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

Mayor Bobby Hocking
Mayor Pro-Tem Keith Bell-District A *Councilmember Robert Michetich-District C*
Councilmember Chris Lane- District B *Councilwoman Casey McAuliffe- District D*

****

OFFICIALLY POSTED ON THE WEB:

DATE: 3.7.19 TIME: 11:00 a.m.

ORDINANCE NO. O-2019-006
RESOLUTION NO. R-2019-003

CITY OF LA MARQUE
REGULAR CITY COUNCIL
AGENDA
of
MARCH 11, 2019

Notice is hereby given that the City Council of the City of La Marque, Texas will conduct a Regular Meeting on Monday, March 11, 2019, beginning at 6:00 p.m. at 1109-B Bayou Road for the purpose of considering the following agenda:

(1) CALL MEETING TO ORDER

(2) ROLL CALL

(3) INVOCATION AND PLEDGE OF ALLEGIANCE

(4) PRESENTATIONS/ PROCLAMATIONS
a. Proclamation- Telecommunicator Week
b. Presentation- Traffic Stop Video

(5) CITIZENS PARTICIPATION (Limited to three minutes per person)
Comments from the public (at this time, any person with city-related business who has signed up may speak to Council (limited to three (3) minutes.) In compliance with Texas Open Meeting Act, the City may not deliberate on comments. Personal attacks will not be allowed, and personnel matters should be addressed to the City Manager during normal business hours.

(6) CONSENT AGENDA (All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)

a. City Council Meeting Minutes of February 11, 2019.
b. Special City Council Minutes of February 15, 2019.
c. Special City Council Minutes of February 21, 2019.
d. Discussion/possible action regarding authorizing the Police Department to proceed with disposition of surplus property by online public auction.

(7) PUBLIC HEARING

a. Conduct Public Hearing to hear public input regarding adopting Resolution No. **R-2019-003,** authorizing and creating Trails at Woodhaven Lakes Public Improvement District No. 4 within the corporate limits of the City of La Marque. *(PUBLIC HEARING HAS REMAINED OPENED SINCE JANUARY 14, 2019 COUNCIL MEETING)*

(8) OLD BUSINESS

a. Discussion/possible action regarding adopting Resolution No. R**-2019-003**, authorizing and creating the Trails at Woodhaven Lakes Public Improvement District No. 4 within the corporate limits of the City of La Marque - Finance Director S. Kou *(THIS ITEM WAS TABLED FROM THE FEBRUARY 11, 2019 COUNCIL MEETING)*

b. Discussion/possible action regarding a proposed Development Agreement between the City of La Marque, Texas and Woodhaven Lakes, Ltd. for Trails at Woodhaven Lakes subdivision, and provide direction to City Manager – Interim City Manager C. Warren *(THIS ITEM WAS TABLED FROM THE FEBRUARY 11, 2019 COUNCIL MEETING)*

(9) NEW BUSINESS

a. Discussion/possible action regarding adopting Ordinance No. **O-2019-005**, repealing Sec. 44-2; Curfew for Minors, Chapter 44, of the Code of Ordinances of the City of La Marque, Texas; and in its place adopting a new Sec. 44-2; establishing a curfew for any person under the age of seventeen years during certain hours – Police Chief K. Jackson *THIS IS THE FIRST READING*

b. Discussion/possible action regarding relocation of Municipal Court Department to 1109-B Bayou Road, La Marque, Texas - Court Administrator R. Bell

c. Discussion/possible action regarding approval of a change order for the Siemens AMI meter project contract in the amount of $144,920 – Utility Billing Manager T. Ortiz

(10) AGREEMENTS/CONTRACTS

a. Discussion/possible action regarding authorizing the Mayor to execute an agreement with TxDOT to design the relocation of City of La Marque water / sewer utilities that are in conflict with the IH-45 widening project from South of FM 1764 to North of FM 519 - Assistant Public Works Director C. Cary

(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 551.074 (Personnel Matters) – Discuss City Manager Contract

(12) ACTION TAKEN FROM EXECUTIVE SESSION

1. Discussion/possible action regarding authorizing the Mayor to execute a contract for the City Manager of the City of La Marque

(13) REQUEST AND ANNOUNCEMENTS

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

(1) expressions of thanks, congratulations, or condolence;

(2) information regarding holiday schedules;

(3) an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision;

(4) a reminder about an upcoming event organized or sponsored by the governing body;

(5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality or county; and

(6) announcements involving an imminent threat to the public health and safety of people in the municipality or county that has arisen after the posting of the agenda.

(14) ADJOURNMENT

CERTIFICATION:

I hereby certify that the above notice of meeting was posted at 1109-B Bayou Road, La Marque, Texas on or before March 8, 2019, before 5:30 p.m.

_____

Robin Eldridge, TRMC
City Clerk

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

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CITY OF LA MARQUE
CITY COUNCIL
REGULAR MEETING MINUTES
OF
February 11, 2019

Regular City Council Meeting Minutes of the City of La Marque City Council held on Monday, February 11, 2019, 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	Mayor
Keith Bell	Mayor Pro-Tem, Councilmember District A
Chris Lane	Councilmember, District B
Robert Michetich	Councilmember, District C
Casey Mc Auliffe	Councilwoman, District D

OTHER OFFICIALS PRESENT:

Charlene Warren	Interim City Manager
Robin Eldridge	City Clerk
Ellis Ortego	City Attorney

(3) INVOCATION AND PLEDGE OF ALLEGIANCE- Mayor Pro-Tem Bell administered the invocation and led the Pledge of Allegiance

Mayor Hocking wished all a happy Black History Month and commended Mayor Geraldine Sam on her media posting of the chronology of the history of Black History Month.

(4) PRESENTATIONS/ PROCLAMATIONS

a. Presentation Lemonade Day- Gina Spagnola
Ms. Spagnola presented City Council with backpacks and shirts and explained the process and described an overview and participation of last year's Lemonade Day (over 1,000 children participating and having their own lemonade stand in Galveston County). She encouraged all to get involved and said the Lemonade Day kickoff date was going to be held on Monday, February 25, 2019 at 6:00 p.m. (Council Chambers) - Saturday, May 4, 2019 is Lemonade Day.

(5) CITIZENS PARTICIPATION

1. Geraldine Sam expressed her hopes of Charlene Warren becoming the next City Manager and wished for Council's support. "She is doing a fine job with the City. I

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think she would be an asset to have as our City Manager, and I hope you all don't delay this any further." The second thing that she would like to see is La Marque have its own parade and celebration for Juneteenth and she would like to work with Council and any others who will help to coordinate this for Juneteenth.

2. Al Reida expressed his feelings towards the direction in which the City is currently going, he is happy with the Interim City Manager and said that she is doing a great job. He also wanted to acknowledge the passing of a former Galveston County Sheriff Joe Max Taylor, for which a moment of silence was given.

(6) CONSENT AGENDA

a. City Council Meeting Minutes of January 14, 2019.

b. City Council Workshop Minutes of January 14, 2019.

c. Discussion/possible action regarding the approval of a three (3) year agreement between the City of La Marque and the La Marque Fire Association beginning October 1, 2018 and ending on September 30, 2021.

d. Discussion/possible action regarding renewing the contract with Linebarger to assist with Municipal Court revenue collection.

e. Discussion/possible action regarding the transfer of Lots 10 & 11, Preston Subdivision from the City of La Marque to the La Marque Economic Development Corporation.

f. Discussion/possible action regarding approval of request for the City of La Marque to waive its liens on properties identified for housing redevelopment stimulated by the La Marque Economic Development Corporation.

Mayor Pro-Tem Bell had a question on Item "e."

Mayor Pro-Tem Bell clarified with Alex Getty the Executive Director of the La Marque Economic Development Corporation the number of homes that were planned to be built by Habitat for Humanity and he asked whether there was a certain design in mind for those homes and whether it would be consistent with the overall neighborhood. Mr. Getty replied that they would and that they were to be built to the "coastal craftsman theme". They will be built on pier and beams with a garage, no smaller than 1200 square feet, and that the City has the ability to review the final design and that they will fit into the neighborhood. Eight of the lots are on Kansas and two are on Preston. Ten total homes will start the revitalization to this area. Thanks was given to Councilmember Michetich for his role in getting this project restarted, and also the Economic Development Corporation- Revitalization Corporation.

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** Councilmember Lane made a motion to approve the Consent Agenda.

** Councilwoman Mc Auliffe seconded. **MOTION CARRIED UNANIMOUSLY**.

(7) PUBLIC HEARINGS

a. Conduct Public Hearing to hear public input regarding adopting Resolution No. **R-2019-003,** authorizing and creating Trails at Woodhaven Lakes Public Improvement District No. 4 within the corporate limits of the City of La Marque. *(PUBLIC HEARING HAS REMAINED OPENED SINCE JANUARY 14, 2019 COUNCIL MEETING)*

** Mayor Hocking closed the regular meeting at 6:13 p.m. and opened the Public Hearings.

No one spoke.

b. Conduct Public Hearing to hear public input regarding adopting Ordinance No. **O-2019-001** amending the fiscal year 2017-18 Budget for General Fund, PIDs, Sanitation Fund, Capital Improvement Fund, Disaster Fund, Debt Service Fund and special (restricted) revenue and related expenditure funds by increasing (decreasing) certain revenues and increasing (decreasing) certain expenditures to individual budget accounts in certain funds as set forth in attached Exhibit "A".

No one spoke.

c. Conduct Public Hearing to hear public input regarding adopting Ordinance No. **O-2019-002**, creating Tax Increment Reinvestment Zone Number Two for Omega Bay Subdivision, a contiguous geographic area in the City of La Marque, under the provisions of Chapter 311 of the Texas Tax Code.

No one spoke.

d. Conduct Public Hearing to hear public input regarding adopting Ordinance No. **O-2019-003**, adopting and imposing impact fees.

No one spoke.

e. Conduct Public Hearing to hear public input regarding adopting Ordinance No. **O-2019-004,** approving a road right of way abandonment for a portion of the 60-foot road easement (Clerks File #8843301) located in Painted Meadows Section 5 specifically overlapping lots in Block 1, Lots 1-8; Block 5, Lots 10-17, Block 4, Lots 2, 3, 16, and 17; Block 3, Lots 1-20, and Block 1, Lots 2 & 3, on behalf of Two Windy Hill Investments.

No one spoke.

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Mayor Hocking closed the Public Hearing (s) and reconvened the Regular meeting at 6:16 p.m.

(8) OLD BUSINESS

a. Discussion/possible action regarding a proposed Development Agreement between the City of La Marque, Texas and Woodhaven Lakes, Ltd. for Trails at Woodhaven Lakes subdivision, and provide direction to City Manager.

** It was the consensus of Council to continue to leave this item open and the next item (b) open and table both until the March Council meeting.

b. Discussion/possible action regarding adopting Resolution No. R-**2019-003**, authorizing and creating the Trails at Woodhaven Lakes Public Improvement District No. 4 within the corporate limits of the City of La Marque.

** See item above. (Tabled until the March Council meeting)

c. Discussion/possible action regarding adopting Ordinance No. **O-2019-001,** amending the fiscal year 2017-18 Budget for General Fund, PIDs, Sanitation Fund, Capital Improvement Fund, Disaster Fund, Debt Service Fund, and special (restricted) revenue and related expenditure funds by increasing (decreasing) certain revenues and increasing (decreasing) certain expenditures to individual budget accounts in certain funds as set forth in attached Exhibit "A". *THIS IS THE SECOND AND FINAL READING*

** Councilmember Michetich made a motion to adopt Ordinance No. O-2019-001.
** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY**.

d. Discussion/possible action regarding adopting Ordinance No. **O-2019-002,** creating Tax Increment Reinvestment Zone Number Two for Omega Bay Subdivision, a contiguous geographic area in the City of La Marque, under the provisions of Chapter 311 of the Texas Tax Code. *THIS IS THE SECOND AND FINAL READING*

** Mayor Pro-Tem Bell made a motion to adopt Ordinance No. O-2019-002.
** Councilmember Michetich seconded.

Councilwoman Mc Auliffe stated, "While I feel very strongly, that I would like to see the roads in Omega Bay become public rights of way, since our last meeting, I have done much research on other cities and their operations of Tax Increment Reinvestment Zones. I don't think the TIRZ is the right mechanism for the end goal." Then added, "I am in such respect to the hard work that the citizens of Omega Bay and my fellow Councilman Michetich has done to fix something that has been a long lingering bad deal."

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MOTION CARRIED with a vote of 4 to 1, with Councilwoman Mc Auliffe opposing.

e. Discussion/possible action regarding adopting Ordinance No. **O-2019-003**, adopting and imposing impact fees. *THIS IS THE SECOND AND FINAL READING*

** Councilmember Michetich made a motion to adopt Ordinance No. O-2019-003.
** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY**.

f. Discussion/possible action regarding adopting Ordinance No. **O-2019-004,** approving a road right of way abandonment for a portion of the 60-foot road easement (Clerks File #8843301) located in Painted Meadows Section 5 specifically overlapping lots in Block 1, Lots 1-8; Block 5, Lots 10-17, Block 4, Lots 2, 3, 16, and 17; Block 3, Lots 1-20, and Block 1, Lots 2 & 3, on behalf of Two Windy Hill Investments. *THIS IS THE SECOND AND FINAL READING*

** Councilmember Michetich made a motion to adopt Ordinance No. O-2019-004.
** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY**.

(9) NEW BUSINESS

a. Discussion/possible action regarding restoration of department name to Public Works from Public Services.

** Councilwoman Mc Auliffe made a motion to restore the department name to Public Works from Public Services.
** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**

b. Discussion/possible action regarding final selections from the City of La Marque I-45 Corridor Branding and Beautification by Clark Condon Landscape Architects and a TxDOT I-45 expansion update

Public Relations Specialist Colleen Merritt provided a summary of the continuation of a conversation about the I-45 expansion. "We are looking at a plan to brand and enhance the roads that are coming through La Marque, and the decisions we make will have a 50-year impact." Then she asked the following three questions:

1) Do we want stars or Texas icons on the bridges? – To which the consensus of Council was that they like the Texas icons.

2) The change order for the 1764 - decision of custom or standard pavers, to which the consensus of Council, to use the standard pavers, provided by TxDOT.

3) It was the consensus of Council for the approval of 1764 to Main Street budget.

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** Councilmember Michetich made a motion to approve the selections discussed from the City of La Marque I-45 Corridor Branding and Beautification by Clark Condon Landscape Architects.
** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**

(10) AGREEMENTS/CONTRACTS

a. Discussion/possible action to ratify the agreement dated January 3, 2019 between the La Marque Economic Development Corporation and Resource Planning Associates, LLC (RPA).

** Mayor Pro-Tem Bell made a motion to ratify the agreement dated January 3, 2019 between the La Marque Economic Development Corporation and Resource Planning Associates, LLC (RPA).
** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**

b. Discussion/possible action regarding approving Resolution No. **R-2019-004**, authorizing the City Manager to execute an agreement with Public Agency Retirement Services (PARS) to provide an alternative retirement plan for part-time employees.

** Councilmember Lane made a motion to adopt Resolution No. R-2019-004.
** Councilmember Michetich seconded.

Mayor Pro-Tem Bell replied, "It is being sold as another option for our part-time employees, but what it looks like is a way for us as a city to shirk the responsibility of contribution to the retirement fund of our part-time employees. The savings is only about $325.00 a year. It doesn't look like it is a better plan for the employees."

(PARS) representative Dion Papafote approached and explained, "Basically this is a program for part-time, seasonal temporary employees in lieu of social security, it was approved by Congress as an alternative to social security as part of OBRIM - 90, so it has been in place for a while. It is meant to be a benefit for the employees, and for the City, because obviously the City does save some money. In order to take any funds out, there must be a qualifying event. If the employee stays on and is hired full-time with the City, they may buy service time. It can also be transferred into a 403B, a 457 and a few other retirement options. If they go into the education field it can be transferred to a 401a, so there is a lot of flexibility. If taken out for any other reasons, there is a penalty that would apply." Discussion continued, and it was said that it is meant to be a retirement fund for part-time employees who cannot participate in TMRS, since you have to be a full-time employee for that.

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The investments could be better benefits than social security. It was also discussed that while dealing with part-time employees who cannot work over a certain number of hours to remain part-time, would the lump sum be worth it? This would be based on number of years worked, and on an individual basis. The question was asked as to who approached who and why it was being initiated at this time. It was said that staff was looking into ways to provide some type of retirement for part-time employees. A twenty-dollar distribution fee that is charged and paid to PARS, as well as ongoing fees were discussed. A thirty-six hundred-dollar fee based on assets, annually. The question was asked as to what the ongoing fees are based on what assets the City has (the amount that it is in the retirement account). Per employee the city would save $1,300.00 per year per employee (part-time). Mayor Pro-Tem Bell did not see the point in trying to save money when employees work hard for their money and for their retirement.

Ms. Papafote explained that this would be an additional retirement plan to their social security, while working part-time. Other entities that participate in their program were briefly discussed. The City decides the contribution ratio.

Councilwoman Mc Auliffe asked for more clarification on benefits to employees vs. benefits to the city.

Councilwoman Mc Auliffe made a motion to table this item. Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY**.

(11) AWARD OF BID

a. Discussion/possible action regarding the award of bid for construction of CDBG Waterline 2018-2019, LJA Engineering Project No. E019-1001, to JTM Construction, LLC in the amount of $792,780.00.

