CITY OF EL LAGO

AGENDA
CITY COUNCIL MEETING
411 TALLOWOOD DRIVE, EL LAGO,
TEXAS 77586
FEBRUARY 19, 2020
7:00 P.M.

NOTICE is hereby given of a Meeting of the City Council of the City of El Lago, County of Harris, State of Texas, to be held on the above stated date and time at: City Hall Events Room, 411 Tallowood Drive, El Lago, Texas, for the purpose of considering the following numbered items.

1. Call to Order

2. Invocation and/or Pledge of Allegiance

3. Declaration of a Quorum

3.1. Announce Absent Members of Council

4. Citizen Comments

Citizens are invited & encouraged to speak for up to three (3) minutes on matters relating to the city and/or its Government.

5. City Official, Board, Commission, Committee, & City Service Report

5.1. Report on LPD activity in the City with Call For Service reports for January, 2020 and the Racial Profiling Report for 2019. (Chief Tom Savage)

5.2. Emergency Management report (Tom Merchant and or Art Richard)

6. Consent Agenda

6.1. Check Detail for checks printed from February 6, 2020 through February 19, 2020.

6.2. Minutes from the Council Meeting of February 5, 2020

7. New Business

7.1. Consider/Approve General Order #500-10 of the Lakeview Police Department setting forth departmental policy and procedures regarding the process of serving warrants revised on January 13, 2020.

7.2. Consider/Approve the 1st quarter financial report for the City for FY2020.

7.3. Consider/Approve the Third Amended Congestion Mitigation Traffic Management Agreement between the Metropolitan Transit Authority of Harris County and the City of El Lago.

7.4. Consider/Approve Resolution 2020-02 adopting the schedule of fees for the review of applications and the granting of building permits.

7.5. Consider/Approve Resolution 2020-03 to declare the City of El Lago a Second Amendment Sanctuary City.

8. Adjourn into an Executive Session as allowed by Texas Local Government Code, *§551.074* to discuss Personnel Matters

8.1. Discuss personnel issues

9. Move meeting back into Regular Session

10. Future Agenda Item Requests

Scheduled

Amend Personnel Manual
Masonry fence behind Loch Lake
2018 Audit results

11. Adjournment

ALL AGENDA ITEMS ARE SUBJECT TO ACTION

In compliance with the Americans with Disabilities Act, the City of El Lago will provide for reasonable accommodations for persons attending City Council Meetings. Requests should be received 48 hours prior to the meetings. Please contact the City office at 281-326-1951. The City Council of the City of El Lago, Texas, reserves the right to adjourn into executive session at any time during the course of the meeting to discuss any of the matters listed above, as authorized by the Texas Government Code, §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), §551.077 (Agency Financed by Federal Government),§551.084 (Exclusion of Witness from Hearing), §551.086 (Meeting Concerning Municipally Owned Utility), §551.087 (Deliberations Regarding Economic Development),§551.088 (Deliberations Regarding Licensing Testing Exam), & §418.183(f) (Texas Disaster Act: regarding Critical Infrastructure).

I certify that a copy of this notice of the City Council Meeting for the date listed above was posted at City Hall, 411 Tallowood Drive, El Lago, Texas, at least 72 hours in advance per the Texas Open Meetings Act.

_____

Rachel Lewis
City Secretary

Racial Profiling Report | Full

Reporting Date: 02/10/2020

Agency Name: LAKEVIEW POLICE DEPT.
TCOLE Agency Number: 201205

Chief Administrator: THOMAS L. SAVAGE

Agency Contact Information:
Phone: (281) 326-1098
Email: chiefsavage@lakeviewpolice.com

Mailing Address:
98 LAKESHORE DRIVE
EL LAGO, TX 77586-6136

This Agency filed a full report

LAKEVIEW POLICE DEPT. has adopted a detailed written policy on racial profiling. Our policy:

1.) clearly defines acts constituting racial profiling;

2.) strictly prohibit peace officers employed by the LAKEVIEW POLICE DEPT. from engaging in racial profiling;

3.) implements a process by which an individual may file a complaint with the LAKEVIEW POLICE DEPT. if the individual believes that a peace officer employed by the LAKEVIEW POLICE DEPT. has engaged in racial profiling with respect to the individual;

4.) provides public education relating to the agency's complaint process;

5.) requires appropriate corrective action to be taken against a peace officer employed by the LAKEVIEW POLICE DEPT. who, after an investigation, is shown to have engaged in racial profiling in violation of the LAKEVIEW POLICE DEPT. policy adopted under this article;

6.) require collection of information relating to motor vehicle stops in which a citation is issued and to arrests made as a result of those stops, including information relating to:
a.) the race or ethnicity of the individual detained;
b.) whether a search was conducted and, if so, whether the individual detained consented to the search; and
c.) whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual; and

