH 3/FM 1765 intersection
 - FM1764/FM 2004 intersection

Project Cost

- ~\$50,000 per sign
- Most can be bundled with other projects: Bayou Road Reconstruction (#1), FM 1765 Sidewalks (#3), Intersection Improvements (#10), Lake Road Sidewalks (#7)
- Distinct location: near FM 1764 and FM 2004 by Sam's Club/Walmart in Northwest quadrant of City Limits



Overall Project Summary

ID	Description	Total Benefit	Total Cost	Average*
1	Bayou Road Reconstruction	\$19,080,000	\$13,140,000**	2.50
2	FM 1765 Sidewalks: FM 2004 to I-45	\$1,800,000	\$2,600,000	1.29
3	FM 1765 Sidewalks: I-45 to Westward	\$5,940,000	\$620,000	2.14
4	FM 1765 Sidewalks: Bayou to SH146	\$710,000	\$750,000	1.57
5	FM 519 Sidewalks	\$6,410,000	\$1,570,000	1.86
6	3 rd /Banana/Maple Sidewalks	\$720,000	\$1,190,000	1.00
7	Lake/Cedar Sidewalks and Sharrow	\$410,000	\$510,000	1.00
8	Cedar Drive Sidewalks	\$1,000,000	\$1,450,000	1.00
9	CBD Revitalization	\$9,060,000	\$6,610,000**	1.60
11	Highland Bayou: Phase I	\$2,050,000	\$570,000	0.75
Total		\$47,180,000	\$29,010,000	

*Average score is based upon benefits and various planning factors – projects are scored relative to each other

** Costs include user costs and other externalities

Note: Numbers are subject to change

Recommendations

- High priority projects for City of La Marque
 - **Project 1: Bayou Road Reconstruction**
 - Project 9: CBD Revitalization
 - Project 3: FM 1765 Sidewalks: I-45 to Westward Ave.
 - Project 5: FM 519 Sidewalks
- Pursue funding through H-GAC Call for Projects
 - Bayou Road Reconstruction and/or CBD Revitalization
 - If city can afford only one, TGC recommends Bayou Road Reconstruction
- Local funding share for projects: 20% of total cost
 - Projects can be programmed from 2020-2028

Next Steps

Need City Council support for application for H-GAC Call for Projects

- Local match (20%) for selected project(s)
- Resolution of Funding Commitment
- Call for Projects: Opens Summer 2018

Final Report

- Will contain project prioritization and information for future La Marque planning efforts

For more information, please contact:

Monisha Khurana, AICP
 The Goodman Corporation
mkhurana@thegoodmancorp.com
 713.951.7951



CITY COUNCIL AGENDA FORM

Meeting Date: May 14, 2018

Prepared by: Carol Buttler

Department: Administration

Agenda item: 8b

Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding possible request for waiver of certain development requirements by Texas City Independent School District for temporary campus, and provide direction to City Manager

☒ X

Attachments for reference

1. Proposed Site Plan for Temporary Campus
2. Copy of Letter from Mayor to Dr. Cavness
3. Copy of Resolution No. adopted by City Council

STAFF BRIEFING:

- TCISD representatives and contractors attended a pre-development meeting on April 3, 2018.
- In attendance were representatives from TCISD's architectural firm, permitting specialist, and others.
- Plans were presented to erect modular buildings on TCISD property located near Etheredge Stadium which would house La Marque Elementary and La Marque Primary campuses.
- Facility details, including a preliminary site plan, were discussed.
- TCISD informed staff that the modular buildings would remain in place approximately two (2) years.
- Staff met with Jack Haralson, Director of Facilities for TCISD, on April 9, 2018 where he provided an updated site plan and discussed traffic flow.
- Staff provided guidance how to continue moving this project forward.
- TCISD is requesting waivers for certain permitting requirements, such as alternative materials for driveways, parking, and landscaping, which will require a written agreement to outline expectations of the mutual partnership.
- Based upon the project value provided by TCISD, the total permit fee is estimated to be \$5,550.00, of which approximately \$2,400.00 would be for review and inspections required for the project.
- Plans have been reviewed by the City's contracted engineer who provided commentary which will need to be addressed.
- Chief Jackson met with Mr. Haralson, reviewed and approved the traffic plan for the temporary campus.
- City Manager strongly encouraged Mr. Haralson to bring the Superintendent and any available Trustees to the meeting to answer City Council questions.
- Once Council provides direction to the City Manager and an agreement is prepared, permits will be issued.

HISTORY:

- **December of 2017** – Pre-development Meeting held and temporary building placed at High School campus on emergency basis to house Middle School students on an emergency basis. No waivers to requirements were requested or discussed.



CITY COUNCIL AGENDA FORM

- **4.3.2018** – Pre-development Meeting to discuss new project
- **4.9.2018** – Staff met with TCISD Director of Facilities

TARGET IMPLEMENTATION: May 15, 2018

SIGNIFICANT ACTION DATES: N/A

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: Dependent on City Council discussion

FISCAL IMPACT: Permit fees based on cost of entire project

LM ELEMENTARY

Date Issued/Revised
23 MARCH 2018 - FOR REVIEW

OVER 200
PARKING SPOTS

OSBORN & VANE ARCHITECTS, LLC

2000 Maple Street, Suite 110
Boulder, CO 80501
Tel: 303.440.1100
Fax: 303.440.1101
osb@osvane.com
osvane.com

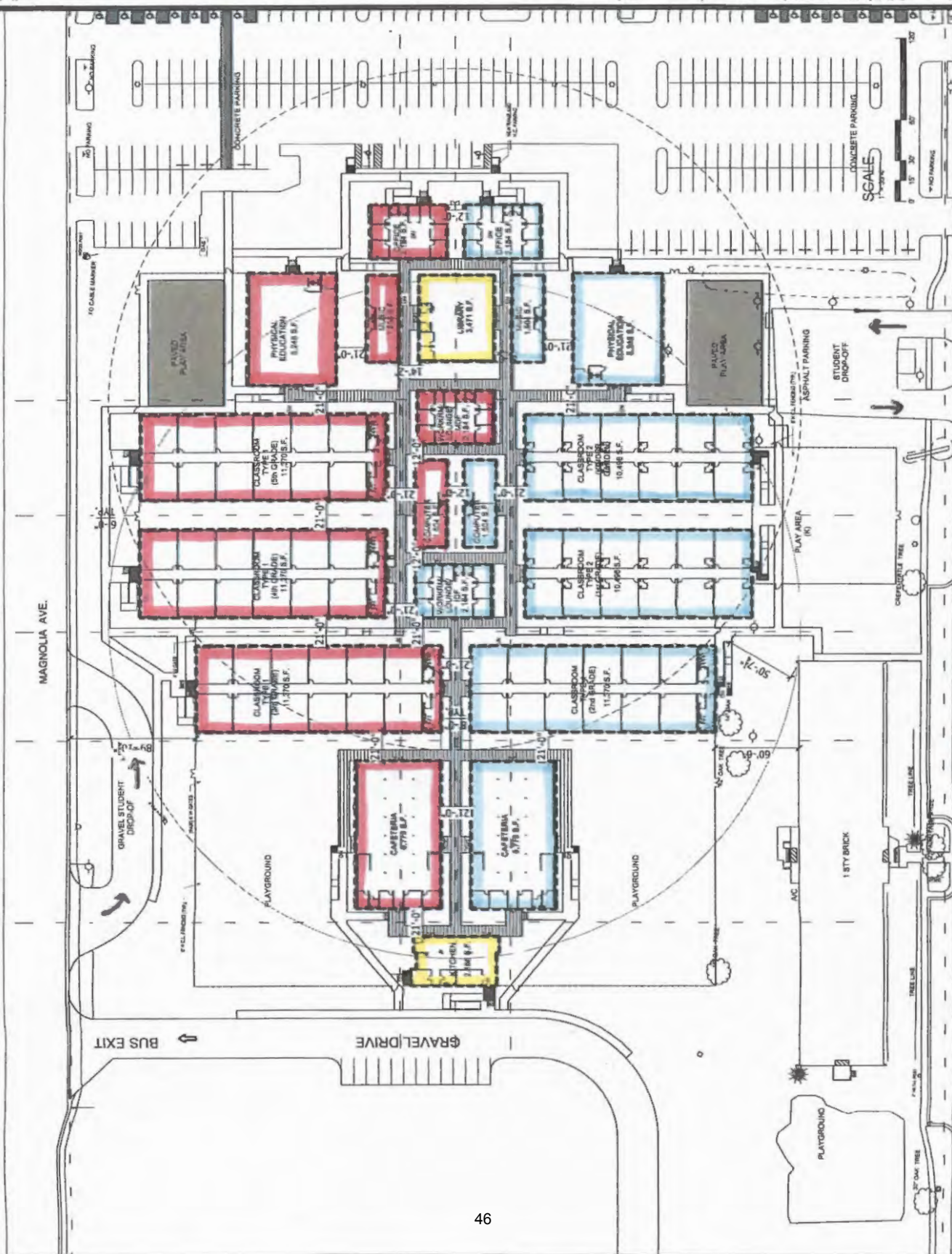
TEMPORARY CAMPUS FOR
ELEMENTARY
SCHOOL

MAGNOLIA AVE.
LA MARQUE, TEXAS

Project No. 18024
Drawn: BK
Checked: JC

Sheet No. AS1.0

LM PRIMARY



CITY OF LA MARQUE, TX

✦ GATEWAY TO THE GULF ✦



January 9, 2018

Dr. Rodney Cavness
Texas City Independent School District
1700 9th Ave N
Texas City, Texas 77590

Dear Dr. Cavness,

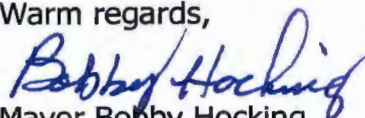
It is with great hope and expectancy for the future that we humbly submit the enclosed Resolution for the use of you and your Board. Our Council vote was unanimous in our passing of said Resolution.

In addition, our Council discussed and gained total consensus of promoting the possibility of an "Education Village", similar to the campus at Clear Falls in CCISD. We believe this concept would be beneficial to our students and our City as a whole. We also gained consensus on the location being located at the High School property located at 1765 and Vauthier. This location is not only central to all of La Marque, but would possibly draw students from west of Interstate 45 should our campus be open enrollment. It is our desire for our schools to grow along with our City, which is in a season of substantial growth.

In conclusion, if there is anything we as Council, can do to help in making this a reality, please do not hesitate to contact me.

Thanks for all you do.

Warm regards,


Mayor Bobby Hocking



RESOLUTION NO. R-2018-002

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, EXPRESSING THE NEED FOR NEW SCHOOL CAMPUSES WITHIN THE CITY OF

LA MARQUE, TEXAS THAT:

WHEREAS, the La Marque Mayor and City Council truly believe that the identity of a small, but growing city is often exemplified in the pride and purpose of our school campuses; and

WHEREAS, it is our desire that our children have the best possible opportunities to advance their education and to enhance their lives and the life of their community;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF

LA MARQUE, TEXAS THAT:

1. In moving forward, the City Council strongly encourages the Texas City Independent School District Board to ensure the future of our children by funding new campuses in the City of La Marque;

2. Therefore, we offer our support in helping to make new school campuses a priority and a reality in our City.

PASSED, APPROVED AND ADOPTED by City Council of the City of La Marque on this the 8th day of January, 2018.

CITY OF LA MARQUE, TEXAS
Bobby Hocking
Mayor

ATTEST:
Robin Eldridge
City Clerk

APPROVED AS TO FORM:

City Attorney
This Oregon City Attorney

Fiscal 2018-19 Annual Operating and Capital Plan Calendar of Events for Budget Preparation and Adoption

April 30	Deadline for all department requests to be submitted to Finance
May 1-May 31	City Manager and Finance Director meet with individual departments
June 1-June 30	City Manager and Finance Director balance the budget
July 16	City Manager Proposes Budget (Special Council Meeting)
July 16	Budget filed with City Clerk
July 23, 24, and 26	Council workshops (Proposed)
July 23-31	Certified Values for 2017 received from Appraisal District
August 2	Council workshop (<i>If needed in case significant changes in Certified roll from GCAD</i>)
August 6	Announcement of Public Hearings (<i>August 16th and August 28th</i>)
August 8	Publication of tax rates: newspapers, TV, website, etc.
August 16	First Tax Public Hearing
August 16	First Budget Public Hearing
August 28	Second Tax Public Hearing
September 10	Second Budget Public Hearing; Budget Adoption First Reading
September 11	Tax Rate Adoption First Reading
September 17	Budget Adoption-Second and Final Reading; Ordinance Public Hearing (<i>Per Charter</i>)
September 17	Tax Rate Adoption Ordinance Public Hearing; Ordinance Public Hearing (<i>Per Charter</i>)
October 1	Fiscal Year Begins



CITY COUNCIL AGENDA FORM

Meeting Date: May 14, 2018

Prepared by: Carol Buttler

Department: Administration

Agenda item: 8d

Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding adopting Resolution No. **R-2018-0012**, denying CenterPoint Energy Houston **Electric**, LLC's Application for Approval to Amend its Distribution Cost Recovery Factor

X

ATTACHMENTS FOR REFERENCE

1. Resolution

STAFF BRIEFING:

- CenterPoint Energy Houston **Electric**, LLC filed an Application for Approval to Amend its Distribution Cost Recovery Factor ("DCRF").
- In the filing, the Company is proposing an adjustment to reflect changes in the federal income tax rate resulting from Tax Cuts and Jobs Act of 2017.
- As a result of that adjustment, the Company is proposing a Total DCRF Revenue Requirement of **\$82,620,101** to be effective on September 1, 2018.
- The resulting Total DCRF Revenue Requirement sought by the Company constitutes a \$7 million decrease to the currently approved total distribution revenue requirement that is scheduled to go into effect on September 1, 2018.
- This is their fourth such filing in four (4) years.
- Accordingly, GCCC's attorney recommends that all GCCC members adopt the Resolution denying the Approval to Amend its Distribution Cost Factor.
- All electric utility customers residing in the City will be impacted by this ratemaking proceeding if it is granted.