** Councilwoman Mc Auliffe made a motion to award bid for construction of CDBG Waterline 2018-2019, LJA Engineering Project No. E019-1001, to JTM Construction, LLC in the amount of $792,780.00.

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

(12) EXECUTIVE SESSION

1. Section 551.074 (Personnel Matters) – Discussion of the City Manager position for the City of La Marque

Mayor closed the Regular meeting and convened into Executive Session at 6:49 p.m.

Mayor Hocking reconvened the Regular meeting at 10:26 p.m.

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(13) ACTION TAKEN FROM EXECUTIVE SESSION

1. Discussion/possible action regarding the City Manager position for the City of La Marque

** Councilwoman Mc Auliffe made a motion to table this item until Friday, February 15, at 1:00 p.m.

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

(14) REQUEST AND ANNOUNCEMENTS – There were none

(15) ADJOURNMENT

** Mayor Pro-Tem Bell made a motion to adjourn the Regular meeting at 10:27 p.m.
** Councilwoman Mc Auliffe seconded the motion. **MEETING ADJOURNED**.

CITY OF LA MARQUE, TEXAS

_____
Bobby Hocking, Mayor

ATTEST:

_____
Robin Eldridge, TRMC
City Clerk

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CITY OF LA MARQUE
CITY COUNCIL
SPECIAL MINUTES
OF
February 15, 2019

Regular City Council Meeting Minutes of the City of La Marque City Council held on Friday, February 11, 2019, beginning at 1:00 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 1:04 p.m.

(2) ROLL CALL

Bobby Hocking	Mayor
Keith Bell	Mayor Pro-Tem, Councilmember District A
Chris Lane	Councilmember, District B
Robert Michetich	Councilmember, District C
Casey Mc Auliffe	Councilwoman, District D

OTHER OFFICIALS PRESENT:

Charlene Warren	Interim City Manager
Patty Rees	Human Resources Coordinator for City Clerk
Ellis Ortego	City Attorney

(3) EXECUTIVE SESSION

1. Section 551.074 (Personnel Matters) – Discussion of the City Manager position for the City of La Marque

Mayor closed the Special meeting and convened into Executive Session at 1:04 p.m.

Mayor Hocking reconvened the Special meeting at 2:50 p.m.

(4) ACTION TAKEN FROM EXECUTIVE SESSION

1. Discussion/possible action regarding the City Manager position for the City of La Marque (*THIS ITEM WAS TABLED FROM THE FEBRUARY 11, 2019 CITY COUNCIL MEETING)*

** Councilwoman Mc Auliffe made a motion to table this item until next Thursday, February 21, 2019 at 1:00 p.m. Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**

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(5) ADJOURNMENT

Mayor Pro-Tem Bell made a motion to adjourn the Special meeting at 2:50 p.m. Councilwoman Mc Auliffe seconded. **MEETING ADJOURNED**.

_____
Bobby Hocking, Mayor

ATTEST:

_____
Patty Rees, for City Clerk

DRAFT

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CITY OF LA MARQUE
CITY COUNCIL
SPECIAL MEETING MINUTES
OF
February 21, 2019

Regular City Council Meeting Minutes of the City of La Marque City Council held on Thursday, February 21, 2019, beginning at 1:00 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 1:00 p.m.

(2) ROLL CALL

Bobby Hocking	Mayor
Keith Bell	Mayor Pro-Tem, Councilmember District A
Chris Lane	Councilmember, District B
Robert Michetich	Councilmember, District C
Casey Mc Auliffe	Councilwoman, District D

OTHER OFFICIALS PRESENT:

Charlene Warren	Interim City Manager
Robin Eldridge	City Clerk
Ellis Ortego	City Attorney

(3) EXECUTIVE SESSION

1. Section 551.074 (Personnel Matters) – Discussion of the City Manager position for the City of La Marque

Mayor closed the Regular meeting and convened into Executive Session at 1:00 p.m.

Mayor Hocking reconvened the Regular meeting at 6:49 p.m.

(4) ACTION TAKEN FROM EXECUTIVE SESSION

1. Discussion/possible action regarding the City Manager position for the City of La Marque (*THIS ITEM WAS TABLED FROM THE FEBRUARY 15, 2019 SPECIAL CITY COUNCIL MEETING)*

** Councilwoman Mc Auliffe made a motion to hire Charles "TINK" Jackson current City Manager of Pearsall, Texas pending contract negotiations.

** Mayor Pro-Tem Bell seconded. AYES 5 AND NAYES 0. **MOTION CARRIED UNANIMOUSLY.**

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(5) ADJOURNMENT

** Mayor Pro-Tem Bell made a motion to adjourn the Special Meeting at 6:50 p.m.
** Councilmember Michetich seconded. **SPECIAL MEETING ADJOURNED**.

CITY OF LA MARQUE, TEXAS

_____
Bobby Hocking, Mayor

ATTEST:

_____
Robin Eldridge, TRMC
City Clerk

DRAFT

CITY COUNCIL AGENDA FORM

Meeting Date: **March 11, 2019** Agenda item: **6d**

Prepared by: Chief Kirk Jackson Reviewed by: *Charlene Warren*

Department: Police

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding authorizing the Police Department to proceed with disposition of surplus property by online public auction.

☒ **ATTACHMENTS FOR REFERENCE**

1. Inventory list of items for auction with reference number, serial number and description
2. Photographs of items for auction with correlating reference numbers

STAFF BRIEFING:

- The La Marque Police Department has inventoried all surplus and out of service electronics at the police station.
- Most of the items are at least ten years old.
- Storage is a major concern at the police station and reducing the amount of items being stored is a priority.

HISTORY:

- The equipment in this agenda item is composed of electronics and accessories that the Police Department has utilized in the past.
- The hardware is legacy technology that is no longer of any use to the Police Department or any other city department.
- Once this item is approved by Council, the Police Department, with assistance of the Information Technology Department, will then list all items and photographs online for auction.
- If an item does not sell, staff will attempt to see if the item qualifies for donation to a non-profit organization.
- Any final items remaining will be disposed of according to state guidelines.

TARGET IMPLEMENTATION: List items on auction website March 12, 2019, if approved.

CITY COUNCIL AGENDA FORM

ACTION:

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

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

STAFF'S RECOMMENDATION: Motion to authorize the Police Department to proceed with disposition of surplus property by online public auction.

FISCAL IMPACT: Revenue received from auction items will vary depending on item(s) sold.

Inventory

Item#	Description	S/N	Model
1	Gall's Black alternating outlet box	01-0669492-G4	GR229
2	Galls' Black alternating outlet box	01-0669492-G4	GR229
3	Mobile Vision in-car display	98297	
4	Kustom Pro 1000 Traffic Radar (City of La Marque# L3226)	DS1011	Pro 1000
5	Kustom Pro 1000 Traffic Radar (City of La Marque# L3224)	DS35245	Pro 1000
6	Kustom Pro 1000 Traffic Radar (City of La Marque# L3256)	DS35247	Pro 1000
7	Kustom Signals Radar Antenna (City of La Marque# L3233)	LA9714	
8	Kustom Signals Radar Antenna (City of La Marque# L3225)	LA9724	
9	Kustom Signals Radar Antenna (City of La Marque# L3217)	LA9717	
10	Kustom Signals Radar Antenna (City of La Marque# L3257)	LA9718	
11	Mobile Vision in-car display	98294	
12	Mobile Vision in-car display	98289	
13	Mobile Vision in-car display	98291	
14	Mobile Vision in-car display	98284	
15	Mobile Vision in-car display	98298	
16	Mobile Vision in-car display	98287	
17	Mobile Vision Camera	98284	
18	Mobile Vision Camera	98287	
19	Mobile Vision Camera	98288	
20	Mobile Vision Camera	98294	
21	Mobile Vision Camera	98298	
22	Mobile Vision Camera	98289	
23	Motorola 4 bay Charger with 2 batteries (for MC7596 items 82-87)	S8211520802279	SAC7X00-4
24	Motorola 4 bay Charger with 4 batteries (for MC7596 items 82-87)	s8214520801243	SAC7X00-4
25	V-Con Code 3 Black Controller Box	88708	3692L4
35	Motorola Speaker		HSN4039A
36	Motorola Speaker		HSN4024A
37	Motorola Speaker		HSN4031B
38	4 Window Metal Guards		Crown Victoria
39	Box of Misc mounting brackets		
40	Box of Misc cables		
41	Motorola Vision Camera	98291	

Inventory

42	Tripp Light DC Power Supply	9334BO0PR027800065	PR-3A
43	Mobile Vision VCR recording box	98291	MV7A
44	Mobile Vision VCR recording box	98296	
45	Mobile Vision VCR recording box	98285	
46	Mobile Vision VCR recording box	98288	
47	Mobile Vision VCR recording box	98286	
48	Mobile Vision VCR recording box	98295	
49	Mobile Vision VCR recording box	98269	
50	17" Dell Monitor	CN0HX9486418078R23RH	E178WFPc
51	19" Dell Monitor		1909Wf
52	15" Samsung Monitor (no stand)	GH15HCFT311473	150SR
43	Meridian Phone	NT8B30AB0312 A048	M7208
54	Meridian Phone	NT8B30AB0311 A038	M7208
55	Meridian Phone	missing	M7208
56	Meridian Phone	missing	M7310
57	Meridian Phone	NT8B30AA0310 A1PY	M7208
58	Meridian Phone	NT8B30AB0311 A03V	M7208
59	Meridian Phone	NT8B30AB0311 A046	M7208
60	Communications Device		MV-VLP-TR-P
61	Motorola XTL 2500 radio	514CMB0735	M21URM9PW1AN
62	Zebra Technologies Printer	RSRC09-32-5006	RW420
63	Zebra Technologies Printer	XXRCJ145200294	RW420
64	Zebra Technologies Printer	XXRCJ150201593	RW420
65	Zebra Technologies Printer	XXRC09-21-5113	RW420
66	Zebra Technologies Printer	XXRC07-32-5542	RW420
67	GPS Receiver	3318	BR305
68	Sony Phone	1002488	ITM11
69	GE messaging system	029869GE2A1009L	29869GE2-A
70	sSmart 1 Communations Controller	BC619965	001-CCC1XX
71	Motorola Battery Charger	1123630744	AA16740
72	Intermatic power timer	154HB24052	HB1116R
73	Epson Perfection 3170 Photo Scanner	E95W157666	J161A
74	Relay Box	25438	984
75	APC battery back-up	JB0608022297	1250

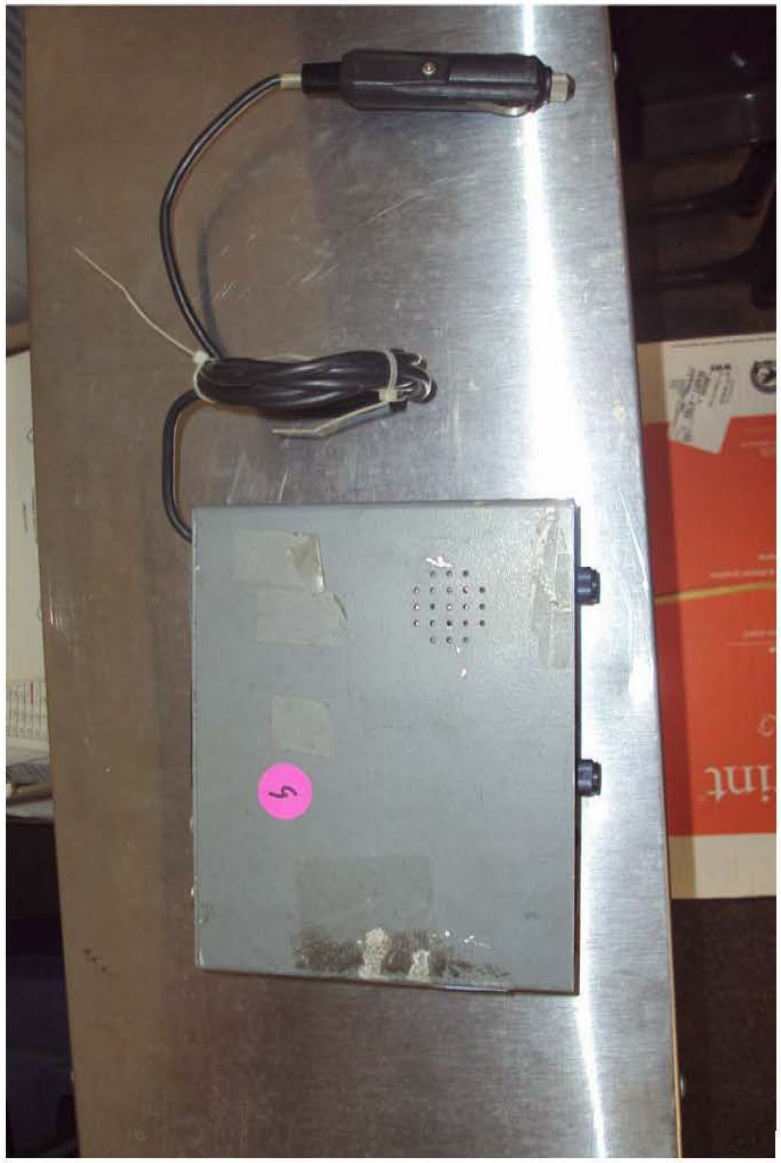
Inventory

77	Phillipa VCR player	SG1A0426041201	DVP620VR/17
78	Symphonics VCR player	U2652887	SV211E
79	Orion VRC player	16120679601	VR213
80	Panasonic LCD monitor	5KKSA07712	CF-VDL02B
81	Panasonic LCD monitor	5KKSA07795	CF-VDL02B
82	Motorola Handheld barcode scanner/wireless computer (no battery)	MC7596	9136520800842
83	Motorola Handheld barcode scanner/wireless computer	MC7596	9104520805179
84	Motorola Handheld barcode scanner/wireless computer (no battery)	MC7596	9136520800803
85	Motorola Handheld barcode scanner/wireless computer (no battery)	MC7596	9117520800691
86	Motorola Handheld barcode scanner/wireless computer	MC7596	9104520805215
87	Motorola Handheld barcode scanner/wireless computer	MC7596	9136520800985

1

2

Plug needs a
2A fuse



7

8
Item
Qty # 5013

MOBILE VISION
POWER
LOCK
MIC

MOBILE VISION
POWER
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MIC

13
MOBILE VISION
POWER
LOCK
MIC

14
MOBILE VISION
POWER
LOCK
MIC

MOBILE VISION
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LOCK
MIC

MOBILE VISION
POWER
LOCK
MIC

17
MOBILE
VISION
IN-CAR VIDEO SYSTEMS

18
MOBILE
VISION
IN-CAR VIDEO SYSTEMS

19
MOBILE
VISION
IN-CAR VIDEO SYSTEMS

20
MOBILE
VISION
IN-CAR VIDEO SYSTEMS

21
MOBILE
VISION
IN-CAR VIDEO SYSTEMS

22
MOBILE
VISION
IN-CAR VIDEO SYSTEMS

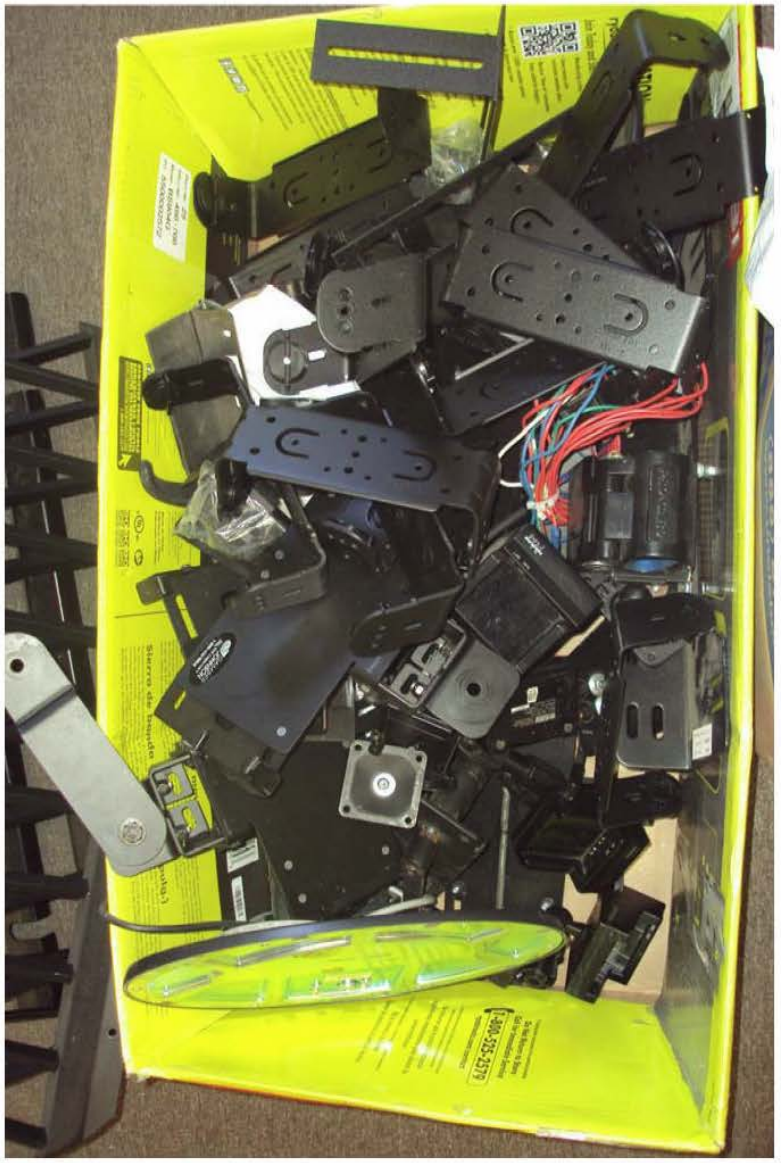
23

24

WAIL
YELP
HI-LO
P.A. VOL
STANDBY
RADIO
AUX HORN
MANUAL

37

MOTOROLA
37



important
very information
for the mobile radio
operator

MOBILE
VISION
IN-CAR VIDEO SYSTEMS
41

42
ON
OFF

43
MOBILE VISION

SAMSUNG
150s

meridian
Transfer
Last No.
Page
Intercom
Handsfree Mute
Feature
Hold
Rls
53

meridian
Transfer
Last No.
Page
Intercom
Handsfree Mute
Feature
Hold
Rls
54

meridian
Feature
Hold
Last No
Page
Handsfree
Mute

CRIME
CHEF
Transfer
Park
Redial
Page
Voice Call
Feature
Hold

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Transfer
Last No.
Page
Intercom
Handsfree/ Mute
Feature
Hold
Rls
1
2 ABC
3 DEF
4 GHI
5 JKL
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7 PRS
8 TUV
9 WXY
0 OPT
*
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57