7.) require the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision(6) to:
a.) the Commission on Law Enforcement; and
b.) the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

Executed by: Thomas L. Savage, Chief of Police

Date: 02/10/2020

Total stops: 2845

Gender	
Female	**1098**
Male	**1747**
Race / Ethnicity	
Black	270
Asian / Pacific Islander	104
Hispanic / Latino	1959
White	496
Alaska Native / American	16
Was race or ethnicity known prior to stop?	
Yes	74
No	2771
Reason for stop?	
Violation of law	19
Preexisting knowledge	24
Moving traffic violation	1749
Vehicle traffic violation	1053
Street address or approximate location of the stop	
City street	2649
US highway	0
County road	0
State highway	0
Private property or other	196
Was a search conducted?	
Yes	80
No	2765
Reason for Search?	
consent	6
contraband	4
probable	16
inventory	11

ncident to arrest	43

Was Contraband discovered?

Yes	34
No	46

Description of contraband

Drugs	15
Currency	0
Weapons	4
Alcohol	3
Stolen property	1
Other	11

Result of the stop

Verbal warning	1159
Written warning	460
Citation	1172
Written warning and arrest	6
Citation and arrest	28
Arrest	20

Arrest based on

Violation of Penal Code	5
Violation of Traffic Law	14
Violation of City Ordinance	0
Outstanding Warrant	35

Was physical force resulting in bodily injury used during stop?

Yes	5
No	2840

Submitted electronically to the

The Texas Commission on Law Enforcement

CITY OF EL LAGO

MINUTES OF THE FEBRUARY 5, 2020
REGULAR CITY COUNCIL MEETING & WORKSHOP
411 TALLOWOOD DRIVE, EL LAGO,
TEXAS 77586

1. **Call to Order** Mayor Skelton called the meeting to order at 7:04 PM
2. **Invocation and/or Pledge of Allegiance**
3. **Declaration of a Quorum**

   Present: Mayor John Skelton
   Councilperson Shawn Findley
   Councilperson Darin Clark
   Councilperson Jeff Michalak

   Absent: Mayor Pro Tem Ann Vernon
   Councilperson Kris Kuehnel
4. **Citizen Comments**

   There were no Citizen Comments.
5. **City Official, Board, Commission, Committee, & City Service Report**

   5.1. *SVFD Monthly activity report* – Captain Theo Presswood went over the monthly activity report for January, 2020. There were 5 incidents, 3 were EMS calls and 2 were fire calls. The overall average response time was just under four minutes. He reported that the fire station now has a live-in staff member which helps the station and also helps with response.

   5.2. *LPD Commissioner Michael O'Brien to report on LPD Commission activity* - Michael O'Brien went over the Strategic Traffic Report and the Ordinance Violation report for January, 2020. He reported that there was an increased presence in the problem speeding areas in the city. He recommended that the solar 20 MPH sign be placed at the 700 block of Cedar going southbound. He stated that they are still interviewing candidates for new officer positions. Lakeview Police Department is currently short two officers. Councilperson Findley thanked him for the increased number of code enforcements on the report. Councilperson Clark thank him for the increased presence to help curb the speeding.

   5.3. *City Secretary to report on city activities and business* – City Secretary Rachel Lewis reported on city business. Written report is attached.
6. **Consent Agenda**

   6.1. *Check Detail for checks printed from January 23, 2020 through February 5, 2020*

   6.2. *Minutes from the Public Hearing and Council Meeting of December 18, 2019*

   Councilperson Michalak made a motion to approve the consent agenda and Councilperson Findley seconded. The vote was unanimous to approve.
7. **New Business**

   7.1. *Consider/Approve Resolution 2020-01 designating a representative and an alternate representative for the Houston-Galveston Area Council*- Mayor Skelton read Resolution 2020-01. Councilperson Clark motioned to approve and a second was provided by Councilperson Michalak. The voted passed unanimously.

   7.2. *Consider/Approve the 1st quarter investment report for the City for FY2020* - Councilperson Michalak went over the quarterly investment report and pointed out that the interest earned was $23.03. for the quarter. A motion to approve was made by Councilperson Findley and Councilperson Clark seconded. The vote to approve was unanimous.

   7.3 Consider/Approve Ordinance 466 to call 2020 City of El Lago General Election for May 2, 2020- Mayor Skelton pointed out that this item was 7.3 and asked if there were any objections that the Ordinance not be read and there were no objections. Councilperson Michalak made a motion to approve the ordinance and there was a second by Councilperson Findley. The vote was unanimous to approve.