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.

TARGET IMPLEMENTATION: May 14, 2018

SIGNIFICANT ACTION DATES:

April 4, 2018 – Application for Approval to Amend Distribution Cost Recovery Factor ("DCRF").

June 4, 2018 – Last day for cities with original jurisdiction to adopt Resolution to Deny

Cost Details:	
Budgeted	N/A
Actual Bid	N/A
Estimated	N/A



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 | |

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

STAFF'S RECOMMENDATION: Motion to adopt Resolution No. **R-2018-0012**, denying CenterPoint Energy Houston **Electric**, LLC's Application for Approval to Amend its Distribution Cost Recovery Factor

FISCAL IMPACT: No rate change at this time

RESOLUTION NO. R- 2018- 0012

A RESOLUTION OF THE CITY OF LA MARQUE, TEXAS FINDING THAT CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC'S APPLICATION FOR APPROVAL TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR PURSUANT TO 16 TEX. ADMIN. CODE § 25.243 TO INCREASE DISTRIBUTION RATES 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 an electric utility customer of CenterPoint Energy Houston Electric, LLC ("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 electric issues affecting rates charged in CenterPoint's service area; and

WHEREAS, on or about April 4, 2018 CenterPoint filed with the City an Application for Approval to Amend its Distribution Cost Recovery Factor ("DCRF") Pursuant to 16 Tex. Admin. Code § 25.243 seeking Total DCRF Revenue Requirement of \$82,620,101 to be effective on September 1, 2018; and

WHEREAS, all electric utility customers residing in the City will be impacted by this ratemaking proceeding if it is granted; and

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

WHEREAS, the GCCC's members and attorneys recommend that GCCC members deny the DCRF.

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 DCRF charged to customers located within the City limits, are hereby found to be unreasonable and shall be denied.

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

Section 3. That the City's reasonable rate case expenses shall be reimbursed in full by CenterPoint within 30 days of presentation of an invoice to CenterPoint.

Section 4. 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 5. That a copy of this Resolution shall be sent to Denise Gaw, CenterPoint Energy Service Company, LLC, 1111 Louisiana Street, Houston, Texas 77002 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 of La Marque on this _____ day of _____, 2018.

CITY OF LA MARQUE, TEXAS

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney



CITY COUNCIL AGENDA FORM

Meeting Date: May 14, 2018

Prepared by: Les Rumburg

Department: Public Services

Agenda item: 8e

Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding expenditures of Waterline Rehabilitation Project Funds, based on scenarios described, and providing direction to City Manager.

X

Attach for reference

1. Engineer Estimates

STAFF BRIEFING:

- The City was recently awarded a CDBG grant of \$350,000 for the purpose of rehabilitating water lines in specified locations.
- The CDBG grant was to be matched with \$500,000 of Bond Funds.
- A portion of Project was developed to provide approximately 2,700 linear feet of 6" water line to replace the aged, failing lines currently in place.
- The majority of this project area is in the older sections of town where "backyard" easements were established at the time of platting – 6 feet to each property-owner, for a total of 12-foot easement.
- Within these 12-foot easements, typically one can find water, sewer and gas utilities with service lines from each to serve individual residences.
- New Health/Safety regulations and Codes require a 9-foot separation between sanitary sewer and water utilities.
- This current regulation makes it impossible for replacement water lines to be installed within existing easements.
- There are three (3) available options (as determined by staff and engineers):
 - 1) Request an additional amount of easement from ALL the residents impacted.
 - 2) "Pipe burst" the existing sanitary sewer lines to form a system that would be allowable to meet separation regulations.
 - 3) Move the water lines to the front-yard easement.
- The cost of #1) would be in time and effort as all impacted residents would have to approve.
- Downside - the utilities are still in the backyards and the project would still be responsible for moving/replacing fences and structures existing on the easements.
- The cost of #2) is attached,
- Downside – the sanitary sewer lines are not in immediate need of pipe bursting, and could be scheduled at a future date, and the utilities still remain in the backyards. Also, CDBG Funds could NOT be used for the pipe bursting.
- The cost of #3) is attached.
- Downside – would require additional surveying and would have short-term impacts to some residents' front yards.



CITY COUNCIL AGENDA FORM

- Based on the three (3) scenarios, staff is recommending the latter (#3) as it removes 1/3 of the utilities out of backyards providing ease-of-maintenance for future use, and the cost difference of #2) and #3) is negligible with the grant/bond funds eligible to completely fund #3).
- Again, recommending AGAINST #1) due to the impacts on residents and the cost of refurbishing the already-encroached upon easements and structures.

HISTORY:

▪

TARGET IMPLEMENTATION: Upon approval, engineering will commence.

SIGNIFICANT ACTION DATES:

ACTION:

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

Cost Details:	
City Budgeted	\$558,000
Estimate (Senario 3)	\$712,636
Acct. Name(s)	CDBG grant project and Utility Infrastructure Improvement
Line Items #	39-7100-22-00-TDAWTR and 47-7004-22-00-LEAKS
Other Funding (CDBG Award)	\$350,000

STAFF'S RECOMMENDATION: Motion to accept Scenario 3) as the preferred option for expenditures of Waterline Rehabilitation Project Funds and provide further direction to City Manager

FISCAL IMPACT: Estimated \$850,000.00

Scenario 2

City of La Marque - Option 1 Rehabilitation of Sanitary Sewer and Leave Waterlines in Same Location

Item No.	Description	Est Qty	Units	Unit Price	Total Price Per Item
1	Clean Gravity Sanitary Sewers	3,758	LF	\$1.50	\$5,637
2	Television Inspection	3,758	LF	\$1.50	\$5,637
3	8-Inch Sewer Reconstruction, Pipebursting	3,758	LF	\$32	\$120,256
4	Standard Concrete Manhole, 0-8-Foot Depth	2	EA	\$3,500	\$7,000
5	Extra Depth Manhole (Over 8-Foot)	10	VF	\$100	\$1,000
6	Normal Connection (4-Inch to 6-Inch)	102	EA	\$300	\$30,600
7	Short Service Connection (4-Inch)	102	EA	\$300	\$30,600
8	Manhole Reconstruction, Cementitious Liner	60	VF	\$95	\$5,700
9	Turf Establishment, Full Sodding	708	SY	\$5	\$3,540
10	Traffic Control	1	LS	\$5,000	\$5,000
11	SWPPP	1	LS	\$10,000	\$10,000
12	Obstruction Removal	10	EA	\$300	\$3,000
13	Small Obstruction Removal	1	LS	\$100	\$100
14	Slip Line Removal	1,880	LF	\$3	\$5,640
15	8-Inch Sewer Reconstruction, Open Cut	100	LF	\$40	\$4,000
16	6-Inch Waterline, Open Cut	1,843	LF	\$55	\$101,365
17	6-Inch Waterline, Augered	1,843	LF	\$60	\$110,580
18	Close Existing Valve, Remove Box, Plug Valve Operator	8	EA	\$1,000	\$8,000
19	Fire Hydrant Assembly	10	EA	\$4,000	\$40,000
20	Extra Depth Bury for Fire Hydrant	10	VF	\$140	\$1,400
21	6-Inch Gate Valve	12	EA	\$1,200	\$14,400
22	6-Inch Tapping, Sleeve, & Valve	2	EA	\$2,500	\$5,000
23	4-Inch Wet Connection	8	EA	\$900	\$7,200
24	6-Inch Wet Connection	5	EA	\$920	\$4,600

25	Cut and Plug Existing Waterline (Open Cut & Backfill)	6	EA	\$550	\$3,300
26	Construct New Polyethylene Tubing Service Connection (3/4-Inch to 1-Inch), Short Side	76	EA	\$470	\$35,720
27	Construct New Polyethylene Tubing Service Connection (3/4-Inch to 1-Inch), Long Side, Auger Beneath Road	77	EA	\$700	\$53,900
28	Asphalt Surface Restoration	25	SY	\$80	\$2,000
29	"Extra" Bank Sand	100	CY	\$10	\$1,000
30	"Extra" Crushed Limestone Bedding	50	CY	\$25	\$1,250
31	"Extra" Cement Stabilized Sand, 2.0 Sacks per Ton	100	TON	\$30	\$3,000
32	"Extra" Class A Concrete	25	CY	\$100	\$2,500
33	"Extra" Reinforcing Steel	250	LB	\$1	\$250
Sub Total					\$633,175
Design					\$25,845
Bidding					\$2,500
Construction Phase Services					\$4,850
Project Representative					\$17,000
Record Drawings					\$1,500
Total					\$684,870

Scenario 3

City of La Marque - Option 3 Relocation of Waterline to Front of Properties

Item No.	Description	Est Qty	Units	Unit Price	Total Price Per Item
1	6-Inch Waterline, Open Cut	2,751	LF	\$55	\$151,305
2	6-Inch Waterline, Augered	2,751	LF	\$60	\$165,060
3	Fire Hydrant Assembly	15	EA	\$4,000	\$60,000
4	Extra Depth Bury for Fire Hydrant	50	VF	\$140	\$7,000
5	6-Inch Gate Valve	14	EA	\$1,200	\$16,800
6	6-Inch Tapping, Sleeve, & Valve	3	EA	\$2,500	\$7,500
7	4-Inch Wet Connection	6	EA	\$900	\$5,400
8	6-Inch Wet Connection	5	EA	\$920	\$4,600
9	Cut and Plug Existing Waterline (Open Cut & Backfill)	6	EA	\$550	\$3,300
10	Turf Establishment, Full Sodding	390	SY	\$5	\$1,950
11	Close Existing Valve, Remove Box, Plug Valve Operator	16	EA	\$650	\$10,400
12	Trench Safety System	2,751	LF	\$1	\$2,751
13	Construct New Polyethylene Tubing Service Connection (3/4-Inch to 1-Inch), Short Side	76	EA	\$470	\$35,720
14	Construct New Polyethylene Tubing Service Connection (3/4-Inch to 1-Inch), Long Side, Auger Beneath Road	63	EA	\$700	\$44,100
15	Private Service Reconnect	139	EA	\$800	\$111,200
16	Asphalt Surface Restoration	390	SY	\$80	\$31,200
17	SWPPP	1	LS	\$10,000	\$10,000
18	Traffic Control	1	LS	\$5,000	\$5,000
19	"Extra" Bank Sand	100	CY	\$10	\$1,000
20	"Extra" Crushed Limestone Bedding	50	CY	\$25	\$1,250
21	"Extra" Cement Stabilized Sand, 2.0 Sacks per Ton	100	TON	\$30	\$3,000
22	"Extra" Class A Concrete	25	CY	\$100	\$2,500
23	"Extra" Reinforcing Steel	250	LB	\$1	\$250
Sub Total					\$681,286
Survey					\$31,350
Total					\$712,636



CITY COUNCIL AGENDA FORM

Meeting Date: May 14, 2018

Agenda item: 8f

Prepared by: Suzy Kou

Reviewed by: _____

Department: Finance

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding adopting Ordinance No. **O-2018-004**, amending the FY 2016-17 budget and FY 2017-18 budget for grants, Council-approved lease purchases on projects and equipment, and unanticipated expenditures, by increasing (decreasing) certain revenues and increasing (decreasing) certain expenditures to individual budget accounts in certain funds as set forth in attached Exhibit A and Exhibit B. **THIS IS THE FIRST READING.**

☒ X

ATTACHMENTS FOR REFERENCE

1. Ordinance
2. Exhibit A and Exhibit B

STAFF BRIEFING:

- Due to hurricane Harvey in 2017, the City incurred unanticipated expenditure of debris and damage repairs to different equipment and facilities
- During current fiscal year, the City received and expended grant transactions which require appropriations
- For budget year 2018, Council approved additional 9 Fire/EMS staff for the new public safety building; lease purchases for Council approved projects and equipment (i.e. AMI, equipment for Fire, Public Services, Police, etc.)
- During the year, the City had a few unanticipated final payouts to outgoing employees, which were not included in the budget at point of adoption
- During the current fiscal year, EDC Board approved some unanticipated expenditures which were not included in the adopted budget
- The ordinance is to amend the budget administratively so that actual expenditure will not exceed appropriation in fiscal year 2017 and 2018

HISTORY:

TARGET IMPLEMENTATION: June 11, 2018

SIGNIFICANT ACTION DATES:

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



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 | |

Line Items #	See Exhibit A and B
Other Funding	

STAFF'S RECOMMENDATION: Motion to adopt Ordinance No. **O-2018-004**, amending the 2016-17 Budget and FY 2017-18 budget for grants, Council approved lease purchases on projects and equipment, and unanticipated expenditures, by increasing (decreasing) certain revenues and increasing (decreasing) certain expenditures to individual budget accounts in certain funds as set forth in attached Exhibit A and Exhibit B. **THIS IS THE FIRST READING**

FISCAL IMPACT: See attached Exhibit A and Exhibit B.