meridian
Transfer
Last No.
Page
Intercom
Intercom
Handsfree/ Mute
Feature
Hold
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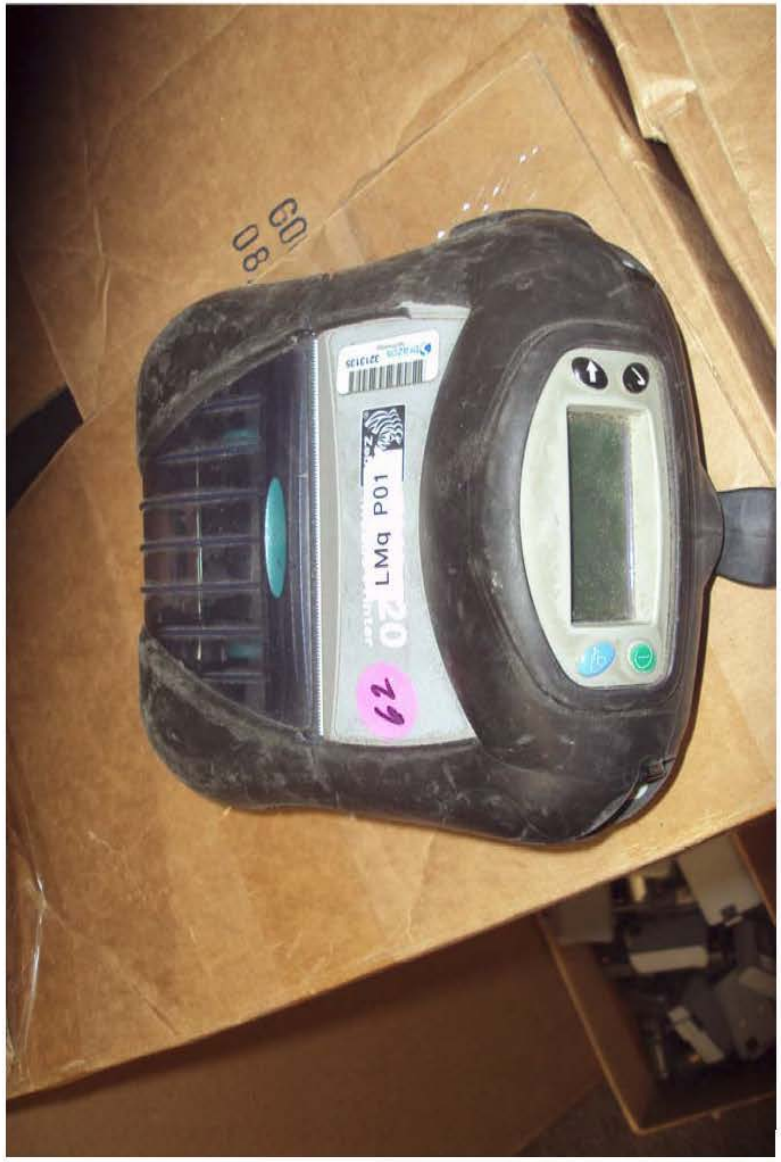
58

4
60

61
MOTOROLA


LMq P01
62

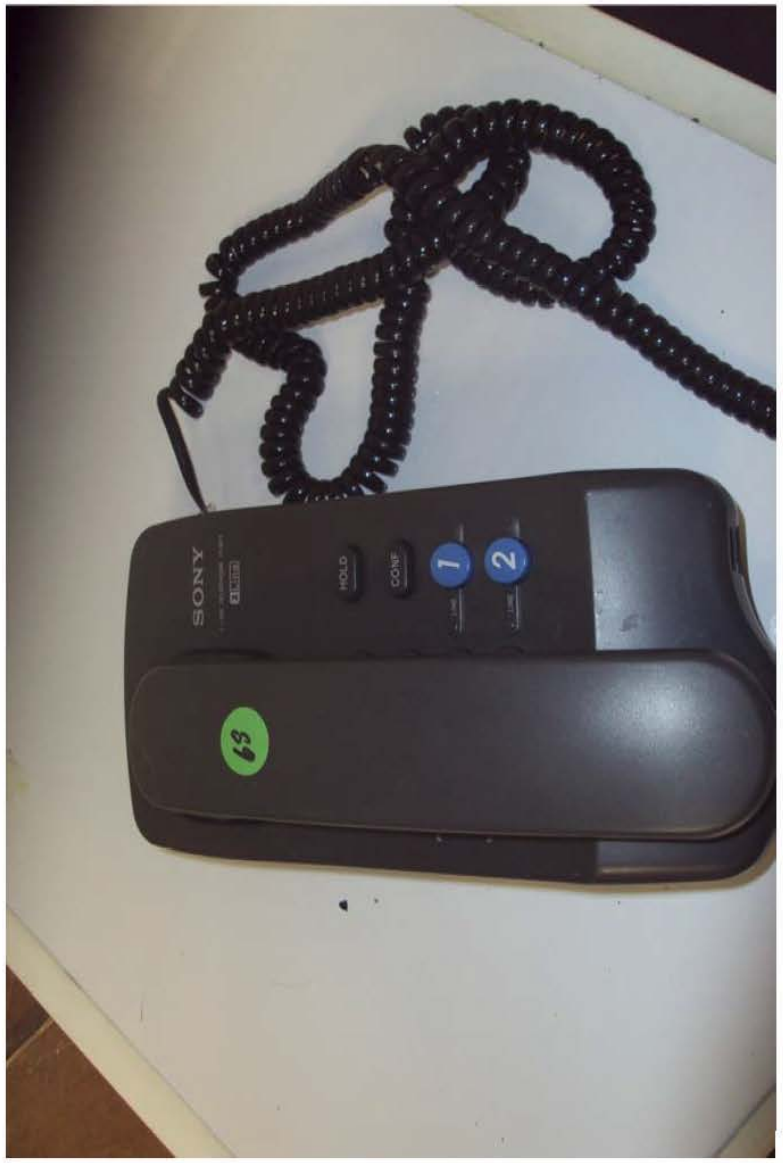
P03
63

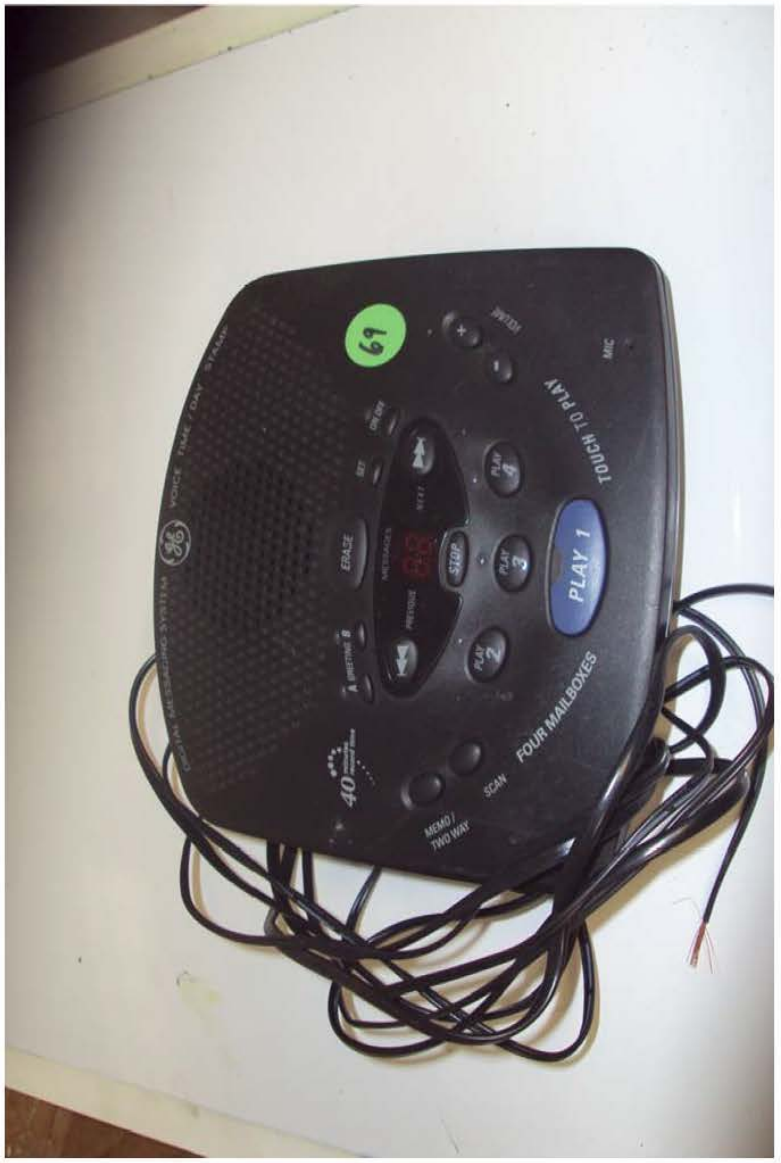
Zebra
LM4 P04
64

65

66

GPS Receiver
GPS Mouse
BU-303 USB 1.1
BR-304 Seriell (RS232)
BR-305 PS2
67
68
69


SONY
HOLD
CONF
1
2
63


69
TOUCH TO PLAY
PLAY 1
FOUR MAILBOXES
ERASE
STOP
SCAN
MEMO / TWO WAY

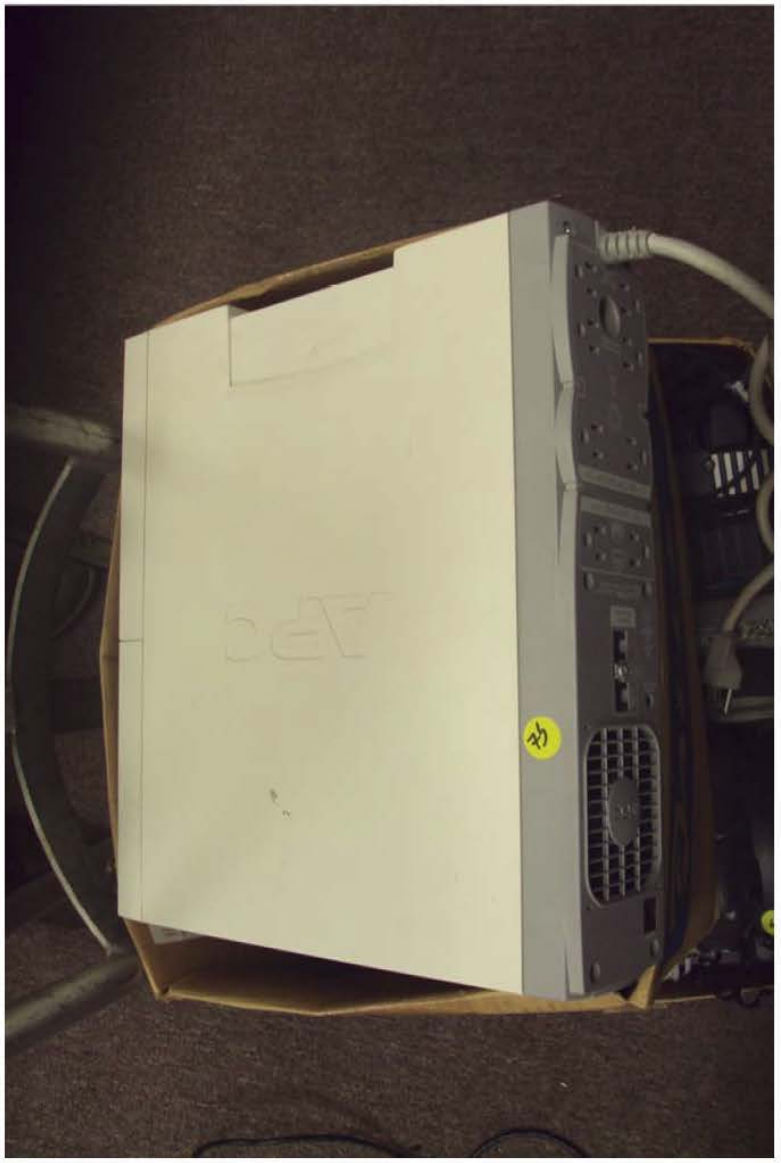
American Telco
70
MITEL
SMART-1 Programmable Communications Controller
CCC
Centrex Call Concentrator

71

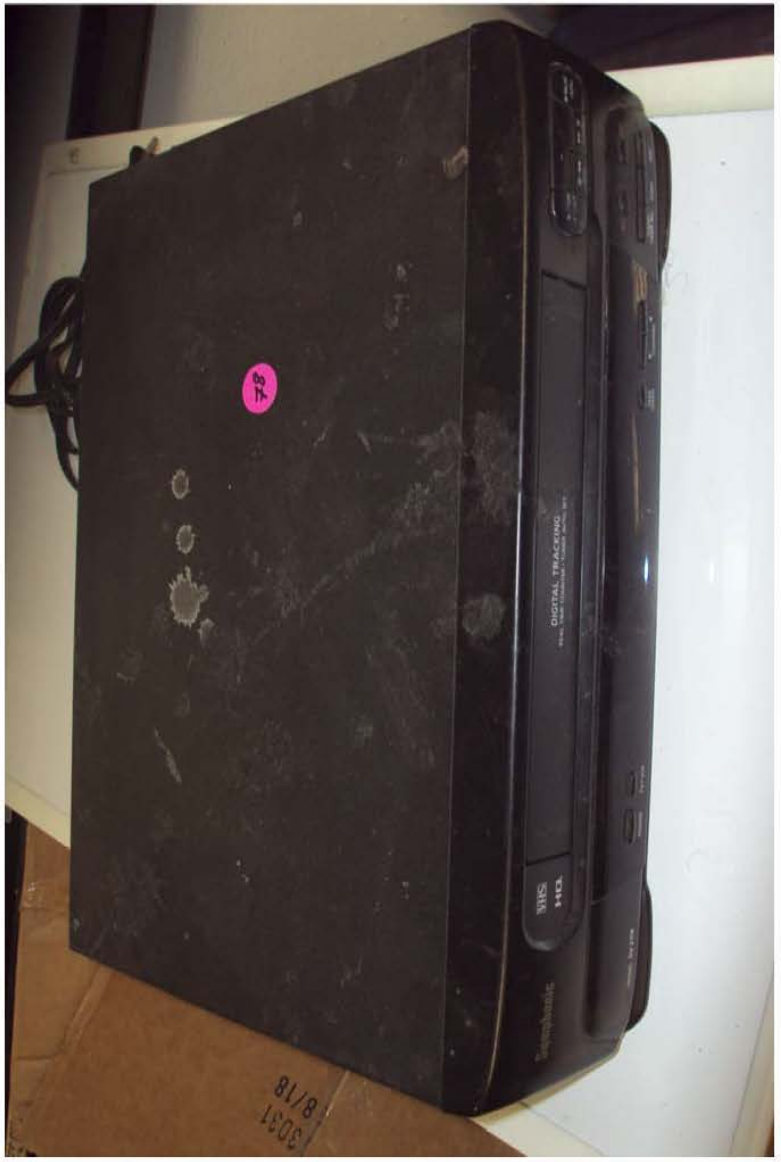
#2

#3
EPSON

This MSU is for parts only. It came out of
Unit 5023. It would not transmit. Unknown
what part is bad.