7.4 *Administer Oath of Office and Statement of Appointed Officer for 2020 Election Judge Arthur Richard & Alternate Judge Charles Chiampi* – Arthur Richard was sworn in as the Election Judge and Charles Chiampi was sworn in as Alternate Election Judge using the Oath of Office and the Statement of Appointed Officer by Mayor Skelton.

8. **Adjourn into an Executive Session as allowed by Texas Local Government Code, §551.074 to discuss Personnel Matters**
   Mayor Skelton asked if there were any objections to the postponement of the Executive Session to the next regular scheduled Council meeting. Councilperson Michalak made a motion to postpone to the next regular scheduled Council meeting and Councilperson Clark provided a second. The vote was unanimous to postpone.
9. **Move Meeting Back into Regular Session –** Mayor Skelton stated that the meeting is still in regular session due to the postponement of the Executive Session.
10. **Move meeting into a Workshop Session to discuss the following (no motions to be made during the workshop period)**
    10.1. *Discuss the adoption of a permanent building permit fees schedule for the City* – Councilperson Findley discussed the necessity of a part-time inspector and stated that he is ready to propose a permanent fee structure. He will send his proposal to the City Secretary so that it can be submitted to the City Attorney to develop an ordinance. Mayor Skelton stated that this Ordinance will need to be read twice due this resulting in an increase in fees.
11. **Adjourn Workshop Session and move meeting back into Regular Session –** Mayor Skelton adjourned the Workshop Session and moved the meeting back into a Regular Session at 7:50 PM.
12. **Future Agenda Items**
    <u>Not Scheduled</u>
    City Treasurer
    5 year Spend Plan
    <u>Scheduled</u>
    Building Permit Fee Schedule
    Update of Personnel Policy
    Councilperson Clark requested that a resolution making El Lago a second amendment sanctuary city be added to the next agenda. Mayor Skelton stated that he wanted the 1st Quarter Budget Report set for the next meeting. He also stated he wanted the first reading of the proposed building permit fee ordinance to be set for the next meeting so that the second reading would take place at the meeting on March 4, 2020. The Mayor noted that the Executive Session is to be scheduled for the February 19, 2020 agenda.
13. **Adjournmen**t – There being no further business the Mayor adjourned the meeting at 7:55 P.M.

_____
John Skelton
Mayor

ATTEST:

_____
Rachel Lewis
City Secretary

City Secretary Report to Council

The IworQ software is currently being built to accommodate our current contractor registration and building permit needs. The City Clerk and I are training weekly to learn each facet of the program and our "go live" date is March 2, 2020 should all continue as planned. Our Building Official, Maintenance Director, and Code Enforcement Officer will be trained this month as well.

The Nature Center donated an alligator playground toy to the City and it should be installed at Witty Park before the Easter Egg Hunt takes place on April 4, 2020. We are planning a contest to name the new alligator for kids and will coordinate with the Parks Board to do this.

Two 20 MPH signs were purchased. One was placed on Cedar and one on Pebblebrook per the recommendation of Police Chief Tom Savage. There is also a solar 20 MPH sign that will be installed on Cedar within the next few weeks.

There was a report of a suspected coyote in the city causing the death of two cats. Maintenance contacted the Seabrook Animal Control to see if they will help us trap the wild animal since they have helped us in the past and have better equipment to do this. They have agreed to help our Maintenance crew assess what type of animal caused the death of the cats and will meet with he resident who reported it next week.

A large beehive was reported on Whitecap and I made several attempts to see if there was a free service to remove them but none could be found since the hive is about 20 feet up from the street. A letter will be sent to the homeowner and the Code Enforcement Officer will deliver it instructing them to remove the bees as it is hanging over the sidewalk and safety is a concern.

Rachel Lewis
City Secretary

LAKEVIEW POLICE DEPARTMENT **GENERAL ORDER #500-10**
SUBJECT: PROCESS OF SERVING WARRANTS **EFFECTIVE DATE: 04-30-90**
REVISED DATE: 01-13-20

PURPOSE

The purpose of this General Order is to set forth departmental policy and procedures regarding the process of serving warrants.

POLICY

Lakeview Police Department officers may serve criminal warrants within the general service area of El Lago and Taylor Lake Village. When an officer serves a criminal warrant outside the general service area, he will notify a supervisor and then contact the local law enforcement agency with primary jurisdiction and request assistance in executing the warrant. If the time delay involved is likely to result in the subject's fleeing from the location where the warrant is to be served, the officer may, with supervisory approval, serve the warrant himself.

Officers may execute search warrants issued by any court having jurisdiction, but only if the location to be searched is within the service area. If the location to be searched is outside the service area, the officer will notify a supervisor and seek the assistance of the local police department, a county sheriff, or the local precinct constable.