ORDINANCE O-2018-004

AN ORDINANCE AMENDING THE CITY OF LA MARQUE 2016-17 BUDGET AND 2017-18 BUDGET FOR GRANTS, COUNCIL APPROVED LEASE PURCHASES ON PROJECTS AND EQUIPMENT, AND UNANTICIPATED EXPENDITURES, BY INCREASING (DECREASING) CERTAIN REVENUES AND INCREASING (DECREASING) CERTAIN EXPENDITURES TO INDIVIDUAL BUDGET ACCOUNTS IN CERTAIN FUNDS AS SET FORTH IN ATTACHED EXHIBIT A AND EXHIBIT B.

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

Section 1. That the City of La Marque 2016-17 Fiscal Year Budget and 2017-18 Fiscal Year Budget are hereby amended for various expenditures at end of each fiscal year by decreasing various funds' fund balances and increasing certain expenditures to the individual budget accounts in various funds and increasing certain revenues in various funds as set forth in Exhibit "A" and Exhibit "B" attached hereto and made a part hereof.

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

PASSED AND APPROVED by the City Council of the City of La Marque, Texas, on the first reading this the ____ day of May, 2018.

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 June, 2018.

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor

ATTEST:

Robin Eldridge, TRMC

APPROVED AS TO FORM:

Ellis J. Ortego, City Attorney

BUDGET AMENDMENT O-2018-????

FY 2018 EXHIBIT A

Account Numbers	Descriptions	Expenditure Increase	Revenues Increase	Fund Balance Increase (Decrease)	Comments
General Fund					
01-9118-99-00	2017 Lease Prin	11,025			New equipment lease purchase with Gov Capital
01-9119-99-00	2017 Lease Int	12,177			New equipment lease purchase with Gov Capital
01-4041-04-00	Judge Getty	1,000			Council approved for his increase
01-4040-05-00	Overtime	170,000			Unanticipated need for overtime
01-1010-05-00	Regular salaries	38,000			Term employees payout in Police
01-1060-05-00	FICA	2,907			Term employees payout in Police
01-1065-05-00	TMRS	5,643			Term employees payout in Police
01-1075-05-00	Worker's Comp	941			Term employees payout in Police
01-1010-06-00	Regular salaries	18,000			Term employees payout in Fire/EMS
01-1060-06-00	FICA	1,377			Term employees payout in Fire/EMS
01-1065-06-00	TMRS	2,673			Term employees payout in Fire/EMS
01-1075-06-00	Worker's Comp	363			Term employees payout in Fire/EMS
01-1010-06-00	Regular salaries	132,000			9 additional Fire/EMS employees
01-1036-06-00	Certification	10,000			9 additional Fire/EMS employees
01-1060-06-00	FICA	10,000			9 additional Fire/EMS employees
01-1065-06-00	TMRS	20,000			9 additional Fire/EMS employees
01-1075-06-00	Worker's Comp	2,662			9 additional Fire/EMS employees
01-3323-00-00	Coin operated machines		454,585		Revenues we did not budget to stay conservative
01-2401-00-00	Fund Balance			15,817	Additional in Fund Balance
Utility Fund					
02-7030-21-00	Assets-AMI	3,207,397			AMI lease purchase project with Siemens
02-3901-00-00	Lease proceeds		3,207,397		AMI lease purchase project with Siemens
EDC					
19-7070-00-00	Land	245,715			Land acquisiton by EDC
19-1010-01-00	Regular salaries	14,063			Pay increases for EDC Director and Public Relations Specialist
19-1060-01-00	FICA	1,076			Pay increases for EDC Director and Public Relations Specialist

BUDGET AMENDMENT O-2018-????

FY 2018 EXHIBIT A

Account Numbers	Descriptions	Expenditure Increase	Revenues Increase	Fund Balance Increase (Decrease)	Comments
19-1065-01-00	TMRS	2,088			Pay increases for EDC Director and Public Relations Specialist
19-1075-01-00	Worker's comp	36			Pay increases for EDC Director and Public Relations Specialist
19-2031-01-00	Car allowance	7,000			Car allowance increases for EDC Director and Public Relations Specialist
19-2401-00-00	Fund Balance			(269,978)	Draw down on Fund Balance
CDBG Grant					
39-3015-00-00	Grant Proceeds		800,000		GLO/CDBG grant projects
39-7100-22-00	Grant Projects	800,000			GLO/CDBG grant projects
Fire Capital Reserve					
48-3801-00-00	Fire Reserve proceeds		22,500		Appropriating Fire capital reserve fund
48-3020-06-00	R & M Buildings	10,000			Appropriating Fire capital reserve fund
48-3030-06-00	R & M Motor Vehicles	20,000			Appropriating Fire capital reserve fund
48-7040-06-00	Assets-Equipment	17,000			Appropriating Fire capital reserve fund
48-2040-06-00	Uniforms	40,000			Appropriating Fire capital reserve fund
48-2401-00-00	Fund Balance			(64,500)	Draw down on Fund Balance
Sanitation					
63-4040-14-00	Consultant	9,600			Appropriate for sanitation consulting; reimbursement was credited to City last fiscal year.
63-2401-00-00	Fund Balance			(9,600.00)	Additional in Fund Balance FY 2017; Draw down in Fund Balance FY 2018
Court Technology					
82-7040-04-00	Assets-Equipment	9,200			Court system upgrade
82-2401-00-00	Fund Balance			(9,200.00)	Draw down on Fund Balance

BUDGET AMENDMENT O-2018-????
FY 2018 EXHIBIT A

Account Numbers	Descriptions	Expenditure Increase	Revenues Increase	Fund Balance Increase (Decrease)	Comments
Disaster Fund					
70-4061-01-02	Emergency sheltering	2,900			Sheltering for citizens due to Harvey
70-3020-12-02	R & M Buildings	14,000			Harvey damages
70-3020-12-02	R & M Buildings-4916 FM 1765	89,300			Harvey damages
70-6110-14-02	Debris	283,867			Harvey damages
70-3040-22-02	R & M Equipment	1,600			Harvey damages
70-3040-24-02	R & M Equipment	3,510			Harvey damages
70-9001-00-00	Transfer in-General Fund		106,200		Transfer from another fund
70-9063-00-00	Transfer in-Sanitation		283,867		Transfer from another fund
70-9002-00-00	Transfer in-Utility Fund		5,110		Transfer from another fund
01-9070-99-00	Transfer out to F.70	106,200			Transfer to another fund
02-9070-99-00	Transfer out to F.70	5,110			Transfer to another fund
63-9070-99-00	Transfer out to F.70	283,867			Transfer to another fund
01-2401-00-00	Fund Balance			(106,200)	Draw down on Fund Balance
02-2401-00-00	Fund Balance			(5,110)	Draw down on Fund Balance
63-2401-00-00	Fund Balance			(283,867)	Draw down on Fund Balance

BUDGET AMENDMENT O-2018-???? FY 2017-EXHIBIT B

63-6024-14-00	Sanitation-Residential	50,000	
63-2401-00-00	Fund Balance		50,000



CITY COUNCIL AGENDA FORM

Meeting Date: May 14, 2018

Prepared by: Carol Buttler

Department: Administration

Agenda item: 8g

Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding adopting Ordinance No. **O-2018-005**, amending the Code Of Ordinances of the City Of La Marque, Texas, by adding to Chapter 14, Buildings And Building Regulations, a new Article XI, entitled “Registration of Residential Rental Units Required”; providing rules and regulations governing same within the City; providing a penalty not to exceed \$500 for each violation; providing for severability; providing for an effective date; and making other provisions related to the subject **THIS IS THE FIRST READING**

X

ATTACHMENTS FOR REFERENCE

1. Proposed Ordinance - **DRAFT**

STAFF BRIEFING:

- Mayor Pro Tem, Councilmember District “D”, City Manager, Special Legal Counsel, Planning & Zoning Commission Chair, Police Chief, Fire Chief, Assistant to City Manager, Code Compliance Supervisor, and Development Services Coordinator met to discuss the purpose for a rental registration ordinance and review a preliminary draft ordinance.
- Based on meeting discussions, the preliminary ordinance was revised by City Attorney and Special Legal Counsel for City Council consideration.

HISTORY:

Staff researched rental registration ordinances from various cities.

Mayor Pro Tem requested a meeting to discuss and move forward with an ordinance for La Marque.

TARGET IMPLEMENTATION: Dependent on City Council discussion

SIGNIFICANT ACTION DATES:

March 2018 – Group meeting of above mentioned individuals to discuss a possible rental registration ordinance.



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: Dependent on City Council discussion **THIS IS THE FIRST READING**

FISCAL IMPACT: Unknown at this time. Fees to be determined by City Council.

ORDINANCE NO. O-2018-005

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LA MARQUE, TEXAS, BY ADDING TO CHAPTER 14, BUILDINGS AND BUILDING REGULATIONS, A NEW ARTICLE XI, ENTITLED “REGISTRATION OF RESIDENTIAL RENTAL UNITS REQUIRED”; PROVIDING RULES AND REGULATIONS GOVERNING SAME WITHIN THE CITY; PROVIDING A PENALTY NOT TO EXCEED \$500 FOR EACH VIOLATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND MAKING OTHER PROVISIONS RELATED TO THE SUBJECT.

WHEREAS, the City of La Marque (the “City”) contains residential rental properties in the form of single family, duplex and multi-family complex units; and

WHEREAS, the City desires to ensure that all residential rental properties are safe, livable and maintained in accordance with the public health, safety and property maintenance standards adopted by the City;

WHEREAS, the City lacks the necessary information and tools to identify and track problem residential rental properties and owner/landlords; and

WHEREAS, the City Council of La Marque finds that a rental registration requirement is in the best interests of the health, safety and welfare of the public;

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

Section 1. That Chapter 14, Buildings and Building Regulations, of the Code of Ordinances, City of La Marque, Texas, is hereby amended by adding a new Article XI, entitled “Registration of Residential Rental Units Required,” to read as follows:

**“ARTICLE XI. - REGISTRATION OF RESIDENTIAL RENTAL UNITS
REQUIRED**

Sec. 14-423. Definitions.

In this Article, the following definitions shall be observed:

- (1) *Rental unit* means a single dwelling unit, including a single family home, rented, leased, let or hired out to be occupied for living purposes.

Rental unit shall not include any dwelling unit in a jail, licensed nursing home, hotel or motel.

(2) *Owner* means any person holding title according to the deed records of the Galveston County Clerk or tax records of the Galveston Central Appraisal District, or the duly authorized agent of the person holding title.

(3) *Tenant* means a person, corporation, partnership or group other than the owner occupying a rental unit.

Sec. 14-424. Registration required.

(1) An owner who rents or leases a rental unit to a tenant shall file a written registration with the City.

(2) The registration shall be on a form prescribed by the code enforcement officer, and shall at a minimum contain the following information:

- a. The names, addresses, and telephone numbers of the owner;
- b. The name, address, and telephone number of any property manager, and/or real estate agent responsible for maintenance and/or rental of the property for the owner;
- c. The name and physical address of designated employees or authorized representatives of the owner and property manager who shall be assigned to respond to emergency conditions (fire, natural disaster, flood, burst pipes, collapse hazard, and violent crime) at the rental unit, and a telephone number where those employees or representatives can be contacted during any twenty-four-hour period.
- d. The number and type of security systems and fire alarm systems maintained on the property and the names and telephone numbers of the alarm companies which respond to alarms or relay alarms to emergency services, if any; and
- e. A certification by the landlord that every rental unit is equipped with a smoke detector device in proper working order.

(3) If any change in the information required by this section occurs then the owner shall notify the code enforcement officer in writing within 30 days of the change.

Sec. 14-425. Registration Fees.

(1) Each registration shall include a registration fee of \$100.00 for the first rental unit and \$20.00 per additional rental unit.

(2) A registration is valid for one year from the date the completed registration form is filed in the office of the code enforcement officer, and payment of the registration fee for that year has been made, unless the ownership of the rental unit changes.

(3) A registration is not assignable or transferable. If a change of ownership of the rental unit occurs during the period that a registration is otherwise valid, the new owner of the property shall have 30 days from the date the change of ownership occurred to file a new registration with the code enforcement officer, and pay a new registration fee.