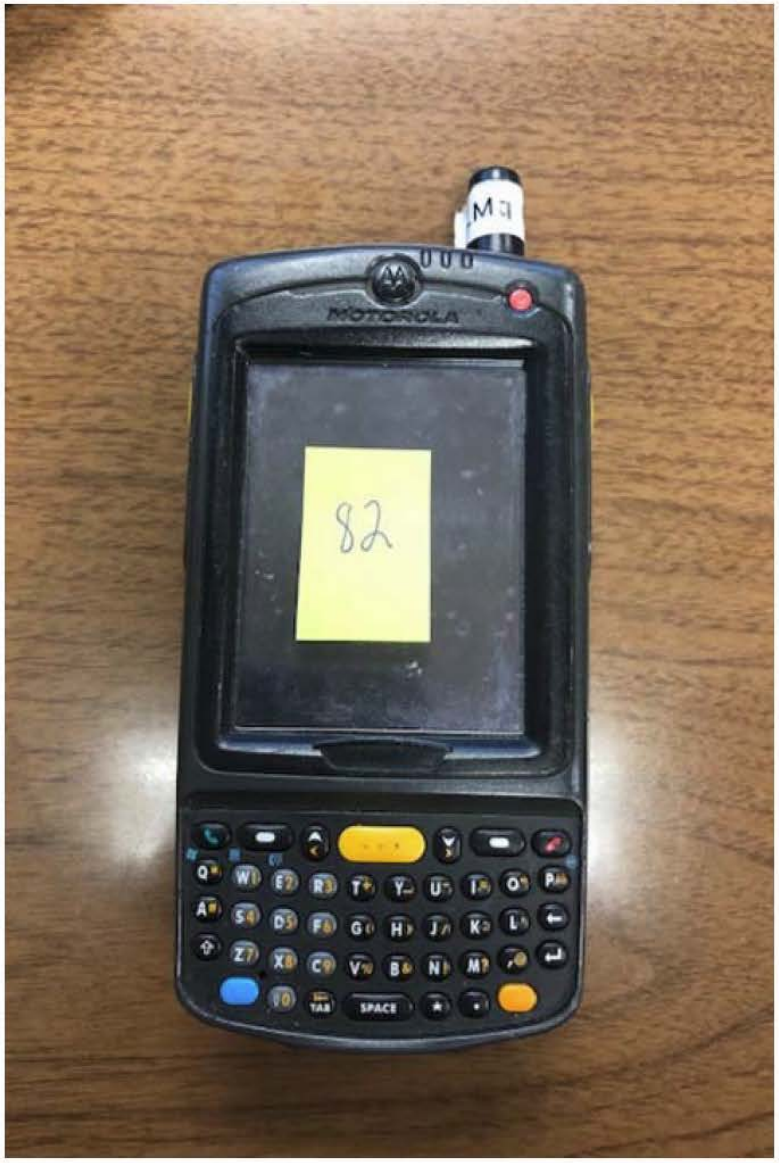
PHILIPS

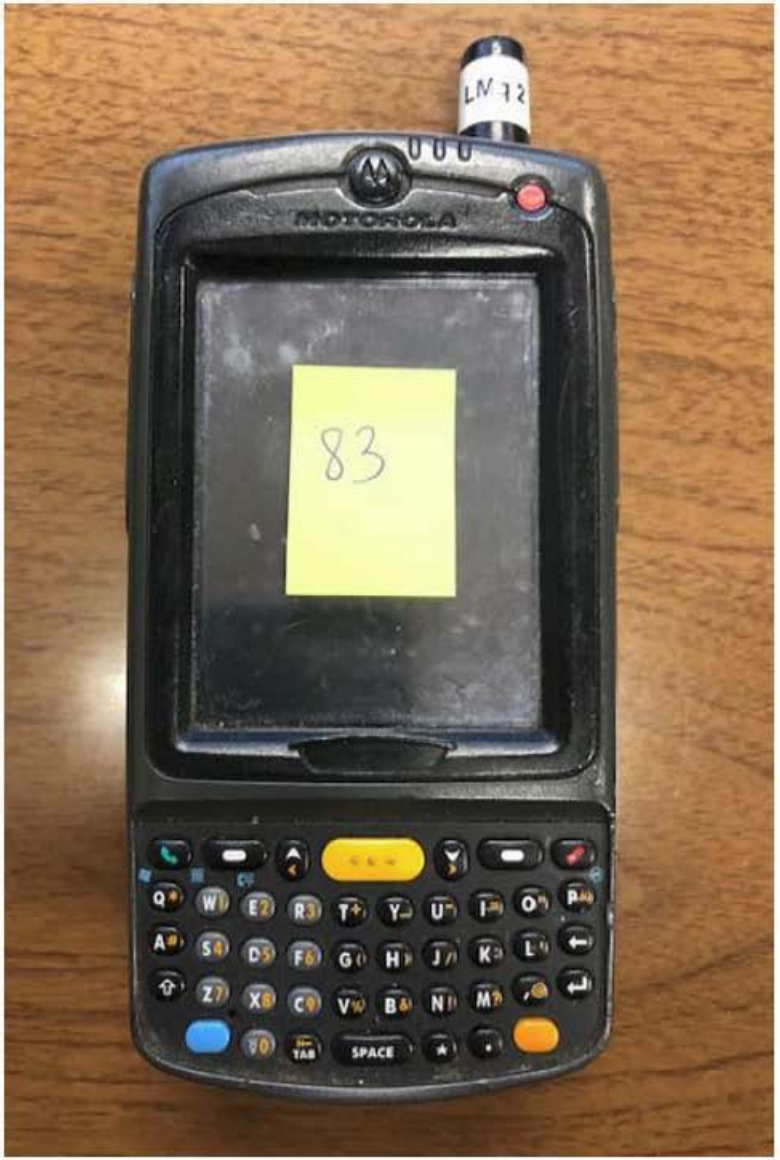

DIGITAL TRACKING
VHS
HQ
Panasonic

ORION
DIGITAL AUTO TRACKING

Panasonic

Panasonic
EMERGENCY
F1
F2
F3
F4
F5


MOTOROLA
82
SPACE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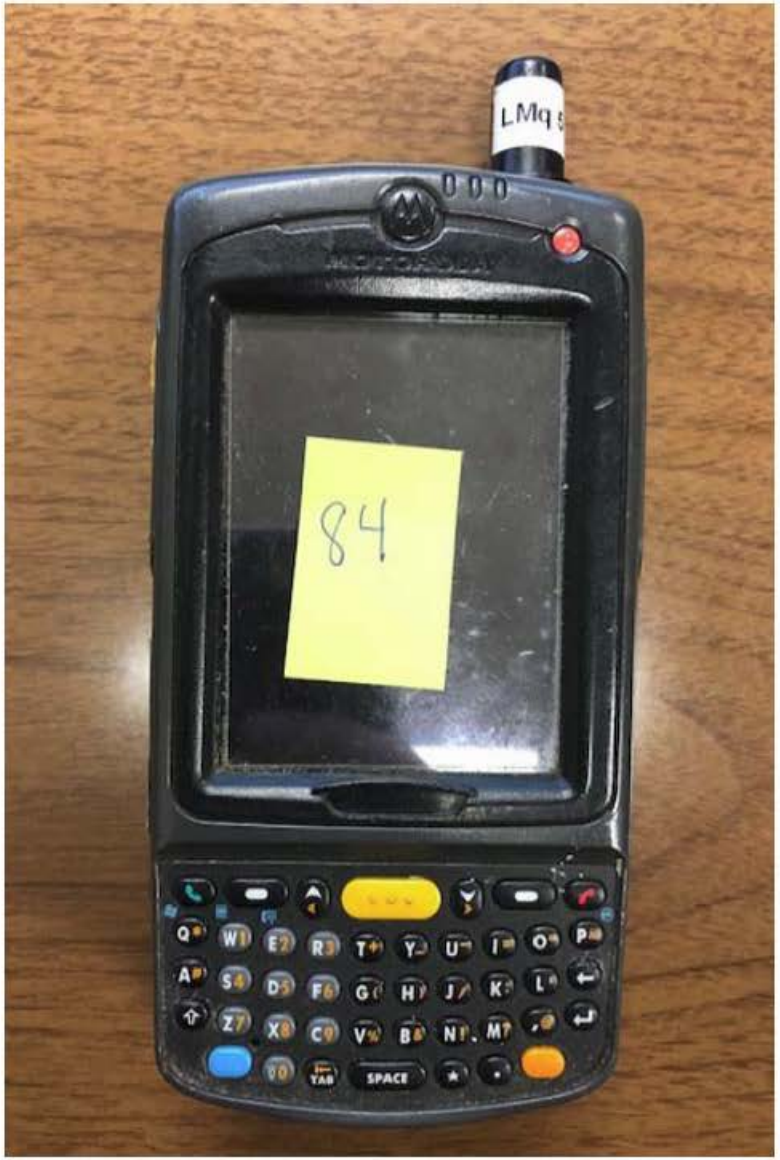
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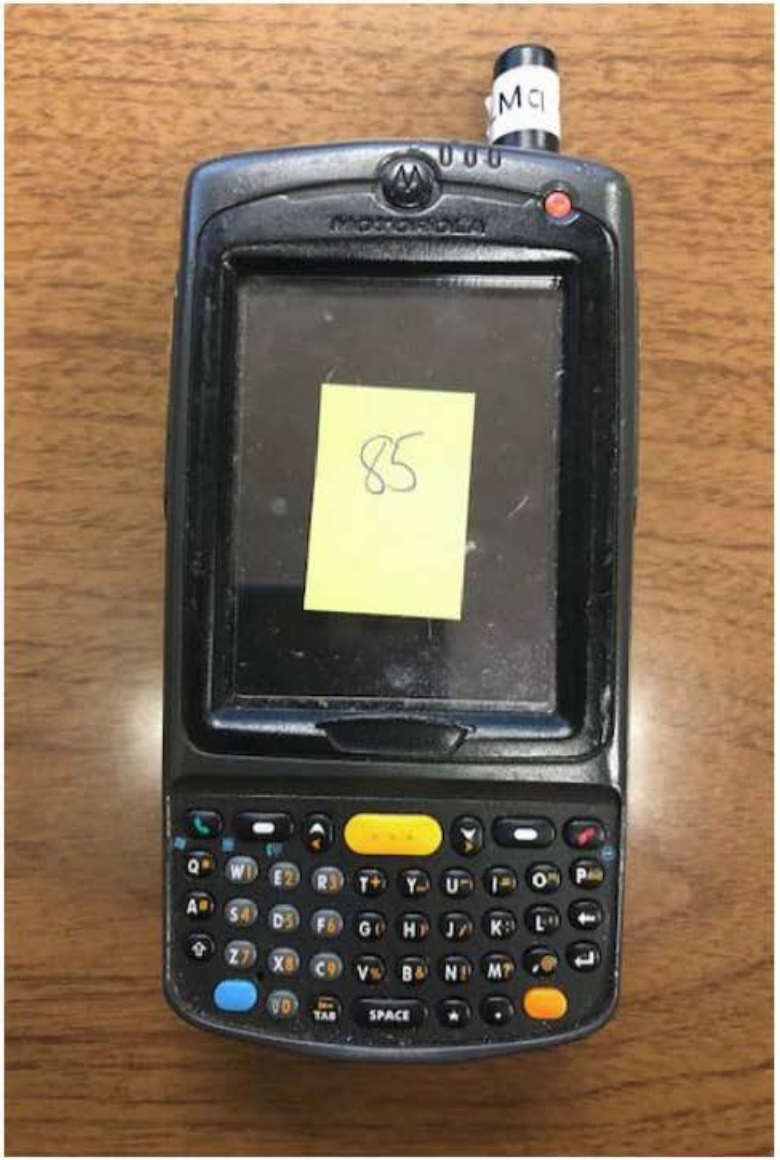
SPACE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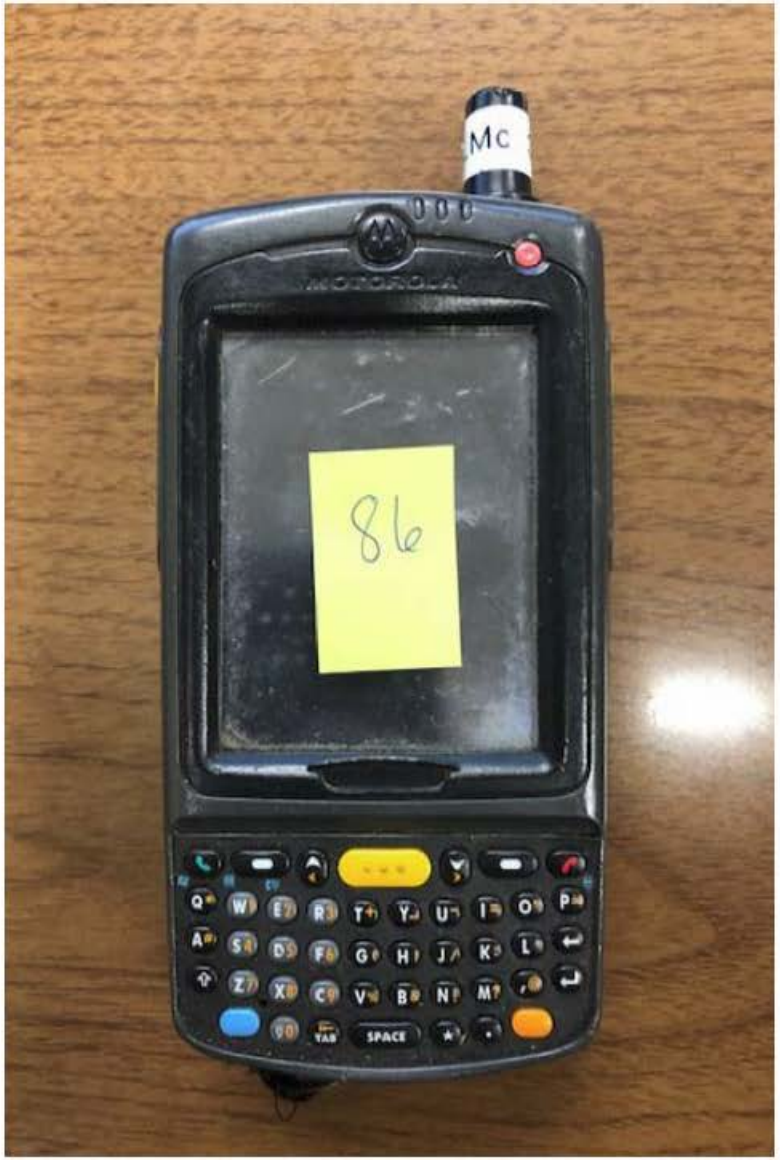
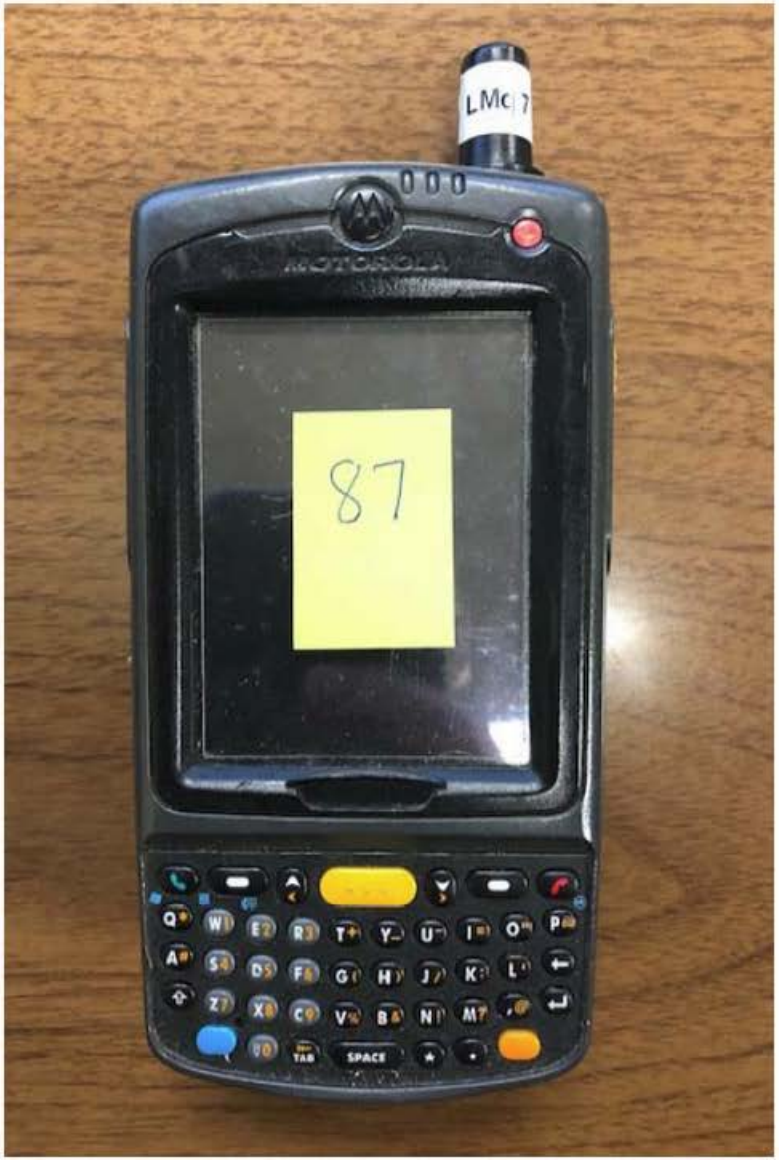
85


MOTOROLA
86


87
SPACE

CITY COUNCIL AGENDA FORM

Meeting Date: March 11, 2019 Agenda item: 8a
Prepared by: Suzy Kou Reviewed by: Charlene Warren
Department: Finance

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding adopting Resolution No. **R-2019-003,** authorizing and creating the Trails at Woodhaven Lakes Public Improvement District No. 4 within the corporate limits of the City of La Marque (*THIS ITEM WAS TABLED FROM THE FEBUARY 11, 2019 COUNCIL MEETING)*

X

ATTACHMENTS FOR REFERENCE

1. Resolution with Exhibits A & B

STAFF BRIEFING:

- Proposal includes for City to issue a bond sale secured solely by the PID assessments.
- An appropriate amount will be retained from PID assessments to cover PID administrative costs by a competent third-party consultant (hired by the City), including but not limited to maintaining record of all the assessments.
- Developer and City will work to ensure that Galveston County Tax Office collects the annual PID assessments.
- Project size includes 75.62 acres of single family development and 6.40 acres of commercial development.
- There should not be any financial cost to the City.
- PID debt issuance amount will be counted against the total maximum bank qualified debt threshold of ten million per calendar year.
- City's total debts issued will be increased on the financial statements as well as total assessment revenues.
- City will be responsible for collection and enforcement of PID payments including delinquencies and foreclosure.
- City also will be responsible for required continued disclosure annually.