OBTAINING WARRANTS

The Harris County Sheriff's Office is responsible for maintaining all criminal warrant files. These files are available to officers 24 hours a day, seven days a week. Warrants can be obtained at the Harris County Sheriff's Office, Criminal Warrant Division.

DUE DILIGENCE / PRIORITIZATION

All warrants shall be executed with due diligence and in accordance with the statutes of limitation. Officers' attention to warrants shall be based on the seriousness of the original offense. In general, warrants for which the original offense involved is a violent felony will receive priority attention over less serious offenses.

If an officer has reasonable cause to believe that the person named on the warrant may flee or if the information needed to arrest the suspect is known to be current, he shall give such warrants his immediate attention.

In all cases, officers shall supplement the original offense report after attempting to serve a warrant, whether the attempt was successful or not.

INFORMATION FROM CITIZENS ON OUTSTANDING WARRANTS

If an officer receives information from a citizen about a wanted suspect, the officer shall first verify that the warrant is active and then contact the agency responsible for the warrant. It will then be the responsibility of the agency to take action. Officers will advise the other agency that the Lakeview Police Department will assist them if needed in executing the warrant. Lakeview Police Officers will advise their supervisor if direct action is necessary to prevent the escape of a wanted felon.

MUNICIPAL COURT WARRANTS

Warrants are instruments of the court. The courts continually maintain jurisdiction and management of its warrants. Warrants are issued after a given court date for the original offense and a failure to appear in court (FTA) or the violate promise to appear in court (VPTA) has occurred. The municipal court clerks, directed by magistrates, are responsible for issuing warrants and preparing the envelopes (shucks). After the warrants are issued and the envelopes are prepared, the court will post a list of the recently issued warrants on the police

department bulletin board for four (4) days. During the four-day posting, the original issuing officer is given the opportunity to attempt service by checking-out the warrant(s) with the court administrator. Any warrants not checked out by officers will then be checked out to the court appointed warrant officer for service.

Warrants that are not checked out are open to any officer interested in attempting service. Officers interested in working these warrant(s) are required to check out the warrant(s) by signing and dating the envelope (shuck) and immediately returning the envelope (shuck) to the file. The officer who issued the citation accompanying any traffic warrant has first right of refusal when new warrants have been issued. New warrants must be checked within four (4) days of the day the list is posted. Capias Pro Fine warrants will be checked out to the warrant officer or filed in the warrant file.

The actual warrant(s) and associated citation(s) may remain checked out to the officer until executed or until fourteen (14) days have elapsed from the checking out of the warrant(s), whichever comes first. During the time an officer has custody of a warrant(s), a diligent effort must be made to serve the warrant(s). Should an officer be unsuccessful in executing a warrant within the fourteen (14) days, and that officer reasonably feels he is able to serve the warrant soon, a fourteen (14) day extension may be granted by the Court Administrator. It is the responsibility of the officer to contact the Court Administrator to receive the extension. The court appointed warrant officer is permitted to retain warrants for an undeterminable amount of time as long as he is diligently attempting service and these warrants are easily accessible within the police department. All warrants checked out past the designated time period will be retrieved by the court administrator and will then be checked out to the court appointed warrant officer or filed in the police department current warrant file.

Warrants checked out by officers will remain at the police department either in the officer's box or warrant file, unless that officer is presently investigating or serving the warrant. All warrants will be in a position where they can be immediately located and verified by on-duty personnel.

During the normal course of their duties, officers that make contact with a subject who has Class C warrants will take the subject into custody. Using officer discretion, the officer may allow the subject to drive his/her own vehicle to the station. Once in custody, the subject will post bond or go to jail. An arrest report is only necessary when a custody arrest occurs. If a person simply walks in and posts bond on a warrant, no arrest report is necessary. If money is collected for another agency, the activity will be documented on a call slip.

Any officer signing for and possessing a warrant is responsible for its safekeeping. A warrant is a powerful instrument and should be treated as such. Under no circumstances will a warrant be left in the custody of another person or agency. There are lawful guidelines that control the transfer of warrants, and this will be handled by the Court Administrator. Any deviation from the directed procedure will result in the suspension of off duty warrant service by the Court Administrator.

When the Communications Center is notified by another agency that they have an individual with one of our municipal warrants and he is being released from their custody or is being detained on a traffic stop, the dispatcher will notify the warrant officer. If the warrant officer is not available, on---duty personnel will then be sent to assist the other agency.

Fees for Warrant Service

Officers who have signed for warrants and execute the warrants will receive the warrant fees.

An on-duty officer who executes a warrant will not receive any fees. On-duty personnel will not employ the warrant officer to avoid processing the individual with the warrant.