Sec. 14-426. Criminal Penalty.

(1) It shall be unlawful for any owner to rent or lease a rental unit that is not registered with the City as required by this Article.

(2) Any person who shall violate any provision of this Article shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$500. Each day and each occurrence of a violation shall constitute a separate offense.”

Section 2. 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.

Section 3. This ordinance is intended to be cumulative and shall not repeal any previous ordinance except to the extent that any provision of such ordinance is inconsistent and cannot be reconciled with any provision contained herein.

Section 4. This ordinance shall be effective immediately upon adoption and publication of this ordinance or a caption that summarizes the purpose of this ordinance and the penalty for violating this ordinance in every issue of the official newspaper for two days, or one issue of the newspaper if the official newspaper is a weekly paper, in accordance with Section 52.011 of the Texas Local Government Code.

PASSED AND APPROVED by the City Council of the City of La Marque on the First reading on this the _____ day of _____, 2018.

PASSED, APPROVED AND ADOPTED by the City Council of the City of La Marque on the Second and Final reading on this the ____ day of _____, 2018.

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: May 14, 2018
Prepared by: Charlene Warren
Department: Administration

Agenda item: 8h
Reviewed by: **Carol Buttler**

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding adopting a Resolution No. **R-2018-0013** supporting the addition of an audible emergency alerting system in proximity to Omega Bay and Bayou Vista, and providing direction to City Manager

☒ X

ATTACHMENTS FOR REFERENCE

1. Resolution

STAFF BRIEFING:

- Residents of Omega Bay have expressed concerns about previous and recent toxic releases and the lack of an audible emergency alerting system.
- The purpose of an audible emergency alerting system is to provide an immediate mass notification when possible dangerous conditions exist.
- Dangers may include chemical spills, accidental chemical releases, or weather-related situations, such as tornados.
- City of Texas City, through funding from local industry, replaced 16 outdated sirens 2 years ago with 11 new sirens which expanded the notification area in Texas City and La Marque.
- The new sirens are strategically placed in La Marque at 1001 Vauthier and 1725 Magnolia.
- City of Texas City controls activation of the siren system.
- Councilman Michetich suggested that an old air raid siren, located in Bayou Vista, could be retrofitted, and advocated that local industry cover the cost.
- Bill Finley will be presenting a similar proposal to the City of Bayou Vista.

HISTORY:

- New siren systems installation completed in Texas City and La Marque, June 2016

TARGET IMPLEMENTATION: Dependent on local industry funding

SIGNIFICANT ACTION DATES: N/A



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	Industry funded?

STAFF'S RECOMMENDATION: Motion to adopt Resolution No. **R-2018-0013**, supporting the addition of an audible emergency alerting system in proximity to Omega Bay and Bayou Vista

FISCAL IMPACT: Dependent on industry contribution

RESOLUTION NO. R-2018-

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS
SUPPORTING THE ADDITION OF AN AUDIBLE EMERGENCY ALERTING
SYSTEM IN PROXIMITY TO OMEGA BAY AND BAYOU VISTA**

WHEREAS, the City of La Marque is situated near a number of large industrial facilities and refineries; and

WHEREAS, these facilities both utilize and manufacture toxic materials in the production of their products; and

WHEREAS, the residents of the Omega Bay subdivision (La Marque) and the City of Bayou Vista have expressed concerns about the lack of an audible emergency alerting system in their area; and

WHEREAS, there have been toxic releases in the past from these industrial facilities which reinforces their concerns; and

WHEREAS, the City of Texas City, through funding from local industry, has recently updated the emergency siren system in Texas City and La Marque with eleven new siren towers; and

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

Section 1. That the City of La Marque, in support of the residents of Omega Bay and the City of Bayou Vista, strongly encourages local industry to fund the purchase and installation of an additional audible emergency alert siren that would serve to notify said residents when possible dangerous conditions exist.

PASSED, APPROVED AND ADOPTED, by the City Council of the City of La Marque on this the ____ day of _____, 2018

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



CITY COUNCIL AGENDA FORM

Meeting Date: May 14, 2018
Prepared by: Sussie Sutton
Department: Development Services

Agenda item: 8i
Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding Ordinance **No. O-2018-006**, amending the City of La Marque Code of Ordinances Chapter 41, Land Development, Article V, Section 41-145. Definitions, adding the definition of a “street tree”, and Division 2, Parking, Lighting, Landscaping, and Other Requirements Section 41-172. Landscaping, to restrict planting “street trees” within a ten foot area of the City right-of-way and sidewalk (between curb and sidewalk) **THIS IS THE FIRST READING**

X

ATTACHMENTS FOR REFERENCE

1. Proposed Ordinance - **DRAFT**
2. Street trees defined with pictures

STAFF BRIEFING:

- Street Trees are defined as any trees planted between a sidewalk and a street right-of-way by a commercial or subdivision developer.
- While the visual effects are beautiful, the reality is that once the trees start to grow in size, they displace and break up the sidewalks and adjoining streets.
- Replacing damaged sidewalks and streets is a very budget-costly item to encumber each municipal fiscal year and the problem grows along with said trees.
- Currently the City of La Marque’s ordinance reads as follows: “*Landscaping shall be regarded as an essential feature of every TND (Traditional Neighborhood Development). In addition to the thoughtful preservation of natural features, tree, and parks, plazas, squares and open spaces, careful attention shall be given to landscaping of streets, parking areas, and open spaces, pedestrian walkways and sidewalks are considered an essential part of the landscaping plan. Landscaping shall comply with Ordinance Number 903.*”
- Staff is proposing that a few sentences be added to restrict the planting of street trees as a new paragraph to **Division 2. - Parking, Lighting, Landscaping, and Other Requirements Section. 41-172- Landscaping.**

HISTORY:

- Over time trees that have been planted not only in the newer subdivisions, but also the older subdivisions throughout the City have caused damage to existing sidewalks, manhole covers, curbs.
- Plantings occurred without regard for existing underground utilities.

TARGET IMPLEMENTATION: Dependent on City Council discussion.

SIGNIFICANT ACTION DATES:

2.12.2018 – City Council establishes a Tree Committee composed of two (2) Councilmembers
02/13/2018 – Tree Committee met with City Manager



CITY COUNCIL AGENDA FORM

03/07/2018 – Tree Committee, Keep La Marque Beautiful Commission member, and City Manager met with Executive Director of Galveston Island Tree Conservancy

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-2018-006**, amending the City of La Marque Code of Ordinances Chapter 41, Land Development, Article V, Section 41-145- Definitions, adding the definition of a “street tree”, and Division 2, Parking, Lighting, Landscaping, and Other Requirements Section 41-172 – Landscaping, to restrict planting of “street trees” within a ten foot area of the City right-of-way and sidewalk (between curb and sidewalk) **THIS IS THE FIRST READING**

FISCAL IMPACT: Unknown

ORDINANCE NO. O-2018-006

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LA MARQUE, TEXAS, BY AMENDING CHAPTER 41, LAND DEVELOPMENT, ARTICLE V, TRADITIONAL NEIGHBORHOOD DISTRICT REGULATIONS, DIVISION 1, SECTION 41-145 DEFINITIONS, ADDING THE DEFINITION OF A STREET TREE AND DIVISION 2, PARKING, LIGHTING, LANDSCAPING, AND OTHER REQUIREMENTS, SECTION 41-172 – LANDSCAPING, AMENDING TO INCLUDE THE WORDING TO RESTRICT THE PLANTING OF STREET TREES WITHIN A TEN FOOT AREA OF THE CITY RIGHT-OF-WAY AND SIDEWALKS (BETWEEN CURB AND SIDEWALK); PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND MAKING OTHER PROVISIONS RELATED TO THE SUBJECT.

WHEREAS, the planting of street trees are not currently regulated within the City of La Marque; and

WHEREAS, trees that have been planted within the sidewalks and street right-of-ways have caused damage to existing sidewalks, manhole covers and curbs; and

WHEREAS, this damage has occurred without regard to existing underground utilities; and

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

Section 1. That Chapter 41, Article V, Traditional Neighborhood District Regulations, Division 1. Generally, Section 41-145. Definitions to read as follows:

Sec. 41-145. Definitions.

- (1) *Street Tree* – any tree planted by a commercial or subdivision developer between a city owned sidewalk and a street right-of-way

Section 2. That Chapter 41, Article V, Traditional Neighborhood District Regulations, Division 2. Parking, Lighting, Landscaping and Other Requirements, Section 41-172. Landscaping to read as follows:

Sec. 41-172. Landscaping

- (1) The planting of street trees shall be between a city owned sidewalk and the street right-of-way

Section 3. This ordinance is intended to be cumulative and shall not repeal any previous ordinance except to the extent that any provision of such ordinance is inconsistent and cannot be reconciled with any provision contained herein.

Section 4. This ordinance shall be effective immediately upon adoption and publication of this ordinance or a caption that summarizes the purpose of this ordinance in the official newspaper for two days, in accordance with Section 52.011 of the Texas Local Government Code.

PASSED AND APPROVED by the City Council of the City of La Marque on the First reading on this the _____ day of _____, 2018.

PASSED, APPROVED AND ADOPTED by the City Council of the City of La Marque on the Second and Final reading on this the ____ day of _____, 2018.

CITY OF LA MARQUE, TEXAS

Bobby Hocking
Mayor

ATTEST:

Robin Eldridge, TRMC
City Clerk

APPROVED AS TO FORM:

Ellis J. Ortego, City Attorney

What are street trees? A “street tree” is any tree planted by or on behalf of the City in the street right-of-way. Typically, trees are planted in the “park strip,” which is the area between the sidewalk and the street.

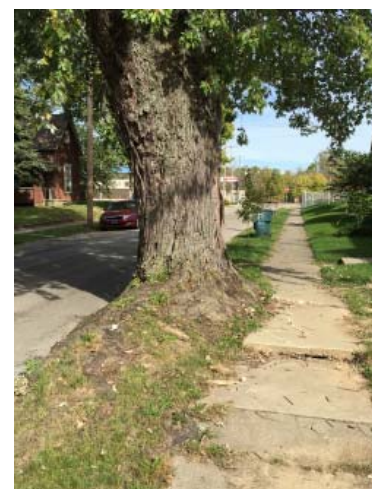


Sometimes, when the sidewalk is adjacent to the curb (known as a “monolithic sidewalk”), the tree is planted next to the sidewalk. **If a tree is not within the public right-of-way, it is NOT a “street tree.”**

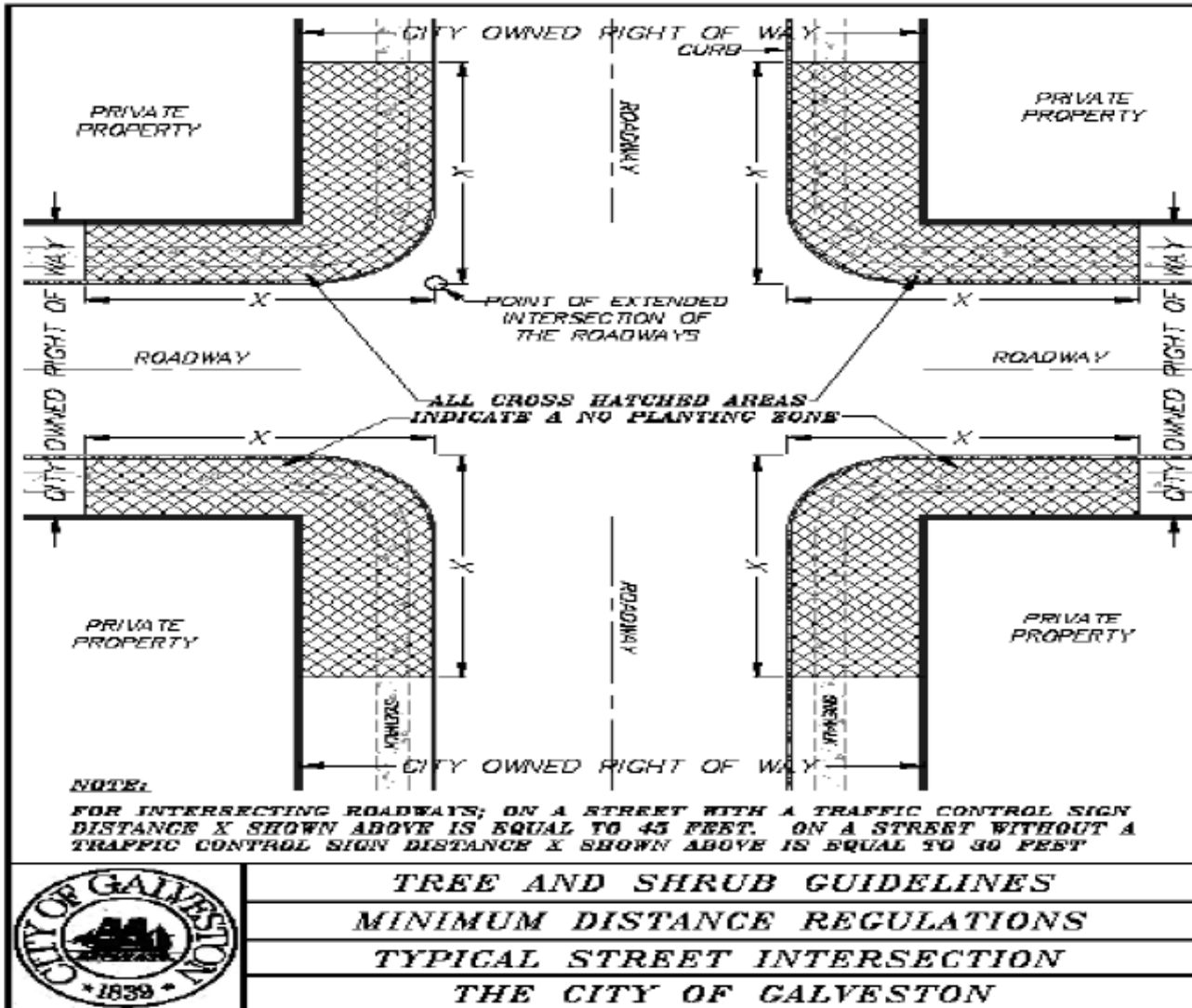
Street trees are owned by the City and the City is responsible for the health of the trees through the Parks Department who maintains them. This would include trimming of over-hanging limbs and removal of fallen trees.