HISTORY: N/A

TARGET IMPLEMENTATION: March 11, 2019

SIGNIFICANT ACTION DATES:
January 14, 2019 - Public Hearing on PID creation
February 11, 2019 - Public Hearing was to remain opened and continued at this Council meeting

CITY COUNCIL AGENDA FORM

ACTION:

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

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

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

STAFF'S RECOMMENDATION: Motion to adopt Resolution No. **R-2019-003,** authorizing and creating the Trails at Woodhaven Lakes Public Improvement District No. 4 within the corporate limits of the City of La Marque.

FISCAL IMPACT: Additional administrative responsibilities; less bank qualified debts availability below the threshold during the issuance year.

RESOLUTION NO. R-2019-003

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, AUTHORIZING AND CREATING THE TRAILS AT WOODHAVEN LAKES PUBLIC IMPROVEMENT DISTRICT NO. 4; PROVIDING FOR RELATED MATTERS; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of La Marque, Texas (the "City"), is authorized under Chapter 372 of the Texas Local Government Code, as amended (the "Act"), to create a public improvement district within the corporate limits of the City; and

WHEREAS, on December 3, 2018, Woodhaven Lakes, Ltd., a Texas limited partnership (the "Petitioner") submitted and filed with the City Clerk of the City a petition (the "Petition") requesting the establishment of a public improvement district to be known as the Trails at Woodhaven Lakes Public Improvement District No. 4 (the "District") within the corporate limits of the City, such District to include the property depicted in Exhibit "A" and described by metes and bounds in Exhibit "B" (the "Property"), each attached hereto and incorporated herein for all purposes; and

WHEREAS, on December 10, 2018, the City Council of the City (the "City Council") received the Petition which was signed by the owners of more than 50% of the appraised value of the taxable real property liable for assessment and the record owners of more than 50% of the area of all taxable real property within the District that is liable for assessment, and as such, the Petition complies with the Act; and

WHEREAS, on December 10, 2018, the City Council accepted the Petition and called a public hearing for January 14, 2019, on the creation of the District and the advisability of the improvements; and

WHEREAS, notice of the hearing was published in a newspaper of general circulation in the City on December 20, 2018; and

WHEREAS, on December 20, 2018, notice to the owners of property within the proposed District was sent by first-class mail to the owners of 100% of the property subject to assessment under the proposed District containing the information required by the Act such that such owners had actual knowledge of the public hearing to be held on January 14, 2019; and

WHEREAS, the City Council opened and conducted such public hearing on the advisability of the improvements and the creation of the District, and closed such hearing on January 14, 2019.

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

SECTION 1. That the findings set forth in the recitals of this Resolution are found to be true and correct.

SECTION 2. That the Petition submitted to the City by the Petitioner was filed with the City Clerk and complies with the Act.

SECTION 3. That pursuant to the requirements of the Act, including, without limitation, Sections 372.006, 372.009(a) and 372.009(b), the City Council, after considering the Petition and the evidence and testimony presented at the public hearing on January 14, 2019, hereby finds and declares:

(a) *Advisability of the Proposed Improvements*. It is advisable to create the District to provide the Authorized Improvements (as described below). The Authorized Improvements are feasible and desirable and will promote the interests of the City and will confer a special benefit on the Property.

(b) *General Nature of the Authorized Improvements.* The purposes of the District include the design, acquisition, construction and improvement of public improvement projects (the "Authorized Improvements") authorized by the Act that are necessary for the development of the property within the District, which include, (i) landscaping; (ii) acquiring, constructing, improving, widening, narrowing, closing, or rerouting of sidewalks or of streets, any other roadways, or their rights-of-way; (iii) acquisition, construction, or improvement of off-street parking facilities; (iv) acquisition, construction, and improvement of water, wastewater and drainage facilities; (v) the establishment or improvement of parks; (vi) projects similar to those listed in subsections (i)-(v) above that are authorized by the Act, including off-site projects that provide a benefit to the property within the PID; (vii) acquisition, by purchase or otherwise, of real property in connection with an authorized improvement; (viii) maintenance costs associated with the Authorized Improvements, (ix) payment of costs and expenses associated with developing and financing the public improvements listed in (i)-(v) above, including costs of establishing, administering and operating the PID and paying costs of issuance, reserve funds or credit enhancement of bonds or other obligations issued to finance the Improvements. The Authorized Improvements promote the interests of the City and confer a special benefit upon the Property.

(c) *Estimated Costs of the Authorized Improvements and Apportionment of Costs.* The estimated cost to design, acquire and construct the Authorized Improvements, together with bond issuance costs, eligible legal and financial fees, eligible credit enhancement costs and eligible costs incurred in establishment, administration and operation of the District is $12,050,000 plus the annual operation and maintenance costs, if any. The City will pay no costs of the Authorized Improvements or operation and maintenance costs from funds other than assessments levied on property within the

District. The remaining costs of the proposed improvements will be paid from sources other than those described above.

(d) *Boundaries of the District*. The District is proposed to include approximately 82.02 acres located generally to the south of Texas Avenue and west of Delany Road within the City. The boundaries of the District are set forth on Exhibits "A" and "B" attached hereto.

(e) *Proposed Method of Assessment.* The City shall levy assessments on each parcel within the District in a manner that results in the imposition of an equal share of the costs of the Authorized Improvements on property similarly benefitted by such Authorized Improvements. The proposed method of assessment shall be based upon (i) an equal apportionment per lot, per front foot or per square foot of property benefiting from the Authorized Improvements, as determined by the City; (ii) the ad valorem taxable value of the property benefiting from the Authorized Improvements, with or without regard to improvements on the property; or (iii) in any manner that results in imposing equal shares of the cost on property similarly benefitted.

(f) *Apportionment of Cost Between the District and the City.* The City will not be obligated to provide any funds to finance the Authorized Improvements. All of the costs of the Authorized Improvements will be paid from assessments levied on properties in the District and from other sources of funds available to the Petitioner.

(g) *Management of the District.* The District shall be managed by the City, with the assistance of a consultant, who shall, from time to time, advise the City regarding certain operations of the District.

(h) *Advisory Board.* The District shall be managed without the creation of an advisory body.

SECTION 4. That the Trails at Woodhaven Lakes Public Improvement District No. 4 is hereby authorized and created as a public improvement district under the Act in accordance with the findings of the City Council as to the advisability of the Authorized Improvements contained in this Resolution, the nature and the estimated costs of the Authorized Improvements, the boundaries of the District, the method of assessment and the apportionment of costs as described herein, and the conclusion that the District is needed to fund such Authorized Improvements.

SECTION 5. That notice of this Resolution authorizing the District shall be given by publishing such notice once in a newspaper of general circulation in the City. Effective upon the publication of such notice, the District shall be established.

SECTION 6. That City staff is directed to cause to be prepared a Service and Assessment Plan for the District and to present it to the City Council for review and approval.

SECTION 7. That this Resolution shall take effect immediately from and after its passage and publication as required by law.

[Signature page follows]

NOW, THEREFORE BE IT RESOLVED by City Council of the City of La Marque on this the ____ day of _____, 2019.

CITY OF LA MARQUE, TEXAS

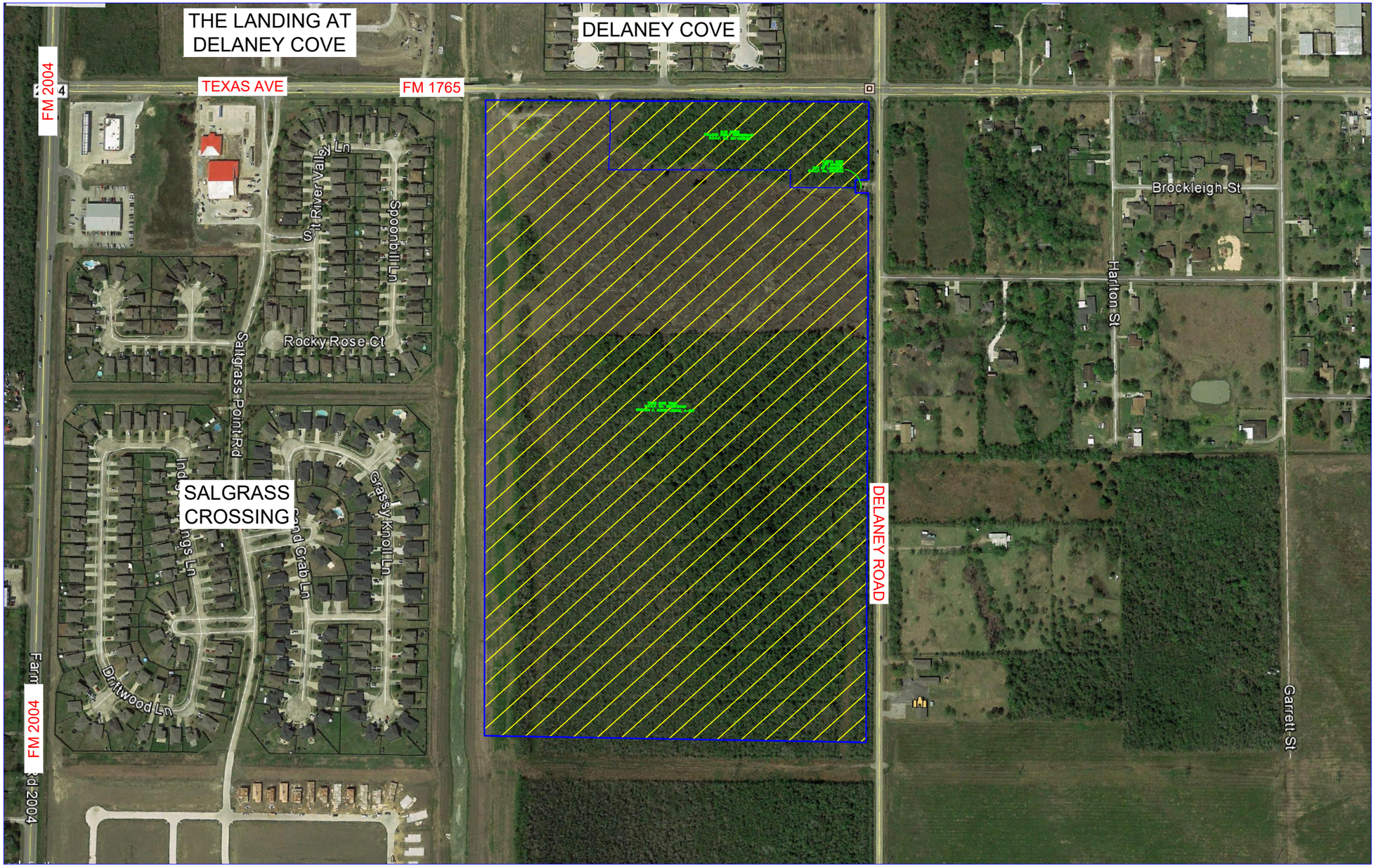
_____
Bobby Hocking
Mayor

ATTEST:

_____
Robin Eldridge, TRMC
City Clerk

APPROVED AS TO FORM:

_____
Ellis J. Ortego
City Attorney



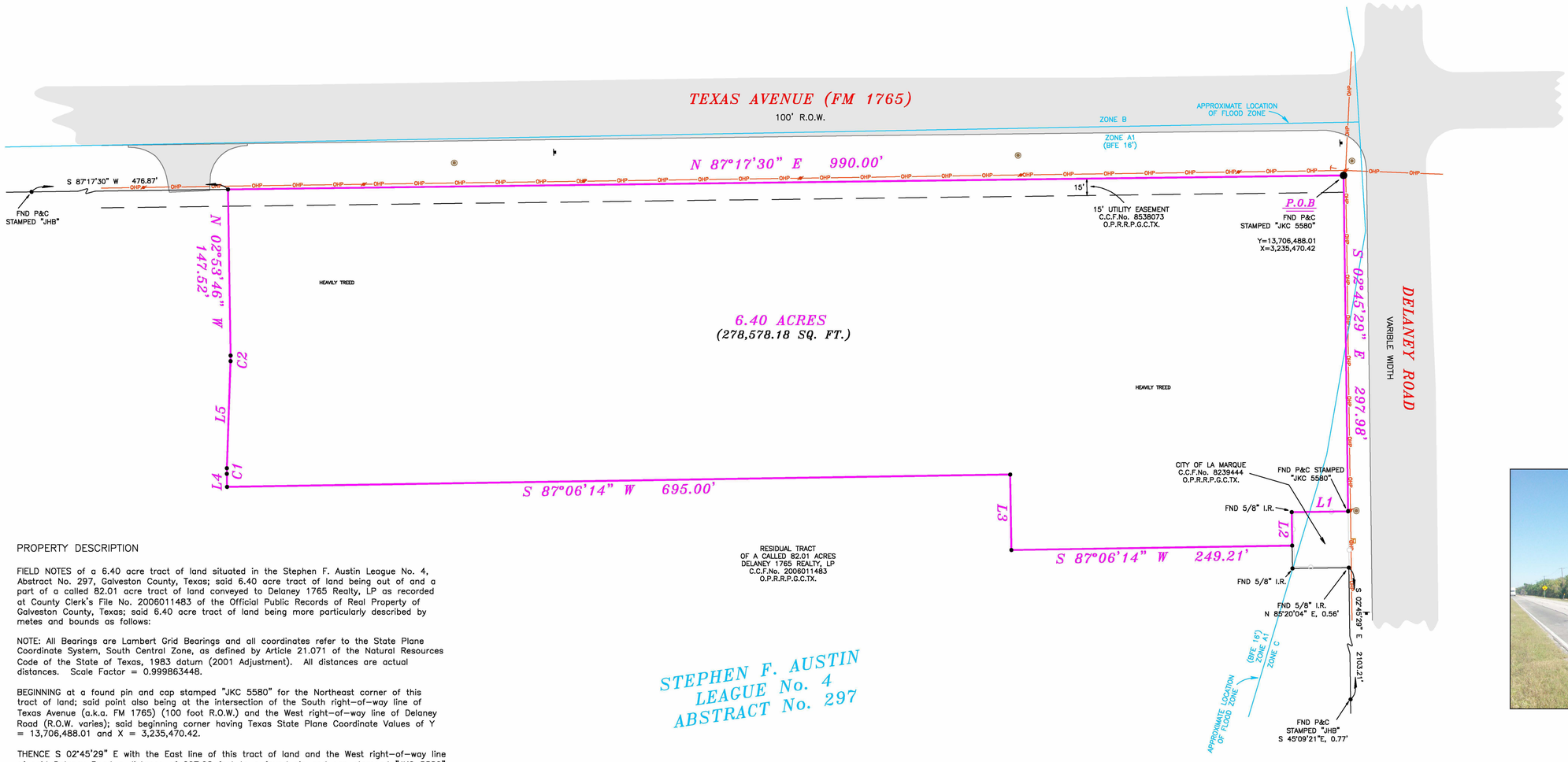
VICINITY MAP
LA MARQUE, TEXAS

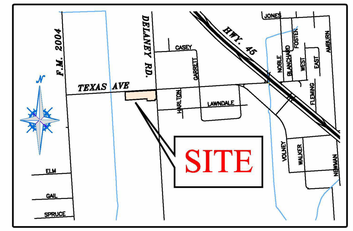
N

ADICO CONSULTING ENGINEERS
211 East Parkwood, Ste. 209, FRIENDSWOOD, TX 77546
PHONE: 832-895-1093 WWW.ADICO-LLC.COM
TBPE FIRM NO. 16423

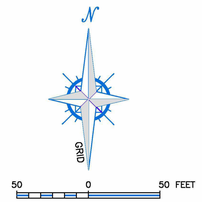
TRAILS AT WOODHAVEN LAKES
PUBLIC IMPROVEMENT DISTRICT
EXHIBIT A

Scale:	Job No.:	Date:	Exhibit:
1"=400'	18100-01-25	12/17/2018	A





VICINITY MAP
NOT TO SCALE



SCALE: 1" = 50'

VIEW FACING NORTHWEST PROPERTY COR (TAKEN FROM TEXAS AVE)

PROPERTY DESCRIPTION

FIELD NOTES of a 6.40 acre tract of land situated in the Stephen F. Austin League No. 4, Abstract No. 297, Galveston County, Texas; said 6.40 acre tract of land being out of and a part of a called 82.01 acre tract of land conveyed to Delaney 1765 Realty, LP as recorded at County Clerk's File No. 2006011483 of the Official Public Records of Real Property of Galveston County, Texas; said 6.40 acre tract of land being more particularly described by metes and bounds as follows:

NOTE: All Bearings are Lambert Grid Bearings and all coordinates refer to the State Plane Coordinate System, South Central Zone, as defined by Article 21.071 of the Natural Resources Code of the State of Texas, 1983 datum (2001 Adjustment). All distances are actual distances. Scale Factor = 0.999863448.