Regardless of who may have served a warrant, any fee splits between officers will be the sole decision of the officer who has signed for the warrant. Prior arrangements should be made between officers whenever possible.

The Court Administrator will settle any disagreement between officers regarding fees.

Execution of Municipal Warrants

Arrest (in custody)

Any person arrested on a warrant will be booked through the department the same as any on view- arrest.

The dispatcher will pull a call slip, assigning a case number.

The arresting officer will complete an arrest report. A Complete Criminal History (CCH) and Driver's License check will be run and attached to the arrest report.

A Department of Public Safety fingerprint card (Form CR43) will be filled out and fingerprints will be taken of the subject for all Class C Domestic Violence charges, even if the subject voluntarily comes in and posts bond or pays fine.

Xerox copies of the warrants will be made for the arrest packet and the court clerk.

Fill out and sign the officer's return on the warrants and give the original warrants and the subject to the jailer.

Go to the warrant file and pull the warrant envelope. Write on the face of the envelope the action taken (served, posted bond, etc.), and duty status (on or off duty, overtime status).

Place the envelope in the appropriate court's box for logging and notify the appropriate court via email of action taken.

Payments Made (not in custody):

When a subject walks in to post a bond (regardless if requested by an officer or not), no arrest report is necessary.

Collect the full amount in cash, money order, cashier's check, or pay online. Deposit in appropriate court lock box if after hours. Notify the appropriate court via email of action taken. Make sure plea forms are completed for all individuals posting bond or paying fines.

Provide a receipt to the person paying the warrant. The person paying the bond gets a copy. Another copy is turned in with the warrant and money.

Fill out and sign the officer's return on the warrant.

Pull the envelope from the warrant file. Place the envelope in the court clerk's box. Be sure to write on the face of the envelope the action taken (served, posted bond, etc.) and duty status (on or off duty, overtime status).

Cash received is to be placed in a separate envelope indicating the time, date, warrant number, name of subject, and the amount of money. The officer will then sign the envelope. During normal business hours, the money will be given to the court clerk. If the bond is collected after hours, the money will be placed in the appropriate lock box to be collected by the court and an email will be sent to the court advising them of the situation.

Tom Savage
Chief of Police

THE STATE OF TEXAS §
COUNTY OF HARRIS §

THIRD AMENDMENT TO
CONGESTION MITIGATION/TRAFFIC MANAGEMENT AGREEMENT

THIS THIRD AMENDMENT to the CONGESTION MITIGATION/TRAFFIC MANAGEMENT AGREEMENT ("Third Amendment") is made by and between the METROPOLITAN TRANSIT AUTHORITY OF HARRIS COUNTY, TEXAS ("METRO"), a body corporate and politic, existing and operating pursuant to Chapter 451, TEXAS TRANSPORTATION CODE, and the CITY OF ELLAGO, TEXAS ("CITY"), a general law city under the laws of the State of Texas.

RECITALS

WHEREAS, pursuant to Section 451.065 of the Texas Transportation Code and other applicable law, METRO has administered a program for participation with other governmental entities for development of Eligible Transportation Projects (as defined in the hereinafter defined Agreement) in the METRO service area; and

WHEREAS, pursuant to METRO Resolution 99-104, METRO executed a Congestion Mitigation/Traffic Management Agreement (as amended from time to time, the "Agreement") with the CITY to provide a base level of funds to the CITY to undertake Eligible Transportation Projects, the term of which was originally set to expire on September 30, 2009; and

WHEREAS, pursuant to METRO Resolutions 2003-77, 2003-93 and 2004-6, and the successful passage of METRO's election on November 4, 2003, representing voter approval of the continued dedication by METRO of 25% of its sales and use tax revenues for street improvements, mobility projects, as authorized by law, through September 30, 2014, METRO executed an amendment to the Agreement to extend the term of the Agreement to September 30, 2014 (the "First Amendment"); and

WHEREAS, pursuant to METRO Resolutions 2012-75 and 2012-111, and the successful passage of METRO's election on November 6, 2012, representing voter approval of the continued dedication by METRO of up to 25% of its sales and use tax revenues for street improvements and related projects, as authorized by law, through December 31, 2025 (such continued dedication as approved at such election, the "2012 Referendum"), METRO executed a second amendment to the Agreement to further extend the term of the Agreement to December 31, 2025 (the "Second Amendment"); and

WHEREAS, in accordance with METRO Resolutions 2019-71 and 2019-123, and the successful passage of METRO's election on November 5, 2019, representing voter approval of the continued dedication by METRO of up to 25% of its sales and use tax revenues through September 30, 2040 (such continued dedication as approved at such election, the "2019

Referendum") for street improvements, mobility projects and other facilities and services authorized by Section 451.065 of the Texas Transportation Code and other applicable law, the parties wish to enter into this Third Amendment to further extend the term of the Agreement to September 30, 2040.