If a tree is on personal property then that tree is the responsibility of the property owner. All neighbor-to-neighbor property tree disputes are a civil matter and the City will not participate in civil matters.

As a tree grows into maturity, so do its roots. When this happens, the roots displace the sidewalk, often causing the breaking of said sidewalk. When this happens, the sidewalk is no longer safe for citizens to walk on and must be repaired at the City’s expense. **Street trees shall, as of this date, not be allowed in the City of La Marque unless otherwise directed by City Manager, City Council or Council committee.**



City of Galveston R.O.W. Guidelines



NeighborWoods 2011

- 2.5' from curb or sidewalk, in a tree lawn at least 5' wide
- 45' from traffic signals; 30' from corners; 15' from alleys
- 10' from hydrants, utility poles and street lights
- 5' from driveways or walkways
- 30'-50' apart for medium/large trees; 20' apart for small trees



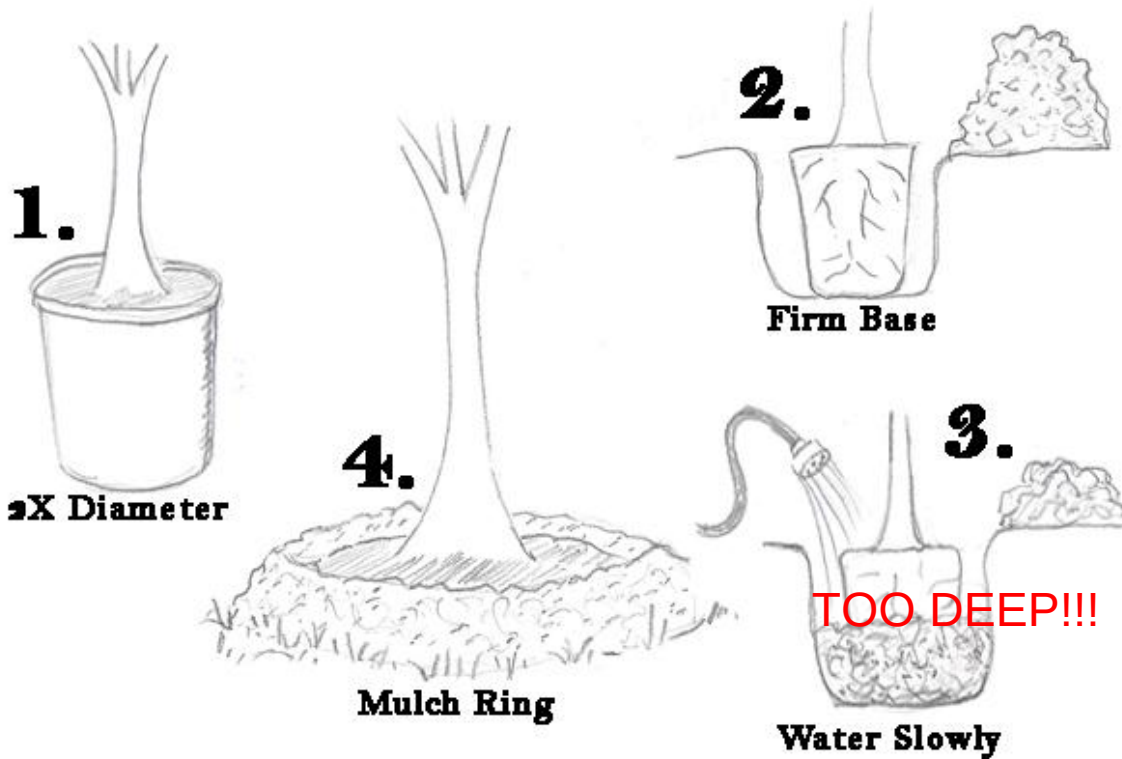
Tips

Don't forget to measure from each corner to maximize planting sites, and to keep from misplacing a sign.

If there isn't a sidewalk, pretend there is – measure from the curb towards the residence.

After all guidelines are met; place tree for aesthetics. Judgment call.

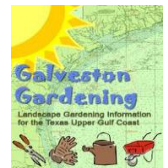
Tree Planting Guidelines



1. Dig hole 1.5 – 2 times the diameter of the pot.
2. Dig hole only as deep as root ball – top should sit level or slightly above level of soil.
3. Fill halfway with original soil and start watering slowly – do NOT amend soil.
4. Fill rest of hole, build a soil ring around edge of hole. Add 3 – 4" layer of mulch – keep away from base of trunk.
5. Continue watering slowly to settle soil.



Courtesy:





CITY COUNCIL AGENDA FORM

Meeting Date: May 14, 2018
Prepared by: _____
Department: Administration

Agenda item: 8j
Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding adopting Ordinance No. **O-2018-007**, amending the City of La Marque Code of Ordinances, Section 56, “**STREETS AND SIDEWALKS**”, by adding a Section to include “Required Specifications for the Construction of Sidewalks”

X

ATTACHMENTS FOR REFERENCE

1. Proposed Ordinance - **DRAFT**
2. Texas minimum construction standards
3. Ordinance Number 578 – amending Ordinance 559, which adopted the 1982 Building Codes

STAFF BRIEFING:

- After adoption of the Building Codes in 1983, it was found that the code did not provide for adequate standards for construction of driveways, building slabs, patios and sidewalks.
- Amended in 1984, these standards were added.
- In the following years, each time new codes were adopted, the sidewalk standards were not carried over since they were never a part of the code themselves, only whatever the City amended to provide.
- The Texas Minimum Construction Standards provide
- City Attorney has not reviewed.

HISTORY:

- The City of La Marque first adopted Building Codes with Ordinance Number 33 in 1954.
- Building Codes change periodically and the City adopts these codes as necessary.
- In 1982, Ordinance number 559 adopted the Building Codes of 1982, but, such code did not provide for adequate standards for construction of driveways, building slabs, patios and **sidewalks**.
- In 1984, Ordinance number 578 made an amendment to the Building Codes, which included construction standards for sidewalks
- Since 1984, the City has adopted newer versions of Building Codes, but the codes do not have these sidewalk standards included, leaving it up to cities to develop their own standards using minimum standards provided by the State.
- It is the recommendation of Councilmember Michetich to amend the 2012 Building Codes adopted by the city in Ordinance No. 2017-002 to include sidewalk standards and a minimum reinforcement to all sidewalks.



CITY COUNCIL AGENDA FORM

TARGET IMPLEMENTATION: After the second reading, per ordinance if adopted by City Council

SIGNIFICANT ACTION DATES:

- **6.4.1954** – Southern Standards Building Codes adopted (1953-54 edition)
- **8.22.77** – Standard Building Codes adopted with 1977 Amendments (1976 edition)
- **5.23.83** – Standard Building Codes adopted (1982 edition)
- **4.9.84** – Amended Building Codes by providing requirements for sidewalks and other
- **1.9.2006** – International Building Code and Residential Code adopted (2003 edition)
- **2.13.2017** – International Fire, Building, Residential, Property Maintenance, Plumbing, Fuel and Gas, Mechanical Codes adopted (2012 edition)

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: Dependent on Council discussion

FISCAL IMPACT: Unknown

ORDINANCE NO. O-2018-007

AN ORDINANCE OF THE CITY OF LA MARQUE, TEXAS, AMENDING CHAPTER 56, “STREETS AND SIDEWALKS” BY ADDING SECTION 56-6, PROVIDING STANDARDS FOR THE CONSTRUCTION OF SIDEWALKS, PROVIDING A MINIMUM REINFORCEMENT TO ALL SIDEWALKS; PROVIDING FOR A SAVINGS AND REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

SECTION ONE:

That Chapter 56 “Streets and Sidewalks” Article I. In General - is hereby amended to add Section 56-6 to read as follows:

Section 56-6 “Standards for construction of sidewalks”

1. Standards for construction of sidewalks
 - a) A minimum of four- and four.5 sack cement concrete
 - b) A minimum of 6”X 6” – 10 gauge
 - c) The minimum requirement shall apply to all new and replacement construction on sidewalks up to 5 or 5-1/2 thickness, at which point state standards will apply
 - d) Additional reinforcement may be required for sidewalks encompassing either in part or whole utility fixtures
2. Concrete sidewalks shall be installed, at the builder’s expense, on all curb and gutter streets abutting any new residential or commercial construction. Such sidewalks shall be at least three feet in width, and located not less than one foot or more than ten feet from the property line and shall be lined up with the sidewalks adjoining property when possible.

SECTION THREE:

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

SECTION FOUR:

Effective date. This ordinance will go into effect after the second and final reading upon adoption.

PASSED AND APPROVED by the City Council of the City of La Marque on the first reading this ____ day of _____, 2018.

PASSED, APPROVED AND ADOPTED by the City Council of the City of La Marque on the Second and Final reading this the ____ day of _____, 2018.

CITY OF LAMARQUE, TEXAS

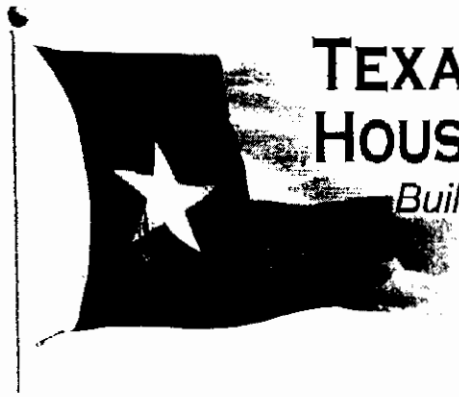
Bobby Hocking, Mayor
City of La Marque, Texas

ATTEST:

Robin Eldridge, City Clerk

APPROVED AS TO FORM:

Ellis J. Ortego, City Attorney



**TEXAS DEPARTMENT OF
HOUSING & COMMUNITY AFFAIRS**
Building Homes. Strengthening Communities.

Texas Minimum Construction Standards

Effective January 1, 2015

drain towards the foundation. If tripping hazards and drainage problems exist, the paved surface shall be removed and rebuilt.

Driveways. Following existing driveway demolition, all organic matter shall be removed. Subsoil shall be compacted uniformly and evenly. Forms shall be constructed to provide a minimum slope of 1/8" per foot away from the house and at a depth to provide 4" of concrete. Install either number 4 rebar on 12" centers or 6" x 6" number 10 welded reinforcing wire. Expansion joints shall be installed at all radius points, sidewalk intersections and house slab tie-ins. Concrete mix shall provide a minimum of 3,500 psi at 28 days. If reinforcing steel is not used, control joints shall be sawed in every 10' and be broom finished.

Asphalt or gravel driveways may be installed if concrete is prohibitively expensive due to the length of a driveway.

Sidewalks and Patios. Following existing sidewalk demolition, all organic matter shall be removed. Subsoil shall be compacted uniformly and evenly. Forms shall be constructed to provide a minimum slope of 1/8" per foot away from the house, at a depth to provide 3 1/2" of concrete, and at least 3' wide. Expansion joints shall be installed at all radius points, sidewalk intersections and house slab tie-ins. Control joints shall be sawed in every 5' and be room finished. If sidewalks and patios are installed and are connected to an entry door, a zero-step entry is required in accordance with §2306.514 of the Texas Government Code.⁸

2.5 Sanitary Drainage

All plumbing fixtures and all other plumbing appliances shall be properly connected to either a public system or to an approved On-Site Sewage System (OSSF), otherwise known as a septic system. Prior to commencing Rehabilitation, if an OSSF was installed more than five (5) years before the date of inspection, all septic systems shall be inspected by a state licensed OSSF inspector to determine if it is functioning as intended. If it is not, repair, replacement, or collapse and fill and connection to a public system shall be included in the Rehabilitation.