BEGINNING at a found pin and cap stamped "JKC 5580" for the Northeast corner of this tract of land; said point also being at the intersection of the South right-of-way line of Texas Avenue (a.k.a. FM 1765) (100 foot R.O.W.) and the West right-of-way line of Delaney Road (R.O.W. varies); said beginning corner having Texas State Plane Coordinate Values of Y = 13,706,488.01 and X = 3,235,470.42.

THENCE S 02°45'29" E with the East line of this tract of land and the West right-of-way line of said Delaney Road a distance of 297.98 feet to a found pin and cap stamped "JKC 5580" for an angle point of this tract of land and also being the Northeast corner of a tract of land conveyed to the City of La Marque as recorded at County Clerk's File No. 8239444 of the Official Public records of Real Property of Galveston County, Texas.

THENCE S 87°14'31" W with an interior line of this tract of land and the North line of said City of La Marque tract of land a distance of 50.00 feet to a found 5/8 inch iron rod for an interior corner of this tract of land and also being the Northwest corner of said City of La Marque tract of land.

THENCE S 02°45'29" E with an interior line of this tract of land and the West line of said City of La Marque tract of land a distance of 29.74 feet to a set pin and cap stamped "JKC 5580" for the Southeast corner of this tract of land; from this corner a found 5/8 inch iron rod bears S 02°45'29" E a distance of 20.26 for the Southwest corner of said City of La Marque tract of land.

THENCE S 87°06'14" W with the South line of this tract of land a distance of 249.21 feet to a set pin and cap stamped "JKC 5580" for the most Southerly Southwest corner of this tract of land.

THENCE N 02°53'46" W with an interior line of this tract of land a distance of 66.75 feet to a set pin and cap stamped "JKC 5580" for an interior corner of this tract of land.

THENCE S 87°06'14" W with the South line of this tract of land a distance of 695.00 feet to a set pin and cap stamped "JKC 5580" for the Southwest corner of this tract of land.

THENCE N 02°53'46" W with the West line of this tract of land a distance of 11.58 feet to a set pin and cap stamped "JKC 5580" for the beginning of a curve to the right, concave Easterly.

THENCE in a Northerly direction with the West line of this tract of land and said curve to the right having a central angle of 02°51'45", a radius of 100.00 feet, a length of 5.00 feet and a chord bearing and distance of N 01°27'53" W, 5.00 feet to a set pin and cap stamped "JKC 5580" for the end of this curve.

THENCE N 00°02'01" W with the West line of this tract of land a distance of 95.13 feet to a set pin and cap stamped "JKC 5580" for the beginning of a curve to the left, concave Westerly.

THENCE in a Northerly direction with the West line of this tract of land and said curve to the left having a central angle of 02°51'45", a radius of 100.00 feet, a length of 5.00 feet and a chord bearing and distance of N 01°27'53" W, 5.00 feet to a set pin and cap stamped "JKC 5580" for the end of this curve.

STEPHEN F. AUSTIN
LEAGUE No. 4
ABSTRACT No. 297

THENCE N 02°53'46" W with the West line of this tract of land a distance of 147.52 feet to a set pin and cap stamped "JKC 5580" for the Northwest corner of this tract of land; said point being in the North line of said Delaney 1765 Realty, LP tract of land and also being in the South right-of-way line of said Texas Avenue.

THENCE N 87°17'30" E with the North line of this tract of land and the South right-of-way line of said Texas Avenue a distance of 990.00 feet to the PLACE OF BEGINNING; containing within said boundaries a calculated area of 6.40 acres (278,578.18 sq.ft.) of land.

Surveyed: September 22-24, 2010

I hereby certify that on the above dates, the herein described tract of land, together with improvements located thereon, was surveyed on the ground and under my direction, and that this map, together with dimensions as shown hereon, accurately represents the facts as found on the ground this date.

WITNESS my hand and seal at Dickinson, Texas, this 4th., day of October, 2010.

A. MUNROE KELSAY
Registered Professional
Land Surveyor 5580

Surveyed for: Pollock Family Partnership, Ltd.

This certification is revoked and this survey is null and void if this document is altered in any manner, used or relied upon by anyone other than the parties addressed above, or does not bear an original blue signature and original black seal of the surveyor.

LEGEND

- OHP = OVERHEAD POWER LINE
- = CHAINLINK FENCE
- = POWER POLE
- = MANHOLE
- = GUY WIRE
- = SIGN
- = TELEPHONE RISER
- = SET P&C STAMPED "JKC 5580" (UNLESS NOTED OTHERWISE)

CURVE TABLE

CURVE	RADIUS	DELTA	ARC	BEARING	CHORD
C1	100.00'	02°51'45"	5.00'	N 01°27'53" W	5.00'
C2	100.00'	02°51'45"	5.00'	N 01°27'53" W	5.00'

LINE TABLE

LINE	DISTANCE	BEARING
L1	50.00'	S 87°14'31" W
L2	29.74'	S 02°45'29" E
L3	66.75'	N 02°53'46" W
L4	11.58'	N 02°53'46" W
L5	95.13'	N 00°02'01" W

Notes:

1.) This property lies within zones A1 (BFE 16') and C as determined by FEMA and as shown on F.I.R.M. 485486 0005 D, dated February 16, 1983. This information is intended to be used to determine insurance rates only, and not to identify flooding conditions.

2.) All bearings are Lambert grid bearings and all coordinates refer to the Texas State Plane Coordinate System, South central Zone (#4202), as defined by article 21.071 of the Natural Resources Code of the State of Texas, 1983 Datum (2001 adjustment). All distance are actual distances. Scale factor = 0.999863448.

3.) This survey has been prepared based on title commitment provided by Fidelty National Title Company, G.F. No. FTH-21-FTH10005660BH issued June 14, 2010.

4.) Future development of this tract of land is subject to the developmental requirements of the City of La Marque, Texas, and is subject to the zoning ordinances of said city.

5.) The Texas Department of Transportation may require a driveway permit for access to F.M. 1765.

6.) Surface or subsurface faulting, hazardous waste, wetland designations or other environmental issues have not been addressed wtihin the scope of this survey.

Naismith Marine Services
Sea Floor Surveying
3765 South Alameda, Suite 205,
Corpus Christi, Texas 78411
(361)-945-0248 (361)-688-0785

NO.	DATE:	REVISION

BOUNDARY SURVEY
OF A 6.40 ACRE TRACT OF LAND
LOCATED IN LA MARQUE, TX.

SCALE:	1" = 50'	DATE:	SHEET:
DRAWN BY:	AMK	OCT. 4, 2010	1 OF 1

CITY COUNCIL AGENDA FORM

Meeting Date: March 11, 2019 Agenda item: 8b
Prepared by: Charlene Warren Reviewed by: Charlene Warren
Department: Administration

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding a proposed Development Agreement between the City of La Marque, Texas and Woodhaven Lakes, Ltd. for Trails at Woodhaven Lakes subdivision, and provide direction to City Manager. (*THIS ITEM WAS TABLED FROM THE FEBRUARY 11, 2019 COUNCIL MEETING)*

☐ **ATTACHMENT FOR REFERENCE**
N/A

STAFF BRIEFING:

- On December 3, 2018, Woodhaven Lakes, Ltd. (developer) submitted to the City Clerk a petition requesting the establishment of a public improvement district (PID) to be known as Trails at Woodhaven Lakes.
- Special legal counsel has been working on behalf of the City with the developer to draft terms for a PID development and financing agreement.
- As of Wednesday, March 6, 2019, negotiations were still in progress with both parties and no final agreement is ready to be presented to Council.
- Staff recommends this item be tabled until the April 8, 2019 Council meeting or until a final proposed agreement can be reached.

HISTORY: N/A

TARGET IMPLEMENTATION: Pending terms agreed upon by both parties.

SIGNIFICANT ACTION DATES:
1.14.2019 – Item tabled at Council meeting
2.11.2019 – Item tabled at Council meeting

ACTION:

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

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

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

STAFF'S RECOMMENDATION: Dependent upon Council's discussion

FISCAL IMPACT: To be determined

CITY COUNCIL AGENDA FORM

Meeting Date: March 11, 2019 Agenda item: 9a
Prepared by: Chief Kirk Jackson Reviewed by: Charlene Warren
Department: Police Department

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding adopting Ordinance No. **O-2019-005**, repealing Sec. 44-2; Curfew for Minors, Chapter 44, of the Code of Ordinances of the City of La Marque, Texas; and in its place adopting a new Sec. 44-2; establishing a curfew for any person under the age of seventeen years during certain hours. *THIS IS THE FIRST READING*

☒ **ATTACHMENTS FOR REFERENCE**

1. Proposed ordinance with changes
2. Texas Local Government Code, Section 370.002
3. Current version of the ordinance

STAFF BRIEFING:

- According to the Local Government Code, a Home-Ruled Municipality that adopts a "Juvenile Curfew Ordinance" shall review the effects on the community and/or on any problems the ordinance was intended to remedy.
- This review should be done before the third anniversary date of the ordinance.
- This item is presented in an effort to comply with the requirements set forth in the Local Government Code.
- After a review of the ordinance, minor changes to verbiage and a change to State statue reference were made.
- The review of the Ordinance was presented to Council in 2017 (see Significant Action Dates below).
- The review of the Ordinance is now presented to Council for adoption.
- The City Attorney has reviewed the proposed Ordinance.

TARGET IMPLEMENTATION: After an approval of a proposed ordinance on a First Reading and conducting a Public Hearing and an approval of the Ordinance on the Second Reading.

SIGNIFICANT ACTION DATES:

4/10/2017 - First Reading of a proposed ordinance passed unanimously
5/8/2017 - Second Reading of proposed ordinance was not held due to the regular meeting being cancelled
5/15/2017 - Second Reading of proposed ordinance not on meeting agenda
8/7/2017 - Second Reading of proposed ordinance tabled due to 120 day time limit exceeded
9/11/2017 - Ordinance First Reading was submitted for an agenda item; however, it was not included on the agenda

CITY COUNCIL AGENDA FORM

ACTION:

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

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

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

STAFF'S RECOMMENDATION: Motion to adopt Ordinance No. **O-2019-005,** repealing Ordinance O-2014-005, Chapter 44, Article 1, Section 44-2, Curfew for Minors of the Code of Ordinances of the City of La Marque, Texas and in its place adopting a new Sec. 44-2; establishing a curfew for any person under the age of seventeen years during certain hours. *THIS IS THE FIRST READING*.

FISCAL IMPACT: No financial burden anticipated as a result of the ordinance.

ORDINANCE NO. O-2019-005

AN ORDINANCE OF THE CITY OF LA MARQUE, TEXAS, REPEALING SEC. 44-2; CURFEW FOR MINORS, CHAPTER 44, OF THE CODE OF ORDINANCES, CITY OF LA MARQUE, TEXAS; AND IN ITS PLACE ADOPTING A NEW SEC. 44-2; ESTABLISHING A CURFEW FOR ANY PERSON UNDER THE AGE OF SEVENTEEN YEARS DURING CERTAIN HOURS; MAKING IT UNLAWFUL FOR ANY PARENT OR PERSON IN LOCO PARENTIS ENTITLED TO CUSTODY OR CONTROL OF A MINOR TO VIOLATE THIS SECTION AND PROVIDING PENALTIES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, there is a potential relationship between an increased number of crimes committed by juveniles and certain night time hours in the City of La Marque; and

WHEREAS, there is a potential relationship between an increased number of juvenile victims of crimes and certain night time hours in the City of La Marque;

WHEREAS, the City of La Marque wishes to promote the safety and the good order of the community by reducing the potential incidents of juvenile criminal activity and juvenile victims. NOW, THEREFORE

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

That Chapter 44, Section 44-2 of the Code of Ordinances of the City of La Marque is hereby repealed and in its place a new section 44-2 is hereby adopted which shall read as follows:

SECTION 44-2 (a) Curfew for Minors

For the purpose of this Article, the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural include the singular, and words in the singular include the plural. The word "shall" is always mandatory and not mere directory.

DEFINITIONS: For the purposes of this section, the following words or terms shall have the meaning ascribed thereto:

(1) **Establishment.** Any privately-owned place of business carried on for a profit or any place of amusement or entertainment to which the public is invited.

(2) **Operator.** Any individual, firm, association, partnership, or corporation operating, managing, or conducting any establishment; and whenever used in any clause prescribing a penalty, the term as applied to associations or partnerships shall include the members or partners thereof and as applied to corporations shall include the officers thereof.

(3) **Parent.** Any natural parent of a minor, a legal guardian, or any adult person, eighteen (18) years or older, in whose care the minor has been placed by the natural parent or legal guardian.

(4) **Public.** Place. Any public street, highway, road, alley, park, playground, public building, parkway or vacant lot.

(5) **Remain.** To stay behind, to tarry and stay unnecessarily upon a public place, including congregating in groups totaling four (4) or more minors in which any minor included would not be using the public place or any ordinary or serious purpose such as passage or going home. To implement this definition with more precision and precaution, numerous exceptions will be provided hereinafter to indicate that this is not a mere prohibitory or presence type curfew ordinance. More exceptions become available to minors with increasing years and advancing maturity as appropriate in the interest of reasonable regulation.

(6) **Minor.** Any person under the age of seventeen (17) years of age.

(7) **Official City Time.** The prevailing local standard of time at the date in question, whether Central Standard Time or Daylight Savings Time, as observed by the public. The time maintained by the La Marque Police Department shall be prima facie evidence of the time of day for continued implementation of this article.

(8) **Years of Age.** This term means the time from one birthday, such as sixteen, to the next, but not including the date of the next birthday. Thus, upon a person's seventeenth birthday, he or she will cease to be a minor regulated by this ordinance.

SECTION 44-2 (b) CURFEW

(a) It shall be unlawful for any person under seventeen (17) years of age to purposely remain, walk, run, stand, drive or ride about in or upon any public place in the City of La Marque between the hours of 10:30 p.m. and 6:00 a.m. on a Sunday, Monday, Tuesday, Wednesday, or Thursday and between the hours of 12:00 a.m. (midnight) and 6:00 a.m. on Friday or Saturday, times being local time in the City of La Marque; and,

(b) 8:00 a.m. until 2:40 p.m. on any Monday, Tuesday, Wednesday, Thursday, or Friday; provided, however, the hours defined in this paragraph (l) shall not be

considered as Curfew Hours for minors not subject to compulsory school attendance pursuant §25.085, Texas Education Code, nor shall the hours defined in this paragraph (I) be considered as Curfew Hours on days or during periods in which the school where the applicable minor is enrolled have been canceled under the order and direction of officials authorized to issue such orders and directives.

SECTION 44-2 (c) EXCEPTIONS

In the following exceptional cases, a minor in or upon any public place or in and upon any establishment shall not be deemed in violation of this article; this section is intended as a clear general guide for minors, their parents, and enforcement officials.

(1) When the minor is accompanied by his or her parent, legal guardian, or authorized adult supervisor;

(2) When exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the rights of assembly. It shall be deemed a bona fide exercise of such rights if the assembly, whether parade or demonstration, is conducted pursuant to bona fide religious, social, or school activities, or has been permitted by the City of La Marque pursuant to the code of ordinances of the City of La Marque.

(3) When engaged in performing an errand or other legitimate business at the direction of a parent, guardian, or supervisory adult, including travel to and from such location by a direct route;

(4) When the minor is on the sidewalk at the place where such minor resides, or on the sidewalk of either next door neighbor, when said neighbor does not object such presence;

(5) When the minor is engaged in employment, or any employment activities;

(6) If married or had been married or had disabilities of minority removed in accordance with Chapter 31 of the Texas Family Code;

(7) All of the above cited exceptions to the curfew ordinance include travel to and from such activity by a direct route, and this article is in no way to be construed as a limitation upon normal travel by a minor engaged in interstate movement;

(8) Each of the foregoing exceptions are severable and in addition other possible exceptions may be added hereto in the future as warranted by experience as illuminated by the views of student government associations, school personnel, citizens, neighborhood spokesman, parents, officers, and persons in authority concerned positively with minors as well as juvenile delinquency.

SECTION 44-2 (d) PARENTAL RESPONSIBILITY

It shall be unlawful for a parent knowingly to permit a minor in his or her care to be or remain in any public place or to be or remain in any establishment other than for exempt activities during the curfew hours established by this article. The term "knowingly" includes knowledge which a parent should reasonably be expected to have concerning the whereabouts of a minor in such parent's custody. It shall be prima facie evidence of violation of this section if a responsible parent has no knowledge of a minor's whereabouts during the hours of curfew established by this article.

SECTION 44-2 (e) POLICE PROCEDURE

(a) A La Marque police officer, upon finding or having his or her attention called to any minor in or on a public place or in or on the premises of a business establishment in prima facie violation of this article, may, if there exists reasonable grounds to believe that the minor has engaged in delinquent conduct or conduct indicating a need for supervision in accordance with Section 51.03 and 52.01 of the Texas Family Code, take the minor into custody. A parent shall be immediately notified to pick up the minor upon his or her arrival to the La Marque Police Department. A police officer taking a minor into custody shall also have discretion to deliver such minor to a parent under circumstances deemed appropriate by the officer.