NOW, THEREFORE, for and in consideration of the foregoing recitals and the mutual promises, obligations, covenants and benefits contained herein, the CITY and METRO agree as follows:

AGREEMENT

1. Article 2. Definitions and Terms of the Agreement contains the following definitions:

   (e) "General Mobility Program" shall mean a program under which METRO intends to make available up to 25% of its available sales and use tax revenues per year for Eligible Transportation Projects within the METRO service area, subject to METRO's commitments for transit-related operational expenditures and capital project expenditures and the terms of the Referendum. Such term specifically does not include any projects or programs provided for by transit-related operational expenditures or capital projects expenditures.

   (f) "Terms of this Agreement" or "Term" shall mean the period of time beginning on October 1, 2014 and ending on December 31, 2025, or an earlier date if this Agreement is terminated pursuant to the provisions hereof."

   Said definitions will be hereby amended to state as follows:

   (e) "General Mobility Program" shall mean a program under which METRO intends to make available up to 25% of its available sales and use tax revenues per year for Eligible Transportation Projects within the METRO service area, subject to METRO's commitments for transit-related operational expenditures and capital project expenditures and the terms of the 2012 Referendum and the 2019 Referendum. Such term specifically does not include any projects or programs provided for by transit-related operational expenditures or capital projects expenditures.

   (f) "Term of this Agreement" or "Term" shall mean the period of time beginning on October 1, 2014 and ending on September 30, 2040, or an earlier date if this Agreement is terminated pursuant to the provisions hereof."

2. Exhibit A to the Agreement (City Revenue Allocations) contains the following definition:

   "Funding Period" shall mean each of the following periods: (i) October 1, 2014 through September 30, 2015 (the "Sixteenth Funding Period"); (ii) October 1, 2015 through September 30, 2016 (the "Seventeenth Funding Period"); (iii) October 1, 2016 through September 30, 2017 (the "Eighteenth Funding Period"); (iv) October 1, 2017 through September 30, 2018 (the

"Nineteenth Funding Period"); (v) October 1, 2018 through September 30, 2019 (the "Twentieth Funding Period"); (vi) October 1, 2019 through September 30, 2020 (the "Twenty-First Funding Period"); (vii) October 1, 2020 through September 30, 2021 (the "Twenty-Second Funding Period"); (viii) October 1, 2021 through September 30, 2022 (the "Twenty-Third Funding Period"); (ix) October 1, 2022 through September 30, 2023 (the "Twenty-Fourth Funding Period"); (x) October 1, 2023 through September 30, 2024 (the "Twenty-Fifth Funding Period") (xi) October 1, 2024 through September 30, 2025 (the "Twenty-Sixth Funding Period"); and (xii) October 1, 2025 through December 31, 2025 (the "Twenty-Seventh Funding Period").

Said definition will be hereby amended to state as follows:

"Funding Period" shall mean each of the following periods: (i) October 1, 2014 through September 30, 2015 (the "Sixteenth Funding Period"); (ii) October 1, 2015 through September 30, 2016 (the "Seventeenth Funding Period"); (iii) October 1, 2016 through September 30, 2017 (the "Eighteenth Funding Period"); (iv) October 1, 2017 through September 30, 2018 (the "Nineteenth Funding Period"); (v) October 1, 2018 through September 30, 2019 (the "Twentieth Funding Period"); (vi) October 1, 2019 through September 30, 2020 (the "Twenty-First Funding Period"); (vii) October 1, 2020 through September 30, 2021 (the "Twenty-Second Funding Period"); (viii) October 1, 2021 through September 30, 2022 (the "Twenty-Third Funding Period"); (ix) October 1, 2022 through September 30, 2023 (the "Twenty-Fourth Funding Period"); (x) October 1, 2023 through September 30, 2024 (the "Twenty-Fifth Funding Period") (xi) October 1, 2024 through September 30, 2025 (the "Twenty-Sixth Funding Period"); (xii) October 1, 2025 through September 30, 2026 (the "Twenty-Seventh Funding Period"); (xiii) October 1, 2026 through September 30, 2027 (the "Twenty-Eighth Funding Period"); (xiv) October 1, 2027 through September 30, 2028 (the "Twenty-Ninth Funding Period"); (xv) October 1, 2028 through September 30, 2029 (the "Thirtieth Funding Period"); (xvi) October 1, 2029 through September 30, 2030 (the "Thirty-First Funding Period"); (xvii) October 1, 2030 through September 30, 2031 (the "Thirty-Second Funding Period"); (xviii) October 1, 2031 through September 30, 2032 (the "Thirty-Third Funding Period"); (xix) October 1, 2032 through September 30, 2033 (the "Thirty-Fourth Funding Period"); (xx) October 1, 2033 through September 30, 2034 (the "Thirty-Fifth Funding Period"); (xxi) October 1, 2034 through September 30, 2035 (the "Thirty-Sixth Funding Period"); (xxii) October 1, 2035 through September 30, 2036 (the "Thirty-Seventh Funding Period"); (xxiii) October 1, 2036 through September 30, 2037 (the "Thirty-Eighth Funding Period"); (xxiv) October 1, 2037 through September 30, 2038 (the "Thirty-Ninth Funding Period"); (xxv) October 1, 2038 through September 30, 2039 (the "Fortieth Funding Period"); (xxvi) October 1, 2039 through September 30, 2040 (the "Forty-First Funding Period").