2.6 Water Supply

All dwellings shall have adequate, safe, and potable water supplied through a safe plumbing system to all fixtures. Privately owned wells shall be tested by a local health department or other qualified source to determine the water quality prior to commencing Rehabilitation.

2.7 Ramps

If installed, ramps shall have a maximum slope of 1 unit vertical to 16 units horizontal (6.2% slope). However, a slope of 1 to 20 is preferable if site conditions allow. Minimum 5' x 5' landings shall be installed at the top and bottom of ramps, where doors open onto ramps, and where ramps change directions. Handrails shall be installed on at least one side, preferably both, between 34" and 38" above the finished surface. Handrails shall be 1 1/2" to 2" in diameter and must not rotate and be free of sharp edges. Space between the hand rail and walls shall not be less than 1 1/2". If ramps are installed, a zero-step entry is required.

2.8 Vermin and Insects

The premises shall be free from infestations of vermin and wood-boring insects. Inspections shall be performed by state licensed extermination contractors if evidence of infestation exists. Conditions which increase or cause infestation shall be removed (e.g. accumulation of rubbish or

⁸ <http://www.statutes.legis.state.tx.us/Docs/GV/htm/GV.2306.htm>

ORDINANCE NO. 578

AN ORDINANCE AMENDING THE BUILDING CODE BY PROVIDING REQUIREMENTS FOR DRIVEWAYS, BUILDING SLABS, COMMON PATIOS AND SIDEWALKS AND INCREASING BUILDING CONTRACTOR'S BONDS TO \$10,000.

WHEREAS, the City of La Marque has previously adopted the 1982 Standard Building Code and all future amendments with certain exceptions, and

WHEREAS, such Code does not provide for adequate standards for construction of driveways, building slabs, patios and sidewalks, and

WHEREAS, the bonding requirement contained in the 1982 Standard Building Code is deemed to be inadequate,

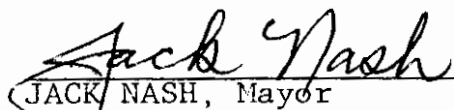
THEREFORE, BE IT ORDAINED that the Building Code adopted by the City of La Marque is amended to include the following:

- 1) All concrete work must have reinforcement wire mesh as follows:
 - a) A minimum of #6X#6X#6 in driveways, building slabs, and patios;
 - b) A minimum of #6X#6X#10 in sidewalks or any concrete intended for foot traffic only.
- 2) Concrete for driveways, patios and sidewalks shall be a minimum of 4" nominal thickness.

Section 106.2 of the 1982 Standard Building Code should be amended to provide for a contractor's bond to be a minimum of \$10,000.

PASSED AND APPROVED on first reading this the 9th day of April, 1984.

PASSED AND APPROVED on second and finald reading this the 23rd day of April, 1984.



JACK NASH, Mayor

ATTEST:



CAROL L. McLEMORE, City Clerk



CITY COUNCIL AGENDA FORM

Meeting Date: May 14, 2018

Prepared by: Les Rumburg

Department: Public Services

Agenda item: 9a

Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding approving a one (1) year agreement between Texas Rebels Select Baseball League and City of La Marque for use of the baseball fields at Highland Bayou “Mac McGaffey” Park as recommended by the Parks Board

X

Attachments for reference:

1. Proposed Agreement with Texas Rebels Select Baseball League
2. Copy of **March 15, 2018** Parks Board “DRAFT” Minutes

STAFF BRIEFING:

- Texas Rebels Select Baseball League went before the Parks Board on March 15, 2018, for permission to utilize the baseball fields at Highland Bayou “Mac McGaffey” Park – vote passed unanimously.
- Texas Rebels Select Baseball League has currently been utilizing the baseball fields at Big League Dreams in League City, but would like to be more local.
- Texas Rebels Select Baseball League consists of children living in Galveston County.
- Currently, no children from La Marque participate.
- No fees for use of the fields were discussed.
- City Attorney reviewed and approved the agreement as proposed.
- Liability insurance attached, BUT does not list City of La Marque as additional insured (which is required to be valid), until City Council decision.

HISTORY:

- Bay Area Bears Baseball held the previous contract for the baseball fields at Highland Bayou “Mac McGaffey” Park
- Bay Area Bears contract expired on December 14, 2017.

TARGET IMPLEMENTATION: May 15, 2018

SIGNIFICANT ACTION DATES:

- **March 15, 2018** – Agreement on the Parks Board agenda with Texas Rebels Select Baseball League
- **May 14, 2018** – City Council to consider approval of the Agreement



CITY COUNCIL AGENDA FORM

ACTION:

- | | |
|--|---|
| ☐ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☒ Other – Agreement with organization to use park facilities for youth sports. | |
| ☒ 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 approve a one (1) year agreement between Texas Rebels Select Baseball League and City of La Marque for use of the baseball fields at Highland Bayou "Mac McGaffey" Park as recommended by the Parks Board, contingent on adding City of La Marque as additional insured to the Certificate of Insurance.

FISCAL IMPACT: None, as no fees were discussed



CITY OF LA MARQUE

AGREEMENT FOR USE OF CITY LAND FOR ATHLETIC FUNCTIONS

SECTION 1. Parties. This Agreement (“Agreement”) is made by and between the City of La Marque, Texas (hereinafter called “City”) and the _____.

SECTION 2. City hereby grants Lessee permission to use the _____ fields located in **Highland Bayou Park**, (the Premises), said Premises being owned by the City of La Marque and located within the corporate limits of the City.

SECTION 3. Consideration. As consideration for use of facilities, Lessee shall pay the City the sum of \$ per year. During the term of this Agreement, Lessee shall also pay any portion which exceeds \$ per month for water service to the Premises no later than fifteen (15) days after receipt of invoice. If payment is not received by due date, the Lessee will pay an additional \$ _____ per day after due date. The City of La Marque is not responsible for the payment, repair work or any other use of electricity at Highland Bayou Park.

SECTION 4. Term and Termination. This Agreement to use the Premises granted herein shall be for a period of three (3) year(s) commencing on _____ and terminating on _____ **(except during the month of October)** provided that City may at any time, on not less than (30) days advance written notice to the Lessee, revoke permission to use the Premises herein granted and may take possession of the Premises without being guilty in any manner of trespass; and all claims for damages for and by reason of such re-entry are hereby expressly waived by Lessee. It is agreed that City revocation of this Agreement prior to the expiration of the term hereof must be authorized by the City Council at a regular or special meeting. Lessee shall provide the Public Works Director a schedule of Lessee's days and times of practice use of facilities and days and times of games. During this time, Lessee shall have exclusive use of the fields during these times. When Lessee is not using the fields for practices and/or games, the fields may be used by the general public for recreational purposes. The Lessee shall not sublet the fields to any other organization for practice, games or tournaments without the written consent of the City.

SECTION 5. Actions on Termination and Indemnity. Upon termination or expiration of this Agreement, Lessee agrees to peacefully give up the use and possession said premises to City and shall remove all equipment, uniforms, and personal property. Upon termination or expiration of this Agreement, all physical improvements placed upon the Premises by Lessee shall remain in place. It is further agreed that the City Council (or their designee) shall have the right to approve all plans and specifications before any improvements are made to the Premises by Lessee, other than normal maintenance. Lessee shall submit plans and specifications to the Parks Board for their approval, then to City Manager or designee for review and recommendation to City Council.

It is expressly understood and agreed that Lessee shall indemnify and hold City harmless from any liability for payment of any obligations incurred by Lessee or due to any improvements, etc. placed in or upon said Premises by Lessee. Lessee shall not encumber, in any manner, nor permit a lien

of any type to be placed on, said Premises, and Lessee agrees to indemnify and hold City harmless in regard to any such financial obligations, liens, or encumbrances of any kind.

SECTION 6. Alcoholic Beverages. At no time shall Licensee sell or allow the sale of beer, wine or any other alcoholic beverage.

SECTION 7. Equal Opportunity. It is agreed and understood that Premises are owned by the City are the subject of this Agreement and that in the conduct of Lessee's operation thereon, discrimination on account of race, color, sex, religion, age, disability, or national origin, directly or indirectly, is strictly prohibited.

SECTION 8. Maintenance and Responsibility. Lessee shall maintain the Premises in good condition satisfactory to City. Lessee shall at their own expense provide mowing. Lessee shall at their own expense be responsible for the maintenance of the fields for safety of the participants. Lessee shall also be responsible for all field lining and preparation of fields. Any unusual circumstances necessitating City assistance must be reported immediately to the Director of Public Works.

SECTION 9. Commercial Advertising. Lessee shall be able to generate revenue for the organization with the sale of fence advertising. All advertising shall be of good taste for a family venue and professionally created. Lessee shall be responsible for the installation of fence advertising at the start of the season and the removal of all advertising at the conclusion of the season. Lessee shall be solely responsible for the maintenance of all sign advertising.

SECTION 10. Annual Report and Financial Statement. It is agreed that Lessee shall furnish to the City Manager or her designee a financial statement of the past year's operation by **September 30** of each year.

SECTION 11. Insurance and Indemnification. As a condition precedent to the effectiveness of the agreement hereby granted, Lessee agrees to indemnify and hold harmless City, its officials, employees, and agents from and against any and all costs, claims, and damages (including attorney's fees) that may be caused by the use of the Premises, and shall protect and indemnify City from any and all claims, cost, expenses, judgments, and causes of action arising out of or in any way related to the use of the Premises, and shall defend any litigation arising in connection with such use at its own cost and expense. In addition, Lessee agrees to obtain and maintain an insurance policy naming the City as additionally insured. Such policy shall be for not less than \$500,000.00 per person for bodily injuries, not less than \$100,000.00 for property damage, and an aggregate limit of not less than \$1,000,000.00 per occurrence. Proof of payment of premium for said policy and a copy of said policy shall be delivered to and kept by the City Manager or her designee and such insurance shall be maintained in full force so long as this Agreement is in effect. Not less than ten days prior to expiration of a current insurance policy, Lessee shall provide a copy of a new or replacement insurance policy to the City Manager of the City inclusive of evidence of the City continuing to be named as an additional insured under the policy. Failure to provide such proof of insurance as agreed upon shall negate any use of City facilities until such compliance has been satisfied.

SECTION 12. Validity. Each section, subsection, provision, requirement, regulation, or restriction established by this Agreement is hereby declared to be independent, and the holding of any part to be unconstitutional, invalid, or ineffective for any cause shall not affect or render invalid

this Agreement or amendments hereto, as a whole or any part thereof, except the particular part so declared to be invalid.

SECTION 13. Authority. Each individual signing this Agreement certifies that he or she has been duly authorized to sign this Agreement by the party for whom he or she signs.

SECTION 14. Applicable Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas. Venue shall be in Galveston County.

SECTION 15. Attorney's Fees. The party prevailing in any dispute under this Agreement shall be entitled to recover its reasonable attorney's fees and costs in addition to all other relief.

SECTION 16. Binding Effect. This Agreement shall be binding upon and inure to the benefit of the parties and their respective heirs, personal representatives, successors and assigns. Notwithstanding the foregoing, Lessee may not assign its interest under this Agreement without obtaining the prior consent of the City, acting through its City Council. If Lessee desires to assign its interest under this Agreement, Lessee must submit a written request to the City Manager seeking permission to assign its interest and identify to whom the Lessee proposes to assign its interest and the terms of any such assignment. The request for assignment will be considered by the City Council at a regular meeting and the City Council, in its sole discretion, may vote to consent to the assignment or vote to not consent to the assignment.

SECTION 17. Counterparts. This Agreement may be executed in one or more counterparts which, when taken together, shall constitute one and the same document. This Agreement may be executed by facsimile signature or by a signature transmitted by facsimile and such facsimile signature or such signature transmitted by facsimile shall be considered the same as an original signature for all purposes.

SECTION 18. Correspondence. All correspondence to the City shall be mailed or delivered to:

City Manager
1111 Bayou Road
La Marque, Texas 77568

Lessee shall notify in writing to City their point of correspondence.

LESSEE:

By: _____
Name: _____
Title: _____
Date: _____

CITY:

CITY OF LA MARQUE

By: _____
Name: Carol Buttler
Title: City Manager
Date: _____

ATTEST:

By: _____
Name: Robin Eldridge
Title: City Clerk
City of La Marque



1111 Bayou
La Marque, Texas 77568
409.938.9202

**CITY OF LA MARQUE
PARKS BOARD
REGULAR MEETING MINUTES
OF
March 15, 2018**

Regular Meeting Minutes of the City of La Marque Parks Board Meeting held on March 15, 2018, beginning at 6:30 p.m. at 1109-B Bayou Road with the following members present:

(1) CALL TO ORDER

Chairperson Louis McGaffey called the meeting to order at 6:30 p.m.