(b) Upon picking up a minor in custody, said parent shall be interrogated about the circumstances of such activity of the minor. This is intended to permit ascertainment, under constitutional safeguards, of relevant facts, and to centralize responsibility for accurate, effective, fair, and impartial and uniform enforcement and recording, thus making available experienced supervisory personnel, the best of facilities, and, if required, referral to social agencies equipped to handle family problems that may be disclosed by investigation. In the absence of convincing identification, a police officer on the street may use his or her best judgment in determining age. Police procedures shall be constantly refined in the light of experience, and changes herein may be made on the basis of such experience.

(c) In any event, a police officer shall within twenty-four (24) hours file a written report on the minor incident or shall participate to the extent possible in the preparation and filing of such report by his supervisor.

(d) When a parent has come to take charge of a minor and the appropriate information has been received, the minor shall be released to the custody of such parent. If the parent cannot be located or fails to take charge of the minor, then the minor shall be released to any adult blood relative. However, the police department shall have the discretion to refuse to turn the child over to persons other than the natural parents or legal guardians, if circumstances warrant such refusal in their opinion.

(e) In the case of a violation of a minor not resulting in custody at the La Marque Police Department, the police department shall by certified mail notify the minor's parents of the violation of the minor and include a warning that subsequent violations will result in full enforcement of this article, including the enforcement of parental responsibility by criminal action.

(f) A La Marque police officer taking into custody a person younger than seventeen (17) years of age for violation of the curfew herein set, shall, without necessary delay:

1. Release the person to the person's parent, guardian or custodian;
2. Take the person before a justice or municipal court to answer the charge; or
3. Take the person to a place designated as a juvenile curfew processing office by the La Marque Chief of Police.

SECTION 44-2 (f) PENALTIES

Prevailing community standards as reflected by this article require the availability of criminal penalties in order for this article to be a viable instrument for the maintenance of such standards. Consequently, violation of this article by any person shall be deemed to be a misdemeanor punishable by a fine not exceeding five hundred dollars ($500.00). Minors who shall violate the provisions of this article three (3) times shall be subject to appropriate action by juvenile authorities.

SECTION 44-2 (g) SEVERABILITY

Severability is intended throughout and within this article. If any provision, including any section, paragraph, sentence, clause, phrase or word or the application thereof to

any person or circumstances is held invalid, the application to other persons or under other circumstances shall not be affected thereby and the validity of the provision in any and all other respects shall not be affected thereby. It is intended that this provision be held inapplicable in any case if such exists, where its application would be unconstitutional construction hereof is intended and shall be given. There is no intent herein to violate either the Texas Constitution or the Constitution of the United States.

SECTION 44-2 (h) REVIEW OF JUVENILE ORDINANCE

Before the third anniversary of the date of an adoption of a juvenile curfew ordinance and every third year after, the governing body shall:

(1) review the ordinance's effects on the community and on problems the ordinance was intended to remedy;

(2) conduct public hearings on the need to continue the ordinance; and

(3) abolish, continue, or modify the ordinance.

Failure to act in accordance with Section 44-2 shall cause the ordinance to expire upon the third
anniversary date of adoption."

EFFECTIVE DATE: This ordinance shall take effect immediately after its Second and Final reading.

PASSED AND APPROVED by City Council of the City of La Marque on the First reading this_____ day of _____, 2019.

PASSED, APPROVED AND ADOPTED by City Council of the City of La Marque on the Second and Final reading this _____day of _____ 2019.

CITY OF LA MARQUE, TEXAS

_____
Bobby Hocking, Mayor
City of La Marque, Texas

ATTEST:

_____
Robin Eldridge, City Clerk

APPROVED AS TO FORM:

_____
Ellis J. Ortego, City Attorney

LOCAL GOVERNMENT CODE

TITLE 11. PUBLIC SAFETY

SUBTITLE C. PUBLIC SAFETY PROVISIONS APPLYING TO MORE THAN ONE TYPE OF LOCAL GOVERNMENT

CHAPTER 370. MISCELLANEOUS PROVISIONS RELATING TO MUNICIPAL AND COUNTY HEALTH AND PUBLIC SAFETY

Sec. 370.002. REVIEW OF JUVENILE CURFEW ORDER OR ORDINANCE. (a) Before the third anniversary of the date of adoption of a juvenile curfew ordinance by a general-law municipality or a home-rule municipality or an order of a county commissioners court, and every third year thereafter, the governing body of the general-law municipality or home-rule municipality or the commissioners court of the county shall:

(1) review the ordinance or order's effects on the community and on problems the ordinance or order was intended to remedy;

(2) conduct public hearings on the need to continue the ordinance or order; and

(3) abolish, continue, or modify the ordinance or order.

(b) Failure to act in accordance with Subsections (a)(1)-(3) shall cause the ordinance or order to expire.

Added by Acts 1995, 74th Leg., ch. 262, Sec. 96, eff. May 31, 1995.

ORDINANCE NO. O-2014-005

AN ORDINANCE OF THE CITY OF LA MARQUE, TEXAS, REPEALING SEC. 44-2; CURFEW FOR MINORS, CHAPTER 44, OF THE CODE OF ORDINANCES, CITY OF LA MARQUE, TEXAS; AND IN ITS PLACE ADOPTING A NEW SEC. 44-2; ESTABLISHING A CURFEW FOR ANY PERSON UNDER THE AGE OF SEVENTEEN YEARS DURING CERTAIN HOURS; MAKING IT UNLAWFUL FOR ANY PARENT OR PERSON IN LOCO PARENTIS ENTITLED TO CUSTODY OR CONTROL OF A MINOR TO VIOLATE THIS SECTION AND PROVIDING PENALTIES.

WHEREAS, there is a potential relationship between an increased number of crimes committed by juveniles and certain night time hours in the City of La Marque; and

WHEREAS, there is a potential relationship between an increased number of juvenile victims of crimes and certain night time hours in the City of La Marque;

WHEREAS, the City of La Marque wishes to promote the safety and the good order of the community by reducing the potential incidents of juvenile criminal activity and juvenile victims. NOW, THEREFORE

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

That Chapter 44, Section 44-2 of the Code of Ordinances of the City of La Marque is hereby repealed and in its place a new section 44-2 is hereby adopted which shall read as follows:

SECTION 44-2 (a) Curfew for Minors

For the purpose of this Article, the following terms, phrases, words and their derivations shall have the meaning given herein. When not inconsistent with the context, words used in the present tense include the future, words in the plural include the singular, and words in the singular include the plural. The word "shall" is always mandatory and not mere directory.

DEFINITIONS: For the purposes of this section, the following words or terms shall have the meaning ascribed thereto:

(1) **Establishment.** Any privately owned place of business carried on for a profit or any place of amusement or entertainment to which the public is invited.

(2) **Operator.** Any individual, firm, association, partnership, or corporation operating, managing, or conducting any establishment; and whenever used in any clause prescribing a penalty, the term as applied to associations or partnerships shall include the members or partners thereof and as applied to corporations shall include the officers thereof.

(3) **Parent.** Any natural parent of a minor, a legal guardian, or any adult person, eighteen (18) years or older, in whose care the minor has been placed by the natural parent or legal guardian.

(4) **Public Place.** Any public street, highway, road, alley, park, playground, public building, parkway or vacant lot.

(5) **Remain.** To stay behind, to tarry and stay unnecessarily upon a public place, including congregating in groups totaling four (4) or more minors in which any minor included would not be using the public place or any ordinary or serious purpose such as passage or going home. To implement this definition with more precision and precaution, numerous exceptions will be provided hereinafter to indicate that this is not a mere prohibitory or presence type curfew ordinance. More exceptions become available to minors with increasing years and advancing maturity as appropriate in the interest of reasonable regulation.

(6) **Minor.** Any person under the age of seventeen (17) years of age.

(7) **Official City Time.** The prevailing local standard of time at the date in question, whether Central Standard Time or Daylight Savings Time, as observed by the public. The time maintained by the La Marque Police Department shall be prima facie evidence of the time of day for continued implementation of this article.

(8) **Years of Age.** This term means the time from one birthday, such as sixteen, to the next, but not including the date of the next birthday. Thus, upon a person's seventeenth birthday, he or she will cease to be a minor regulated by this ordinance.

SECTION 44-2 (b) CURFEW

(a) It shall be unlawful for any person under seventeen (17) years of age to purposely remain, walk, run, stand, drive or ride about in or upon any public place in the City of La Marque between the hours of 10:30 p.m. and 6:00 a.m. on a Sunday, Monday, Tuesday, Wednesday, or Thursday and between the hours of 12:00 a.m. (midnight) and 6:00 a.m. on Friday or Saturday, times being local time in the City of La Marque; and,

(b) 8:00 a.m. until 3:00 p.m. on any Monday, Tuesday, Wednesday, Thursday, or Friday; provided, however, the hours defined in this paragraph (1) shall not be considered as Curfew Hours for minors not subject to compulsory school attendance pursuant §21.032, Texas Education Code, nor shall the hours defined in this paragraph (1) be considered as Curfew Hours on days or during periods in which the school where the applicable minor is enrolled have been canceled under the order and direction of officials authorized to issue such orders and directives.

SECTION 44-2 (c) EXCEPTIONS

In the following exceptional cases, a minor in or upon any public place or in and upon any establishment shall not be deemed in violation of this article; this section is intended as a clear general guide for minors, their parents, and enforcement officials.

(1) When the minor is accompanied by his or her parent, legal guardian, or authorized adult supervisor;

(2) When exercising First Amendment rights protected by the United States Constitution, such as the free exercise of religion, freedom of speech, and the rights of assembly. It shall be deemed a bona fide exercise of such rights if the assembly, whether parade or demonstration, is

conducted pursuant to bona fide religious, social, or school activities, or has been permitted by the City of La Marque pursuant to the code of ordinances of the City of La Marque.

(3) When engaged in performing an errand or other legitimate business at the direction of a parent, guardian, or supervisory adult, including travel to and from such location by a direct route;

(4) When the minor is on the sidewalk at the place where such minor resides, or on the sidewalk of either next door neighbor, when said neighbor does not object such presence;

(5) When the minor is engaged in employment activities, such as, but not restricted to, newspaper delivery;

(6) If married or had been married or had disabilities of minority removed in accordance with Chapter 31 of the Texas Family Code;

(7) All of the above cited exceptions to the curfew ordinance include travel to and from such activity by a direct route, and this article is in no way to be construed as a limitation upon normal travel by a minor engaged in interstate movement;

(8) Each of the foregoing exceptions are severable and in addition other possible exceptions may be added hereto in the future as warranted by experience as illuminated by the views of student government associations, school personnel, citizens, neighborhood spokesman, parents, officers, and persons in authority concerned positively with minors as well as juvenile delinquency.

SECTION 44-2 (d) PARENTAL RESPONSIBILITY

It shall be unlawful for a parent knowingly to permit a minor in his or her care to be or remain in any public place or to be or remain in any establishment other than for exempt activities during the curfew hours established by this article. The term "knowingly" includes knowledge which a parent should reasonably be expected to have concerning the whereabouts of a minor in such parent's custody. It shall be prima facie evidence of violation of this section if a responsible parent has no knowledge of a minor's whereabouts during the hours of curfew established by this article.

SECTION 44-2 (e) POLICE PROCEDURE

(a) A La Marque police officer, upon finding or having his or her attention called to any minor in or on a public place or in or on the premises of a business establishment in prima facie violation of this article, may, if there exists reasonable grounds to believe that the minor has engaged in delinquent conduct or conduct indicating a need for supervision in accordance with Section 51.03 and 52.01 of the Texas Family Code, take the minor into custody. A parent shall be immediately notified to pick up the minor upon his or her arrival to the La Marque Police Department. A police officer taking a minor into custody shall also have discretion to deliver such minor to a parent under circumstances deemed appropriate by the officer.

(b) Upon picking up a minor in custody, said parent shall be interrogated about the circumstances of such activity of the minor. This is intended to permit ascertainment, under constitutional

safeguards, of relevant facts, and to centralize responsibility for accurate, effective, fair, and impartial and uniform enforcement and recording, thus making available experienced supervisory personnel, the best of facilities, and, if required, referral to social agencies equipped to handle family problems that may be disclosed by investigation. In the absence of convincing identification, a police officer on the street may use his or her best judgment in determining age. Police procedures shall be constantly refined in the light of experience, and changes herein may be made on the basis of such experience.

(c) In any event, a police officer shall within twenty-four (24) hours file a written report on the minor incident or shall participate to the extent possible in the preparation and filing of such report by his supervisor.

(d) When a parent has come to take charge of a minor and the appropriate information has been received, the minor shall be released to the custody of such parent. If the parent cannot be located or fails to take charge of the minor, then the minor shall be released to any adult blood relative. However, the police department shall have the discretion to refuse to turn the child over to persons other than the natural parents or legal guardians, if circumstances warrant such refusal in their opinion.

(e) In the case of a violation of a minor not resulting in custody at the La Marque Police Department, the police department shall by certified mail notify the minor's parents of the violation of the minor and include a warning that subsequent violations will result in full enforcement of this article, including the enforcement of parental responsibility by criminal action.

(f) A La Marque police officer taking into custody a person younger than seventeen (17) years of age for violation of the curfew herein set, shall, without necessary delay:

1. Release the person to the person's parent, guardian or custodian;
2. Take the person before a justice or municipal court to answer the charge; or
3. Take the person to a place designated as a juvenile curfew processing office by the La Marque Chief of Police.

SECTION 44-2 (f) PENALTIES

Prevailing community standards as reflected by this article require the availability of criminal penalties in order for this article to be a viable instrument for the maintenance of such standards. Consequently, violation of this article by any person shall be deemed to be a misdemeanor punishable by a fine not exceeding five hundred dollars ($500.00). Minors who shall violate the provisions of this article three (3) times shall be subject to appropriate action by juvenile authorities.

SECTION 44-2 (g) SEVERABILITY

Severability is intended throughout and within this article. If any provision, including any section, paragraph, sentence, clause, phrase or word or the application thereof to any person or circumstances is held invalid, the application to other persons or under other circumstances shall not be affected thereby and the validity of the provision in any and all other respects shall not be affected thereby. It is intended that this provision be held inapplicable in any case if such exists, where its application would be

unconstitutional construction hereof is intended and shall be given. There is no intent herein to violate either the Texas Constitution or the Constitution of the United States.

SECTION 44-2 (h) REVIEW OF JUVENILE ORDINANCE

Before the third anniversary of the date of an adoption of a juvenile curfew ordinance and every third year after, the governing body shall:

(1) review the ordinance's effects on the community and on problems the ordinance was intended to remedy;
(2) conduct public hearings on the need to continue the ordinance; and
(3) abolish, continue, or modify the ordinance.

Failure to act in accordance with Section 44-2 shall cause the ordinance to expire upon the third anniversary date of adoption."

PASSED AND APPROVED on the first reading this 24th day of February 2014.

PASSED AND APPROVED on the second reading this____ day of ____ 2014.

Bobby Hocking, Mayor
City of La Marque, Texas

APPROVED AS TO FORM:

Ellis J. Ortego, City Attorney

ATTEST:

Robin Eldridge, City Clerk

CITY COUNCIL AGENDA FORM

Meeting Date: March 11, 2019 Agenda item: **9b**
Prepared by: Rosemary Bell Reviewed by: Charlene Warren
Department: Judicial

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding relocation of Municipal Court Department to 1109-B Bayou Road, La Marque, Texas.

☐ Attachments for reference
N/A

STAFF BRIEFING:

- Municipal Court is requesting Council's permission to relocate from the Police Department to the Community Room, behind Council Chambers at 1109-B Bayou Road.
- There are a number of reasons why this move would be beneficial, not only to Municipal Court, but the Police Department and citizens, as well:
  - **Public Perception** - Appearance of fair and impartial treatment to everyone. All Municipal Court users must be handled as "innocent until proven guilty" or admittance of guilt. If the defendant is walking into the same building as the Police Department to take care of their citation, the appearance of inability to receive fair and impartial treatment exists, and defendants may feel they don't stand a chance of being found not guilty when it appears as though the two departments are working hand in hand.
  - **Division between Police Department and Court** - Court must remain neutral and impartial. U.S. Constitution creates right to impartial Judge; Separation of Powers requires judicial independence.
  - **Adequate Spacing** – Currently, the workspace is overcrowded for both Police Department and Court staff. Court staff includes Court Administrator, City Marshal, two Deputy Court Clerks and a future Juvenile Case Manager. Court Administrator is currently sharing an office with the City Marshal.
  - **Court Efficiency** – Being housed at the same location as the Court Room, staff would be able to perform clerical and ministerial duties more efficiently and accurately. Citizens can conduct court business with less delay and shorter wait time. Relocation would also help minimize the risk of misplacing case files.
  - **Improving customer service** - Facilitate privacy when court personnel are interacting with citizens in dealing with court affairs.
- Funding
  - Court Security Fund currently has around $29,000 in its Fund Balance as of January 2019.
  - If Council approves the relocation, budget amendment will be needed to appropriate the associated cost.
- Other things to consider:

- Community Room would not be available for meeting space for staff or civic groups; however, once Building C is completed for Public Works, Building B would be available (estimated time line: 8-10 months)
- Elections, when they occur, could be held in Council Chambers.

HISTORY:
2014 – Court relocated from City Hall to Police Department.

TARGET IMPLEMENTATION: After May, 2019

SIGNIFICANT ACTION DATES:
March 11, 2019 - Council discusses the idea of Court relocation.
April 8, 2019 - If relocation is approved and renovation costs exceed $24,999, Council would consider approval of expenditure.