3. Exhibit A to the Agreement (City Revenue Allocations), Section 2. Schedule of Payments contains the following schedule of payments:

Schedule of Payments. METRO agrees to make the following payments of City Revenue Allocations during the Term of this Agreement, unless terminated sooner pursuant to Article 7.

Subject to the exceptions provided below, in each Funding Period during the term of this Agreement, METRO shall pay the amount of $132,000 on or about October 1, provided, however, for the Twenty Seventh Funding Period, METRO shall pay the CITY the amount of $33,000.

The Schedule of Payments will be hereby amended in its entirety to state as follows:

> Schedule of Payments. METRO agrees to make the following payments of City Revenue Allocations during the Term of this Agreement, unless terminated sooner pursuant to Article 7.
>
> Subject to the exceptions provided below, in each Funding Period during the term of this Agreement, METRO shall pay the amount of $132,000 on or about October 1.

4. This Third Amendment shall take immediate effect after it is duly executed by the CITY and METRO. From and after the date that this Third Amendment takes effect, all other terms and conditions of the Agreement not modified by this Third Amendment shall remain in full force and effect. The terms of the Agreement, as modified by the First Amendment, the Second Amendment and this Third Amendment, contain the entire agreement between the CITY and METRO with respect to the matters addressed herein and therein.

[*Signature page follows*]

a. It has on the ___ day of _____, 20__, been executed on behalf of the CITY by _____.

b. It has on the 26th day of December, 2019, been executed on behalf of METRO by its President & CEO, Thomas C. Lambert, and attested by its Assistant Secretary, pursuant to Resolution 2019-123 of its Board of Directors authorizing such execution.

CITY OF EL LAGO, TEXAS

By: _____

Attest: _____
City Secretary

APPROVED AS TO FORM:

_____
City Attorney

METROPOLITAN TRANSPORTATION AUTHORITY OF HARRIS COUNTY, TEXAS

By: _____
Thomas C. Lambert
President & Chief Executive Officer

METROPOLITAN TRANSIT AUTHORITY METRO.

Attest as to form:

_____
Assistant Secretary

APPROVED AS TO FORM:

_____
Cydonii Fairfax
Executive Vice President & General Counsel

_____
Arthur C. Smiley III
Chief Financial Officer

RESOLUTION NO. 2020-02

A RESOLUTION OF THE CITY OF EL LAGO, TEXAS ADOPTING THE SCHEDULE OF FEES FOR THE REVIEW OF APPLICATIONS AND THE GRANTING OF BUILDING PERMITS

* * * * * * *

WHEREAS, Pursuant to Chapter 4, Section 4-24 of the Code of Ordinances of the City of El Lago, the City of El Lago City Council is required to adopt a schedule of fees for the review of applications and the granting of building permits and to ensure that the schedule is posted as required by law and maintained in the office of the City Secretary; and

WHEREAS, the City Council last reviewed and adopted a schedule of fees in September, 2013: and;

WHEREAS, because of the passage of time it has become necessary for the City Council to review the schedule of fees and determine a new schedule of fees consistent with current practices and existing law; and

WHEREAS, the City Council has reviewed the schedule of fees as contained on the City of El Lago Building Permit Fee Schedule attached to this Resolution as Exhibit"A" and finds that such fees are reasonable and reasonably cover the actual costs of services provided by the City in its review of applications and granting of building permits;

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL LAGO, TEXAS:

Section 1. The schedule of fees contained on the attached Exhibit "A" City of El Lago Building Permit Fee Schedule is hereby adopted:

PASSED, APPROVED AND ADOPTED this the **19th day of February, 2020.**

_____
JOHN SKELTON
Mayor
City of El Lago, Texas

ATTEST:

_____
Rachel Lewis
City Secretary
City of El Lago, Texas

Exibit A

CITY OF EL LAGO
BUILDING PERMIT FEE SCHEDULE
Effective March 4, 2020

Residential and Commercial construction within the City of El Lago requires a building permit. Cosmetic changes to residential property do not require a permit. If in doubt what constitutes cosmetic changes please contact the El Lago building department at (281) 326-1951 ext. 110. All contractors must be registered with the City of El Lago, submit a permit application and receive a building permit before any work is started.