(2) ROLL CALL

PRESENT:

Louis McGaffey
Herbert Franklin
Larry Walker
Abby Cash
Michael Bock

ABSENT:

C.J. Leggett
Al Reida
Bo Hunter

OTHER OFFICIALS/STAFF PRESENT:

Charlene Warren, Assistant to the City Manager/Emergency Management Coordinator
Les Rumburg, Public Services Director
Amanda Hobby, Public Services Project Coordinator

(3) APPROVAL OF MINUTES

Board Member Abby Cash made a motion to approve the minutes of February 15, 2018.
Board Member Herbert Franklin seconded. **MOTION PASSED UNANIMOUSLY.**

(4) PRESENTATIONS/PROCLAMATIONS

There were none.

(5) FINANCIAL REPORT

Financial Report for the months of February 2018 and March 2018 will be available at the next Parks Board Meeting. **MOTION PASSED UNANIMOUSLY.**

(6) CITIZENS PARTICIPATION

There was none.

(7) OLD BUSINESS

- a. Discussion/possible action and provide status for Master Parks Plan/Grants
No status currently.



1111 Bayou
La Marque, Texas 77568
409.938.9202

- b. Discussion/possible action and provide status of initiated Parks Board Projects.
Board Member Michael Bock stated that the installation of the cameras at Highland Bayou Park were not completed and requested it to be put back on the Project spreadsheet.

- c. Discussion/possible action regarding the proposed Budget for the Parks Board FY 2018-2019

Ms. Warren reminded everyone that the deadline for submissions for Budget FY 2018-2019 is April 30, 2018. Chairperson McGaffey stated Parks Board turned in a drawing of a 6-foot wide walking trail for Highland Bayou Park two years ago and never received any quotes. He further stated that he would like to budget \$15,000 towards the trail project. Public Services will get quotes for walking trail. It was also remarked that the tennis courts and baseball field at Highland Bayou Park needs new fencing or hardware.

Ms. Hobby received 1 quote back for the fence at Mahan Park for \$ 10,601.91 and she has 2 appointments scheduled for 2 more quotes. Chairperson McGaffey requested one two-bay swing set and one 4-bay swing set, as well as a set of slides, all with fall safe installed at Mahan Park. Chairperson McGaffey requested more swings, slides, and fall safe at Highland Bayou Park.

Ms. Hobby will remove the broken bleachers at Mahan Park because it is a safety hazard. The bleachers at the football field at Mahan Park would be a maintenance item and will come out of the General Fund and the City will have to budget. The awnings will be a new item and come out of Parks Board this year's budget. Public Services will get the quotes and bring back to the Board meeting.

Chairperson McGaffey requested that culverts be installed on the east side of the football field, between the Waste Water Treatment Plant and Field 4. Ms. Hobby stated that Public Services has culverts in house and there was no need to budget for that item. Board Member Bock requested quotes for the slides and swings, including fall safe, for Mahan Park.

Board Member Larry Walker asked about using a grant for the walking trail. Ms. Warren added that we could ask the grants administrator to look for possible funding.

Board Member Abby Cash asked that consideration be given to extending the basketball court to a full court at Martin Luther King, Jr. Park. Board Members agreed to put this on the Grant List.



1111 Bayou
La Marque, Texas 77568
409.938.9202

(8) NEW BUSINESS

- a. Discussion/possible action allowing Texas Rebels Baseball Team to utilize the baseball fields at Highland Bayou Park for practices.

Texas Rebels is a 13U Select Baseball Team organized by Toby Pevoto and Derek Jordan. Both representatives are asking to utilize Highland Bayou Park for practices throughout the week. Mr. Pevoto stated the team currently has USAAA insurance through their organization and is valid through end of August 2018. Ms. Warren stated that the City of La Marque must be listed as an additional insured. Chairperson McGaffey explained to Mr. Pevoto that while under the contract, Texas Rebels are to maintain the field for that year and if any changes are made during that time of contract, he needs to notify the City Clerk. Ms. Warren asked if any children from La Marque were involved with the team, to which they answered, "No." Board Member Walker made a motion to recommend that Texas Rebels Select Baseball Team be allowed to utilize Highland Bayou Park for practices, upon approval of City Council. Board Member Franklin seconded. **MOTION PASSED UNANIMOUSLY.**

- b. Discussion/possible action regarding the next Parks Board Meeting to be held on April 12, 2018 or April 26, 2018.

Staff will contact Chairperson McGaffey regarding next Parks Board Meeting date availability. **NO ACTION WAS TAKEN.**

(9) REQUESTS AND ANNOUNCEMENTS

There were none.

(10) ADJOURNMENT

It was the consensus of the Board to adjourn the meeting at 7:40 p.m.

Louis "Mac" McGaffey, Chairperson
Parks Board

**CERTIFICATE OF
INSURANCE****Issue Date: 9/12/2017**

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

Important: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

Producer:
EPIC Brokers
License No. OB29370
P.O.Box 13847
Sacramento CA 95853
888-880-3602 Email: insurance@ussa.com

INSURERS AFFORDING COVERAGE

INSURER A: National Casualty Company
INSURER B: National Casualty Company
INSURER C: Nationwide Life Insurance Company
INSURER D:
INSURER E:

Insured:
United States Specialty Sports Association
5800 Stadium Parkway
Melbourne, FL 32940
800-741-3014

Coverages:

This is to certify that the policies of insurance listed below have been issued to the insured named above for the policy period indicated. Notwithstanding any requirement, term, or condition of any contract or other document with respect to which this certificate may be issued or may pertain, the insurance afforded by the policies described herein is subject to all the terms, exclusions and conditions of such policies. Limits shown may have been reduced by paid claims.

INSTR	Type of Insurance	ADDL INSD	SUBR WVD	Policy Number	Policy Effective Date	Policy Expiration Date	Limits
A	Commercial General Liability Occurrence Basis	Y	N	KRO0000007023300	8/1/2017	8/1/2018	Each Occurrence \$2,000,000 Damage to Rented Premises (ea occ) \$300,000 Med Exp (any one person) \$ Excluded General Aggregate \$ None Personal and Adv Injury \$2,000,000 Products - Comp/OP Agg \$2,000,000 Participant Legal Liability \$2,000,000
B	Excess Liability	Y	N	XKO0000007023400	8/1/2017	8/1/2018	Each Occurrence \$1,000,000 Aggregate \$1,000,000
C	Participant Accident			SPX0000028317200	8/1/2017	8/1/2018	AD&D \$ None Primary Medical \$ None Excess Medical \$100,000 Weekly Indemnity \$ None

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule may be attached if more space is required)

Coverage includes amateur play and practice in the insured sport for : **Texas Rebels BBBoys13AA - [2018-91874000774]**

Certificate holder shall be an additional insured but only with respect to liability caused by the negligent acts or omissions of the named insured and only with respect to losses resulting from the team / league listed and occurring between the coverage effective date listed below and the policy expiration date. *\$500.00 Deductible for excess medical

Certificate Holder:

Coverage Effective Date: 9/12/2017 11:10:00 AM

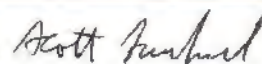
Texas Rebels
TOBY PEVOTO
212 13TH AVE N
TEXAS CITY TX 77590

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

Certificate # USSSA-327634

Authorized Representatives:





CITY COUNCIL AGENDA FORM

Meeting Date: May 14, 2018

Prepared by: Carol Buttler

Department: Administration

Agenda item: 10a

Reviewed by: Carol Buttler

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding appointment of Collective Bargaining Negotiating Committee for La Marque Police Association and Fire Fighters Union, Local 3282, International Association of Fire Fighters

STAFF BRIEFING:

- Collective Bargaining Agreement between the City of La Marque and La Marque Police Officers Association expires 9/30/2018
- Collective Bargaining Agreement between the City of La Marque and Fire Fighters Union, Local 3282, IAFF expires 9/30/2018
- It was suggested that a “possible quorum of Council” serve on each Committee in the interest of time to meet the budget schedule

HISTORY:

- Previously, (1) Councilmember served on both Committees, (1) different Councilmember served on Police, and (1) different Councilmember served on Fire
- The last appointment for the Police Collective Bargaining Negotiating Committee occurred in March 2012. Former Council appointments were Mayor Pro Tem Bell and Councilmember Trube
- The last appointment for the Fire Fighters Union Collective Bargaining Negotiating Committee occurred in April 2012. Former Council appointments were Mayor Pro Tem Bell and Councilmember Brown

TARGET IMPLEMENTATION: During the month of May 2018

SIGNIFICANT ACTION DATES:

March 2012 – Police Negotiating Committee appointed

April 2012 – Fire Fighters Negotiating Committee appointed

ACTION:

- | | |
|--|---|
| ☐ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☒ Other – Committee Appointment | |
| ☒ 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 appoint Councilmembers to the Collective Bargaining Negotiating Committee for La Marque Police Association and to the Fire Fighters Union, Local 3282, International Association of Fire Fighters

FISCAL IMPACT: Dependent on outcome of negotiations with each bargaining unit to be effective October 1, 2018



CITY COUNCIL AGENDA FORM

Meeting Date: May 14, 2018

Agenda item: **11-3 Executive Session**

Prepared by: Suzy Kou

Reviewed by: _____

Department: Finance

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding adoption of a Resolution by the City Council of the City of La Marque, Texas, Authorizing Publication of Notice of Intention to Issue Certificates Of Obligation; Approving the Preparation of a Preliminary Official Statement and Notice of Sale; and Approving Other Matters Incidental Thereto.

☒

Attachments for reference

1. Resolution
2. Proposed capital projects list
3. Preliminary estimated debt schedule
4. Resolution R-2017-0018
5. Resolution R-2017-0028

STAFF BRIEFING:

- In 2016, Council approved the public safety building project
- In 2017, Council authorized reimbursement resolutions for staff to proceed with these projects
- Based on recommendation from City's bond counsel and financial advisor, staff is proposing a **Notice of Intent** to issue certificates of obligation for capital assets acquisition to provide offices for Public Services staff as well as other benefits
- Estimated annual debt burden is \$315,000 at 3% - 4% interest rate with a 30-year life
- Funding sources for the Certificates of obligation will be a portion of ad valorem tax revenues in Debt Service Fund
- Projected benefits from these projects include, but not limited to:
 - Enhancing the quality of life in our community;
 - Stimulating growth in our region;
 - Providing educational and information resource opportunities to all ages;
 - Promoting cultures and history of the City of La Marque;
 - Improving communication between government and the general public;
 - Providing network opportunities within our region.
- Year to date expenditure in buildings 4916 FM 1765: \$229,246.32. Additional exceeding the \$125,000: \$104,246.32

HISTORY:

- **May 9, 2016** – Council approved sale of 2016 Certificates of Obligation for a public safety building and other city infrastructure projects
- **July 10, 2017** – Council approved a reimbursement resolution (**R-2017-0018**) for construction of public safety building
- **October 16, 2017** – Council authorized a memorandum of agreement to lease buildings at 4916 FM 1765



CITY COUNCIL AGENDA FORM

- **December 18, 2017** – Council approved a reimbursement resolution (**R-2017-0028**) expressing intent to finance expenditures to be incurred related to assets acquisition

TARGET IMPLEMENTATION: May 14, 2018

SIGNIFICANT ACTION DATES:

- **May 9, 2016** - Council approved sale of 2016 Certificates of Obligation for a public safety building and other city infrastructure projects
 - **July 10, 2017** – Council approved a reimbursement resolution (R-2017-0018) for construction of public safety building
 - **October 16, 2017** – Council authorized a memorandum of agreement to lease buildings at 4916 FM 1765
 - **December 18, 2017** – Council approved a reimbursement resolution (R-2017-0028) expressing intent to finance expenditures to be incurred related to assets acquisition
 - **May 14, 2018** – Proposed issuance of Notice of Intent for Council to approve
 - **July 9, 2018** – Proposed issuance of Certificates of Obligation for Council to approve
 - **August 9, 2018** – Projected closing date
-

ACTION:

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

Cost Details:	
Budgeted	0
Actual Bid	
Estimated Expenditure	Not to exceed \$6 million of principal
Acct. Name(s)	To be determined
Line Items #	To be determined
Other Funding	

STAFF'S RECOMMENDATION: Motion to adopt a Resolution by the City Council of the City of La Marque, Texas, Authorizing Publication of Notice of Intention to Issue Certificates Of Obligation; Approving the Preparation of a Preliminary Official Statement and Notice of Sale; and Approving Other Matters Incidental Thereto

FISCAL IMPACT: Projected annual debt service expense of \$315,000

RESOLUTION NO R-2018-00

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; APPROVING THE PREPARATION OF A PRELIMINARY OFFICIAL STATEMENT AND NOTICE OF SALE; AND APPROVING OTHER MATTERS INCIDENTAL THERETO

**THE STATE OF TEXAS §
COUNTY OF GALVESTON §
CITY OF LA MARQUE §**

WHEREAS, the City Council of the City of La Marque, Texas (the “City”) deems it advisable to issue certificates of obligation (the “Certificates”) of the City in accordance with the notice hereinafter set forth; and

WHEREAS, the City desires to approve the preparation of a preliminary official statement (“Preliminary Official Statement”) and a notice of sale (“Notice of Sale”) in anticipation of its issuance of the Certificates; and

WHEREAS, it is hereby found and determined that the meeting at which this resolution is considered is open to the public as required by law, and public notice of the time, place and purpose of said meeting was given as required by Chapter 551, Texas Government Code; NOW, THEREFORE

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

Section 1. The findings, determinations, definitions and recitations set out in the preamble to this resolution are found to be true and correct and are hereby adopted by City Council and made a part hereof for all purposes.