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	**Unknown currently**
Acct. Name(s)	Court Security Fund-Buildings
Line Item #	83-7020-04-00
Other Funding	

STAFF'S RECOMMENDATION: Motion to approve relocation of Municipal Court Department to 1109-B Bayou Road, La Marque, Texas.

FISCAL IMPACT: Cost estimates will be obtained if Council approves relocation.

CITY COUNCIL AGENDA FORM

Meeting Date: March 11, 2019 Agenda item: 9c

Prepared by: Tina Ortiz Reviewed by: Charlene Warren

Department: Utility Billing

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding approval of a change order for the Siemens AMI meter project contract in the amount of $144,920.

[X]

ATTACHMENTS FOR REFERENCE

1. Contract amendment
2. Original Siemens contract Exhibit B

STAFF BRIEFING:

- Original contract price for this project was $3,182,000; this amount was based on data collected in November 2017.
- From December 2017 through February 2019, additional meters were needed due to the City's residential and commercial growth.
- Below are some of the locations which contributed to growth within the last year:
    - Saltgrass Crossing installed 155 meters out of 155 lots in Section 2
    - Delany Cove installed 50 meters out of 99 lots in Sections 7 & 8
    - Painted Meadows installed 50 meters out of 134 lots in Section 5
    - Two (2) RV Parks
    - One (1) Convenience store
    - Two (2) new parks in subdivisions
    - One (1) new shopping center strip on IH 45
- From past years, the City established a reserve fund for meter replacement program and has accumulated sufficient funds to expend for this change order.

TARGET IMPLEMENTATION: March 12, 2019

SIGNIFICANT ACTION DATES:

December 11, 2017 - Council approved contract with Siemens to oversee the AMI meter project.

CITY COUNCIL AGENDA FORM

ACTION:

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

Cost Details:	
Budgeted	-0-
Actual Bid	
Estimated Expenditure	**$144,920**
Acct. Name(s)	10 Year Life Asset; Transfer to Utility Fund for Meter Replacement
Line Item #	02-7030-21-00; 03-9002-00-00
Other Funding	

STAFF'S RECOMMENDATION: Motion to approve change order for the Siemens AMI meter project contract in the amount of $144,920.

FISCAL IMPACT: **$144,920**

Amendment No. 1 to City of La Marque PC Project Phase II

THIS AMENDMENT No. 1 ("Amendment") is made this day of , 2019, by and between Siemens Industry, Inc., through its Building Technologies Division (f/k/a Siemens Building Technologies, Inc.)("SIEMENS"), and the party identified below as CLIENT, and effective upon execution, amends and modifies the Phase II Performance Contracting Agreement dated December 18, 2017 [SIEMENS Job No.3006931192 between SIEMENS and CLIENT, and all prior amendments thereto, if any (collectively the "Agreement").

PROJECT:
Amendment to modify the number of water meters supplies and installed above the contracted amount.

CLIENT: City of La Marque **1111 Bayou Rd** **La Marque, TX 77568** **DESIGNATED REPRESENTATIVE:** **Charlene Warren, Interim City Manager** Phone: 409-938-9202, Fax:	**SIEMENS: Siemens Industry, Inc.** **1000 Deerfield Parkway** **Buffalo Grove IL 60089** Local office at: 8850 Fallbrook Rd. Houston, TX 77064 **DESIGNATED REPRESENTATIVE:** **Robert McMillin, Zone BPS Manager** Phone: 281-949-3000, Fax:

1. The Agreement and any amendments thereto are incorporated by reference herein and made a part hereof.

2. The Parties agree to modify the Agreement as follows:

   The City of La Marque requested the following additional water meters and installations during construction:

Meter Size	Original Scope	Total Provided in Project	Difference Material only	Difference Material & Install
¾"	5949	6389	263	177
1"	124	136	5	7
1.5"	1	1	0	0
2" R2	103	105	2	0
2" T2	3	3	0	0
4" T2	5	5	0	0
4" C2	8	8	0	0
6"	1	1	0	0
8"	2	2	0	0
520M SmartPoint	6196	6521	141	184

The additional meters installed as described above were not included in the baseline consumption therefore these meters will not be included as part of performance guarantee

SIEMENS shall also include the following for the meters that were also installed by Siemens:

- Meter Box Replacement with Lid where necessary for meters 2"and below;
- Dig Up Box for New Box Install where necessary;
- Dig Up Box Reposition for Install where necessary;
- New Meter Lid where necessary;
- Cut Concrete / Asphalt to Access Meter within two feet of meter box where necessary;
- Replace Curb Stop where necessary;
- Repair Line Breaks within 2 feet of meter where necessary;

CHANGE TO CONTRACT AMOUNT:

ORIGINAL CONTRACT amount:	$3,182,000.00
The Contract Amount due to this CHANGE ORDER will be **increased** by:	**$144,920.00**
The new CONTRACT AMOUNT including the CHANGE ORDER will be:	**$3,326,920.00**

WHEREFORE, this Amendment amends and modifies the Agreement. In all other respects, the terms and conditions of the Agreement remain in full force and effect. The Parties have caused this Amendment to be signed by their duly authorized representatives on the date first above written, and this Amendment may be executed in counterparts, each of which shall be deemed an original and together shall constitute one and the same instrument.

CLIENT:		**SIEMENS:**	**Siemens Industry, Inc.**
Signature:	_____	Signature:	_____
Printed Name:	_____	Printed Name:	_____
Title:	_____	Title:	_____

Article 1: Payment for Scope of Work

1.1 **Price:** As full consideration of the Work as described in Exhibit A, Article 1: Scope of Work, the CLIENT shall pay to SIEMENS **$3,182,000.00**(plus taxes, if applicable).

1.2 **Escrow:** The CLIENT has agreed to deposit the Price into an Escrow Account at a financial institution satisfactory to both the CLIENT and SIEMENS. All expenses to establish the Escrow Account shall be the complete responsibility of the CLIENT and the CLIENT will receive all interest earnings from the Escrow Account. SIEMENS will submit periodic invoices to the CLIENT based on the Payment Schedule in Table B.1 below. The CLIENT shall be responsible for submitting the necessary documents to the Escrow Agent to allow for timely disbursements from the Escrow Account. The funding of the Escrow Account in an amount equal to or greater than the Price stated in Article 1.1 above shall be a condition precedent to SIEMENS obligation to perform or to continue the performance of the Work. If the Escrow Account is not funded within 60 days of the execution of this Agreement, this Agreement shall be null and void. This 60 day funding period may be extended as mutually agreed in writing by the Parties. In the event that the Agreement becomes null and void as described in this paragraph and CLIENT has previously authorized SIEMENS to proceed with the Work, the CLIENT shall be obligated to reimburse SIEMENS either: (i) for the Work performed to date; or (ii) for the Work specifically authorized by the CLIENT.

1.3 **Timely Payments:** The CLIENT agrees to pay SIEMENS monthly pursuant to SIEMENS payment requests. The monthly payments shall be based upon the applicable percentage of work completed through the date indicated on SIEMENS' written payment request. Other than the Mobilization and Audit Payment set forth below, Table B.1 table represents an anticipated schedule of progress payments. CLIENT agrees to pay the Mobilization and Audit payment within 45 days of execution of this Agreement. CLIENT agrees to pay the remaining progress payments invoices submitted by SIEMENS per Article 8 of the Agreement.

Table B.1 – FIM Work Draft Payment Schedule

Project Phase	Payments ($)	Payments (%)	Draft Schedule
Mobilization & Audit	$ 159,100	5%	Month 1
Progress Payment #1	$ 318,200	10%	Month 2
Progress Payment #2	$ 318,200	10%	Month 3
Progress Payment #3	$ 318,200	10%	Month 4
Progress Payment #4	$ 477,300	15%	Month 5
Progress Payment #5	$ 318,200	10%	Month 6
Progress Payment #6	$ 318,200	10%	Month 7
Progress Payment #7	$ 318,200	10%	Month 8
Progress Payment #8	$ 159,100	5%	Month 9
Progress Payment #9	$ 159,100	5%	Month 10
Progress Payment #10	$ 159,100	5%	Month 11
Retainage & Final Payment	$ 159,100	5%	End of Project
PROJECT TOTAL:	$3,182,000.00	100%	

Article 1 of Exhibit B is attached to and made a part of the Agreement between SIEMENS and the CLIENT.

CLIENT:	**City of La Marque, Texas**	**SIEMENS:**	**Siemens Industry, Inc.**
Signature:		Signature:	
Printed Name:	Carol L Butler	Printed Name:	Dana Soukup
Title:	City Manager	Title:	Sr. Vice President
Date:		Date:	Field Operations, BT Americas
		Signature:	
		Printed Name:	Peter Kamps
		Title:	Vice President
		Date:	Finance & Business Administration

Article 2: Payment for Performance Assurance Services Program (PASP)

Approved By Legal
Marc E. Bouchard

Price: As full consideration of the Services as described in Exhibit A, Article 3, the CLIENT shall pay to SIEMENS the amounts identified in Table B.2 plus taxes, if applicable, on the dates identified therein

2.1 **Performance Assurance Services Program Term:** The term of the PASP shall commence on the Guarantee Date and shall extend for either: (a) the term of the Performance Guarantee Period where multi-year obligations are allowed; or (b) for twelve (12) month periods corresponding to the term of each Annual Period.

2.2 **Automatic Renewal:** Where the PASP term is limited to an Annual Period, the PASP shall automatically renew for successive Annual Periods beginning on the anniversary date of Guarantee Date. Either party may request to amend the PASP at the end of an Annual Period by giving the other party at least sixty (60) days prior written notice of such amendments and such amendment shall be mutually negotiated by the Parties and effective upon a written amendment signed by both Parties prior to commencement of the next Annual Period. Each automatic renewal shall be and remain subject to the terms and conditions of this Agreement. SIEMENS obligations under the Performance Guarantee are dependent upon and subject to the express condition that the CLIENT maintains the PASP during the entire Performance Guarantee Period.

2.3 **Termination**: See Section 4.7 of the Agreement.

Table B.2 – Performance Assurance Program Payment Schedule

Date	Annual Payments ($)	Notes
Year 1	$ 12,734	Year 1 Measurement & Verification
Year 2	$ 13,117	Year 2 Measurement & Verification
Year 3	$ 13,510	Year 3 Measurement & Verification
Year 4	$ 13,915	Year 4 Measurement & Verification
Year 5	$ 15,049	Year 5 Measurement & Verification
Year 6	$ 17,051	Year 6 Measurement & Verification
Year 7	$ 17,563	Year 7 Measurement & Verification
Year 8	$ 18,994	Year 8 Measurement & Verification
Year 9	$ 19,564	Year 9 Measurement & Verification
Year 10	$ 22,166	Year 10 Measurement & Verification
Year 11	$ 22,831	Year 11 Measurement & Verification
Year 12	$ 24,691	Year 12 Measurement & Verification
Year 13	$ 29,247	Year 13 Measurement & Verification
Year 14	$ 30,124	Year 14 Measurement & Verification
Year 15	$ 35,682	Year 15 Measurement & Verification

Article 2 of Exhibit B is attached to and made a part of the Agreement between SIEMENS and the CLIENT.

CLIENT:	**City of La Marque, Texas**	**SIEMENS:**	**Siemens Industry, Inc.**
Signature:		Signature:	
Printed Name:	Carol F. Butler	Printed Name:	Dana Soukup
Title:	City Manager	Title:	Sr. Vice President Field Operations, BT Americas
Date:		Date:	
		Signature:	
		Printed Name:	Peter Kamps
		Title:	Vice President
		Date:	Finance & Business Administration

Article 3: Payment for Maintenance Services Program (MSP)

3.1 **Not Applicable:** Per exhibit A, Article 4, a Maintenance Service Program, (MSP) is not included in the scope of this agreement. If the Parties later agree, SIEMENS may perform maintenance services for additional fees on a Time and Materials basis or as established in a separate maintenance agreement.

Article 3 of Exhibit B is attached to and made a part of the Agreement between SIEMENS and the CLIENT.

CLIENT:	**City of La Marque, Texas**	**SIEMENS:**	**Siemens Industry, Inc.**
Signature:		Signature:	
Printed Name:	Carol F. Butler	Printed Name:	Dana Soukup
Title:	City Manager	Title:	Sr. Vice President Field Operations, BT Americas
Date:		Date:	
		Signature:	
		Printed Name:	Peter Kamps
		Title:	Vice President
		Date:	Finance & Business Administration

Marc E. Bouchard
Approved By Legal

CITY COUNCIL AGENDA FORM

Meeting Date: March 11, 2019 Agenda item: 10a
Prepared by: Chaise Cary Reviewed by: Charlene Warren
Department: Public Works

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding authorizing the Mayor to execute an agreement with TxDOT to design the relocation of City of La Marque water / sewer utilities that are in conflict with the IH-45 widening project from South of FM 1764 to North of FM 519.

[X]

ATTACHMENTS FOR REFERENCE:

1. I-45 TxDOT Letter of Concurrence for utility adjustment

STAFF BRIEFING:

- Adico, LLC, City Consulting Engineer, has been working with TxDOT consultants to identify the water and sanitary sewer conflicts within TxDOT Right-of-Way
- TxDOT has requested the City to relocate the facilities by November 30th 2019.
- In lieu of the City contracting these services and seeking reimbursement from TxDOT, staff recommends the option for the TxDOT to design and construct the facilities, with City approval, to meet TxDOT target deadline.
- These are preliminary estimates only; any cost of upsizing lines would be at the expense of the City.
- TxDOT has prepared the attached letter of concurrence for City execution.

HISTORY:

- TxDOT is currently in the design phase of the IH-45 widening project from South of FM 1764 to North of FM 519 (IH 45 CSJ 0500-04-105).
- Relocation of all utilities within the Right-of-Way is required for the expansion.
- Adico has currently identified 4 conflicts that will require relocation.
- Estimated cost for relocation is $1.11 million, at the expense of TxDOT.
- Costs for engineering, design and inspection will be paid by TxDOT.

TARGET IMPLEMENTATION: March 15, 2019

SIGNIFICANT ACTION DATES:

03/11/2019 - TxDot letter of concurrence agreement taken to Council for discussion/possible action.

CITY COUNCIL AGENDA FORM

ACTION:

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

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

STAFF'S RECOMMENDATION: Motion to authorize the Mayor to execute an agreement with TxDOT to design the relocation of City of La Marque water / sewer utilities that are in conflict with the IH-45 widening project from South of FM 1764 to North of FM 519.

FISCAL IMPACT: Estimated cost for relocation is $1.11 million to be paid by TxDOT.

LETTER OF CONCURRENCE FOR UTILITY ADJUSTMENT

DATE: March 1, 2019

PROJECT: IH-45: From South of FM 1764 to North of FM 519
Galveston County
CSJ 0500-04-105

The Texas Department of Transportation (TxDOT) is in the process of finalizing plans for the subject project on the IH-45 in Galveston County. The adjustment of conflicting utilities on this project is fully reimbursable for like-kind relocations using Federal funds. The City of La Marque (Local Government) has various conflicting utility lines which need to be adjusted. The Local Government has indicated they would like TxDOT's utility engineering consultant to design the utility and include the adjustment work in the plans for the roadway projects. Per September 15, 2010 revisions to the Texas Administrative Code (TAC) Rule §21.37, TxDOT is required to seek the official concurrence from the Local Government to pursue this course of action. We propose to handle the utility adjustments per the following procedure:

1. The State will use an engineering consultant, approved by the Local Government, to design the utility facility adjustments and/or relocations. An employee of the State will not be used to provide engineering services under the agreement. The Local Government approves Excelsis, Inc.-CivilCorp, LLC to design the utility facility adjustments and/or relocations for CSJ 0500-04-105. The State will be responsible for hiring the consultant, entering into a contract with the consultant, paying the consultant, and reviewing the consultant's work.

2. The Local Government agrees to approve the resulting plan for the adjustment and/or relocation before inclusion of the plan in the construction contract. The Local Government will provide review and approval to the Utility Adjustment plans at 60%, 90% and 100%. The Local Government will be responsible for ensuring the design and construction meet all regulatory and environmental compliance requirements, to the extent permitted by law.

3. The Local Government agrees to provide concurrent construction inspection during construction of the utility facility adjustments and/or relocations. The State agrees to advertise for the construction bids, issue bid proposals, receive and tabulate the bids, and award and administer the contract for construction of the project including the utility adjustment work for the Local Government.

4. The Local Government agrees to provide final acceptance of the design and construction after the construction is completed.

5. During the relocation or adjustment construction work under this agreement, the Local Government will remain liable under any certificate of service, to the extent permitted by law. The State will not be responsible nor held liable by the Local Government, its assigns or successors, for any issue related to the design or construction of the adjustments and/or relocations of the utility facilities after final acceptance by the Local Government of the adjustments and/or relocations.

6. After the completion of the construction work under this agreement, and to the extent permitted by law, the Local Government will be solely responsible for any ongoing maintenance, including compliance with TAC Rule §21.38 relating to Construction and Maintenance.

7. All provisions of 43 TAC Chapter 21, Subchapter B and C that apply to the design, estimates, and scope of the adjustments and/or relocations will apply to the Project as carried out under this agreement.

Your concurrence is respectfully requested.

_____
James M. Bass,
Executive Director, TxDOT

Concur: _____
Bobby Hocking
Mayor
City of La Marque