Failure to Permit

It is the responsibility of the party performing the work to obtain all required permits. Non permitted construction within El Lago will be halted and the offending party will pay a fine of **double the permit fee, or a minimum of $500.00 or whichever is greater**. No work will be allowed to proceed until a permit has been obtained. Work preformed without a permit is subject to criminal fines.

CONTRACTOR ANNUAL REGISTRATION **$50.00**

BUILDING PERMIT **$75 per inspection**

Contractors Permit (new permit or re-Inspection), a building permit is required for repair, moving, demolishing, renovation or new construction. A Building Permit is required for the following jobs:

- HVAC
- Commercial Signs
- Decks, Patios, Sheds and Greenhouses
- Slab and Foundation Repair
- Electrical Rewiring, Rerouting, and Replacement
- Signs
- Fences, Driveways, and Sidewalks
- Above Ground Pools and Spas
- Bulkheads, Piers, and Boathouses
- Lawn Irrigation/Sprinkler Systems

BUILDING PERMIT INSPECTION FEES

Single-family dwelling, remodels, New Construction, and Additions

	Per inspection	**Plan Review**
0 to 1799 square feet	$100.00	$100.00
1800-2999 square feet	$200.00	$200.00
3000-5000 square feet	$300.00	$300.00
Each 1000 square feet over 5000	$100.00	$100.00

Commercial New Construction and Remodel

0-4000 square feet	$200.00	$200.00
Each 1000 square feet over 4000	$100.00	$100.00

PLUMBING PERMIT **$75 per inspection**

Contractors Permit (new permit or re-Inspection), a plumbing permit is required for the repair, moving, demolishing, renovation or new construction.

- Irrigation
- Natural Gas Line Additions/Repairs

Add/Removal of Bathrooms

Add/Move Plumbing Fixtures

WATER HEATERS **$25.00**

SWIMMING POOL/SPA PERMIT – *(In-ground Only)* **$75 per inspection**

A building permit is required for the construction of an in-ground swimming pool or an in-ground spa or hot tub. The permit fee of 2% of the total construction cost of the project would include the pool/spa's building, plumbing and electrical work.

CERTIFICATE OF OCCUPANCY PERMITS **$50/permit**

A certificate of occupancy permit is required to change the occupancy of a building or structure or the installation of apparatus or appurtenances.

ON-SITE CONSULTATION (For Residents Only) **$20.00**

EXCEPTIONS

Cosmetic repairs to structures may be made without application for permit. Cosmetic repairs do not include the cutting away of any wall or partition, removal or cutting away of any structural beam or support, removal or change of access, changes affecting exit-way, additions or alterations of plumbing or sewer piping, electrical wiring or mechanical alterations or additions. If you are in doubt contact the city to confirm or schedule an On-Site Consultation.

CITY OF EL LAGO BUILDING DEPARTMENT (281) 326-1951, EXT. 110

RESOLUTION NO. 2020-03

A RESOLUTION OF THE CITY OF EL LAGO, TEXAS TO DECLARE THE CITY AS A "SECOND AMENDMENT SANCTUARY"

* * * * * * *

WHEREAS, the Second Amendment of the United States Constitution reads "A well-regulated Militia, being necessary to the security of a free state, the right of the people to keep and bear Arms, shall not be infringed." and

WHEREAS, the City Council wishes to express opposition to any law that would restrict the constitutional rights of the citizens of El Lago to keep and bear arms;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL LAGO, TEXAS:

That the City Council hereby expresses its intent to uphold and protect the Second Amendment rights of the citizens of EL Lago, and

That the City Council hereby declares El Lago as a "Second Amendment Sanctuary",

That the City Council hereby declares its intent to oppose any infringement on the right of law-abiding citizens to keep and bear arms, and

That the City Council will refuse to appropriate any of El Lago resources to enforce any mandate, law, policy order, or any other directive which infringes on the right of law-abiding citizens to keep and bear arms, and

That the City Council will use any legal means, including, and without limitation, court action to protect the Second Amendment rights of the citizens of El Lago.

PASSED, APPROVED AND ADOPTED this the **19th day of February, 2020.**

_____
JOHN SKELTON
Mayor
City of El Lago, Texas

ATTTEST:

_____
RACHEL LEWIS
City Secretary