Section 2. The City Clerk is hereby authorized and directed to cause to be published in the manner required by law and in substantially the form attached hereto as Exhibit A, a notice of the City’s intention to issue the Certificates (the “Notice”).

Section 3. The Notice shall be published once a week for two (2) consecutive weeks in a newspaper which is of general circulation in the City, the date of the first publication to be at least thirty-one (31) days before the date tentatively set in the Notice for the passage of the ordinance authorizing the issuance of the Certificates.

Section 4. The City hereby authorizes the preparation and distribution of a Preliminary Official Statement and Notice of Sale relating to the Certificates, and authorizes the City Manager or Finance Director to deem final such Preliminary Official Statement within the meaning and for the purposes of paragraph (b)(1) of Rule 15c2-12 under the Securities Exchange Act of 1934.

Section 5. The City's financial advisor, U.S. Capital Advisors, LLC, and bond counsel, Bracewell LLP, are authorized and directed to proceed with the necessary arrangements for the sale of the Certificates in accordance with the aforesaid Preliminary Official Statement and Notice of Sale.

Section 6. The Mayor, City Manager, Finance Director, City Clerk, and other officers and agents of the City are hereby authorized and directed to do any and all things necessary or desirable to carry out the provisions of this resolution.

Section 7. This resolution shall take effect immediately upon its passage.

Section 8. The notice and agenda relating to this meeting and heretofore posted by the City Clerk, and the posting thereof, are hereby authorized, approved, and ratified.

[Execution Page to Follow]

PASSED AND APPROVED on this the 14th day of May, 2018.

City Clerk
City of La Marque, Texas

Mayor
City of La Marque, Texas

[SEAL]

EXHIBIT A

NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION

NOTICE IS HEREBY GIVEN that the City Council of the City of La Marque, Texas (the “City”), will meet at 1109-B Bayou Road, La Marque, Texas, 77568 at 6:00 p.m. on the 9th day of July, 2018, which is the time and place tentatively set for the final passage of an Ordinance Authorizing the Issuance and Sale of the City of La Marque, Texas, Tax and Revenue Certificates of Obligation, Series 2018; Levying a Tax and Providing for the Security and Payment Thereof; and Enacting Other Provisions Relating Thereto (the “Ordinance”) and such other action as may be deemed necessary to authorize the issuance of the City’s certificates of obligation, in the maximum aggregate principal amount not to exceed [\$6,000,000] payable from ad valorem taxes and from a limited pledge of a subordinate lien on the net revenues of the City’s water, sewer and wastewater system, bearing interest at any rate or rates not to exceed the maximum interest rate now or hereafter authorized by law, as shall be determined within the discretion of the City Council of the City at the time of issuance of the certificates of obligation, and maturing over a period not to exceed forty years from the date of issuance, for the purposes of evidencing the indebtedness of the City for all or any part of the costs associated with (i) the construction and equipment of a public safety building, (ii) the acquisition, construction, renovation and equipment of a municipal complex located at 4916 FM 1765, La Marque, Texas 77568, to include municipal offices, a recreational facility and civic center, [(iii) the renovation and equipment of municipal buildings,] and (iv) the cost of professional services incurred in connection therewith. At the meeting specified above and prior to the adoption of the Ordinance, the City Council will hold a public hearing regarding the Ordinance.

WITNESS MY HAND AND THE OFFICIAL SEAL OF THE CITY, this 14th day of May, 2018.

Robin Eldridge
City Clerk
City of La Marque, Texas

CERTIFICATE FOR RESOLUTION

THE STATE OF TEXAS §
COUNTY OF GALVESTON §

I, the undersigned officer of the City Council of the City of La Marque, Texas, hereby certify as follows:

1. The City Council of the City of La Marque, Texas, convened in a regular meeting on the 14th day of May, 2017, at the regular meeting place thereof, within said City, and the roll was called of the duly constituted officers and members of said City Council, to wit:

Bobby Hocking	Mayor
Keith Bell	Mayor Pro Tem and Council Member, District A
Chris Lane	Council Member, District B
Robert Michetich	Council Member, District C
Casey McAuliffe	Council Member, District D

and all of said persons were present, except the following absentee(s): _____, thus constituting a quorum. Whereupon, among other business, the following was transacted at said meeting: a written

RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LA MARQUE,
TEXAS, AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO
ISSUE CERTIFICATES OF OBLIGATION AND NOTICE OF SALE;
APPROVING THE PREPARATION OF THE PRELIMINARY OFFICIAL
STATEMENT; AND APPROVING OTHER MATTERS INCIDENTAL
THERE TO

was duly introduced for the consideration of said City Council and read in full. It was then duly moved and seconded that said resolution be adopted; and, after due discussion, said motion, carrying with it the adoption of said resolution, prevailed and carried by the following vote:

AYES: _____ Members shown present voted "Aye."

NOES: _____ Members shown present voted "No."

2. A true, full and correct copy of the aforesaid resolution adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; that said resolution has been duly recorded in said City Council's minutes of said meeting; that the above and foregoing paragraph is a true, full and correct excerpt from said City Council's minutes of said meeting pertaining to the adoption of said resolution; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said City Council as indicated therein; that each of the officers and members of said City Council was duly and sufficiently notified officially and personally, in advance, of the date, hour, place and purpose

of the aforesaid meeting, and that said resolution would be introduced and considered for adoption at said meeting, and each of said officers and members consented, in advance, to the holding of said meeting for such purpose; that said meeting was open to the public as required by law; and that public notice of the date, hour, place and subject of said meeting was given as required by Chapter 551, Texas Government Code.

SIGNED AND SEALED this 14th day of May, 2018.

[SEAL]

City Clerk
City of La Marque, Texas

2018 CO Projects (Proposed)

1	Public Safety building reimbursement	1,500,000
2	Buildings located at 4916 FM 1765	3,000,000
3	Buildings renovation at 4916 FM 1765	500,000
4	Furnishings for buildings at 4916 FM 1765	500,000
5	Renovation for other municipal buildings	100,000
6	Contigencies and issuance	400,000
		6,000,000

BOND DEBT SERVICE

City of La Marque, Texas
Tax & Rev Certificates of Obligation, Series 2018

Scale 5/2/18
S&P 'AA-'
Bank Qualified
Call 2027

Period Ending	Principal	Coupon	Interest	Debt Service
09/30/2019	95,000	3.000%	222,090.56	317,090.56
09/30/2020	110,000	3.000%	206,450.00	316,450.00
09/30/2021	115,000	3.000%	203,150.00	318,150.00
09/30/2022	115,000	3.000%	199,700.00	314,700.00
09/30/2023	120,000	3.000%	196,250.00	316,250.00
09/30/2024	125,000	3.000%	192,650.00	317,650.00
09/30/2025	125,000	3.000%	188,900.00	313,900.00
09/30/2026	130,000	3.000%	185,150.00	315,150.00
09/30/2027	135,000	3.000%	181,250.00	316,250.00
09/30/2028	140,000	4.000%	177,200.00	317,200.00
09/30/2029	145,000	4.000%	171,600.00	316,600.00
09/30/2030	150,000	4.000%	165,800.00	315,800.00
09/30/2031	155,000	4.000%	159,800.00	314,800.00
09/30/2032	160,000	4.000%	153,600.00	313,600.00
09/30/2033	170,000	4.000%	147,200.00	317,200.00
09/30/2034	175,000	4.000%	140,400.00	315,400.00
09/30/2035	185,000	4.000%	133,400.00	318,400.00
09/30/2036	190,000	4.000%	126,000.00	316,000.00
09/30/2037	195,000	4.000%	118,400.00	313,400.00
09/30/2038	205,000	4.000%	110,600.00	315,600.00
09/30/2039	215,000	4.000%	102,400.00	317,400.00
09/30/2040	220,000	4.000%	93,800.00	313,800.00
09/30/2041	230,000	4.000%	85,000.00	315,000.00
09/30/2042	240,000	4.000%	75,800.00	315,800.00
09/30/2043	250,000	4.000%	66,200.00	316,200.00
09/30/2044	260,000	4.000%	56,200.00	316,200.00
09/30/2045	270,000	4.000%	45,800.00	315,800.00
09/30/2046	280,000	4.000%	35,000.00	315,000.00
09/30/2047	290,000	4.000%	23,800.00	313,800.00
09/30/2048	305,000	4.000%	12,200.00	317,200.00
	5,500,000		3,975,790.56	9,475,790.56

RESOLUTION R-2017-0018 -A

REIMBURSEMENT RESOLUTION EXPRESSING INTENT TO FINANCE EXPENDITURES TO BE INCURRED

WHEREAS, the City of La Marque, Texas (the "City") is a political subdivision of the State of Texas authorized to finance its activities by issuing obligations; and

WHEREAS, the City will make, or has made not more than 60 days prior to the date hereof, payments with respect to the projects listed on Exhibit A attached hereto (collectively, the "Financed Projects"); and

WHEREAS, the City has concluded that it does not currently desire to issue obligations to finance the costs associated with the Financed Projects; and

WHEREAS, the City desires to reimburse itself for the costs associated with the Financed Projects from the proceeds of obligations to be issued subsequent to the date hereof; and

WHEREAS, the City reasonably expects to issue obligations to reimburse itself for the costs associated with the Financed Projects;

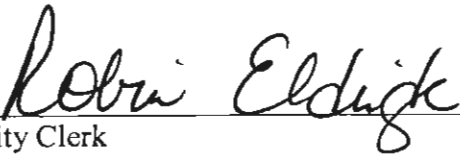
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS THAT:

Section 1. The City reasonably expects to reimburse itself for costs that have been or will be paid subsequent to the date that is 60 days prior to the date hereof and that are to be paid in connection with the Financed Projects from the proceeds of obligations to be issued subsequent to the date hereof.

Section 2. The City reasonably expects that the maximum principal amount of obligations issued to reimburse the City for the costs associated with the Financed Projects will be \$1,500,000.

[Execution Page to Follow]

PASSED, APPROVED AND ADOPTED by the City Council of the City of La Marque
this the on this 10th day of July, 2017.



City Clerk
City of La Marque, Texas



Mayor
City of La Marque, Texas

[SEAL]

EXHIBIT A

DESCRIPTION OF PROJECT

<u>Purpose/Project</u>	<u>Amount</u>
The construction and equipment of public safety facilities and the costs of professional services incurred in connection therewith.	\$1,500,000

RESOLUTION NO. R-2017-0028

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS
EXPRESSING AN INTENT TO FINANCE EXPENDITURES TO BE INCURRED**

WHEREAS, the City of La Marque, Texas (the "City") is a political subdivision of the State of Texas authorized to finance its activities by issuing obligations; and

WHEREAS, the City will make, or has made not more than 60 days prior to the date hereof, payments with respect to the projects listed on Exhibit "A" attached hereto (collectively, the "Financed Projects"); and

WHEREAS, the City does not currently desire to issue obligations to finance the costs associated with the Financed Projects, but may issue obligations for such purpose in the future if approved by City Council; and

WHEREAS, the City desires to reimburse itself for the costs associated with the Financed Projects from the proceeds of obligations to be issued subsequent to the date hereof;

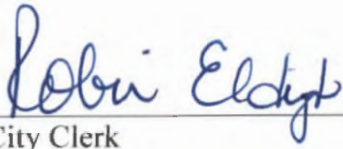
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS THAT:

Section 1. The City reasonably expects to reimburse itself for costs that have been or will be paid subsequent to the date that is 60 days prior to the date hereof and that are to be paid in connection with the Financed Projects from the proceeds of obligations to be issued subsequent to the date hereof.

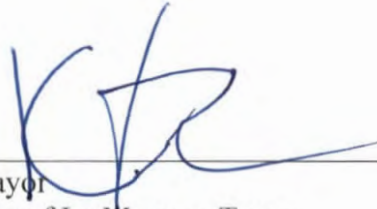
Section 2. The City reasonably expects that the maximum principal amount of obligations issued to reimburse the City for the costs associated with the Financed Projects will be \$3,500,000.

[Execution Page to Follow]

PASSED, APPROVED AND ADOPTED by the City Council of the City of La Marque, Texas
on this 18 day of December, 2017.



City Clerk
City of La Marque, Texas



Mayor
City of La Marque, Texas

[SEAL]

EXHIBIT "A"

DESCRIPTION OF PROJECT

<u>Purpose/Project</u>	<u>Amount</u>
The purchase of buildings and land located at 4916 FM 1765 (northeast corner of Garrett and FM 1765) for a municipal complex, which may include city offices, a recreational center and a community center, the improvement and equipment of the municipal complex, and the costs of professional services incurred in connection therewith.	\$3,500,000