



NOTICE OF THE
Regular MEETING

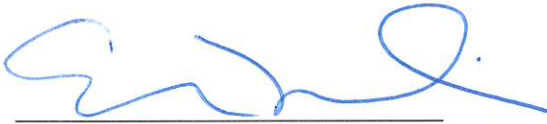
The City Council for the City of Simonton, Texas, will hold its Regular City Council Meeting on April 18, 2023 at 6:30 p.m. in Simonton City Hall, 35011 FM 1093, for the purpose of considering the following:

1. Call to Order.
2. Invocation and Pledge.
3. Public Comments (*In accordance with Texas Open Meetings Act and Texas Government Code 551.007, City Council may not discuss or take action on any item NOT listed on the Agenda. Each member of the public wishing to speak must sign in prior to the meeting and is limited to 3 minutes.*)
4. Consider and take action on the Consent Agenda.
Items listed under the Consent Agenda are considered routine and are generally enacted in one motion. The exception to this rule occurs when a Council Member requests one or more items removed from the Consent Agenda for separate discussion and action.
 - a. approve minutes from March 21, 2023 Regular council meeting
 - b. approve minutes from April 4, 2023 regular council meeting
 - c. approve quarterly financials
5. New Business
 - a. consider and take action to accept proclamation of April 2023 as Fair Housing Month
 - b. consider and take action to adopt resolution 2023-04 to deny Center Point Energy's increase in rate
 - c. consider and take action to appoint Justin Boudreau to Economic Development Corporation "A" Board.
 - d. consider and take action to approve bid for recodification services to recodify existing city ordinances.

6. Reports
 - a. Mayor
 - b. City Staff
 - c. City Council

Adjournment.

CERTIFICATE: I, the undersigned, City Secretary of the City of Simonton, do hereby certify that on the April 12, 2023, 5:00 PM I posted a true and correct copy of the above and following notice of the Regular Meeting of the City of Simonton Council to be held on April 18, 2023, at 6:30 PM at the Simonton City Hall, which posting was done not less than three (3) full days prior to the date fixed for said meeting.



City Secretary

The City Council may hold an Open or Closed meeting by telephone conference call if an emergency or public necessity exists within the meaning of Section 551.045 of the Open Meetings Act, and the convening at one location of a quorum of the City Council is difficult or impossible.

The City Council may convene into executive session on any matter related to any of the above agenda items for a purpose, such a closed session is allowed under Chapter 551, Texas Government Code.

Reasonable accommodation for persons with disabilities attending this meeting will be available. Persons with disabilities in need of special assistance at the meeting should please contact the City Secretary at 281-533-9809 Agendas are posted on the City Website at <http://simontontexas.gov>.

Minutes

Regular City Council Meeting

CITY OF SIMONTON

March 21,2023

This is a true and correct copy of the Minutes of the Regular Meeting of the Simonton City Council held on March 21,2023 at 6:30 PM.

1. Call to Order. **Mayor Boudreaux called the meeting to order at 6:31 PM. A quorum was present:**

Laurie Boudreaux, Stacey gootee, Cody Turner, Kelli Matula, Thomas McLemore(by zoom)

Council Members absent: None

City Staff present: Erica Molina and Jennifer Ward

Public Present: See Sign in sheet

2. Invocation and Pledge **led by Stacey Gootee**
3. Public Comments
4. Consider and take action on the Consent Agenda:
 - a. approve minutes from February 21, 2023 regular council meeting
 - b. approve no changes made to Fort Bend County Central Appraisal District's 2023 Exemptions Update

Motion by Cody Turner to approve the Consent Agenda. Stacey Gootee seconded.

Ayes: All

Noes: None

Motion Passed
5. New Business
 - a. consider and take action to appoint Justin Boudreau to fill at large city council vacancy

Motion by Stacey Gootee to appoint Justin Boudreau to fill at large city council vacancy. Thomas McLemore seconded.

Ayes: All

Noes: None

Motion Passed

 - b. Mayor to deliver proclamation to Lively Hope Missionary Baptist Church to congratulate the pastor and congregation on their 150th anniversary.

no action necessary.

c. Consider and take action to approve an agreement with Revenue Management Services to provide services necessary for the recovery of the district's sales tax.

Motion by Cody Turner to approve agreement with Revenue Management Services to provide services necessary for the recovery of the district's sales tax.. Stacey Gootee seconded.

Ayes: All

Noes: None

Motion Passed

d. Consider and take action to adopt resolution 2023-02 for the award of Personal Services Contract for social media consulting services and related digital relations

Motion by Cody Turner to adopt resolution 2023-02 for the award of Personal Services Contract for social media consulting services and related digital relations.

Stacey Gootee seconded.

Ayes: All

Noes: None

Motion Passed

e. Consider and take action regarding adopting Resolution 2023-03 to accept a petition of the residents of the Valley Lodge neighborhood to install signage prohibiting the overnight parking of commercial vehicles and to provide for the purchase and installation of the signage.

Motion by Stacey Gootee to adopting Resolution 2023-03 to accept a petition of the residents of the Valley Lodge neighborhood to install signage prohibiting the overnight parking of commercial vehicles and to provide for the purchase and installation of the signage.. Cody Turner seconded.

Ayes: All

Noes: None

Motion Passed

f. Consider and take action to approve the purchase of Meeting Management Software
no action taken

6. Consider and take action to adjourn into Executive Session: City Council Adjourned into Executive session at **6:57pm**

a. The City Council will meet in a closed session pursuant to Title 5, Chapter 551, of the Texas Government Code for the purpose of consultation with legal counsel (Section 551.071).

7. Reconvene in Open Session. Council reconvened in Open Session at **7:54pm**

8. Consider and take action resulting from Executive Session:

a. The City Council will meet in a closed session pursuant to Title 5, Chapter 551, of the Texas Government Code for the purpose of consultation with legal counsel (Section 551.071).

no action taken

9. Reports

- a. Mayor
- b. City Staff
- c. City Council

Adjournment. **7:56 PM**

Respectfully submitted,

Mayor

City Secretary

Minutes

Regular City Council Meeting

CITY OF SIMONTON

April 4, 2023

This is a true and correct copy of the Minutes of the Regular Meeting of the Simonton City Council held on April 4, 2023 at 6:30 PM.

1. Call to Order. **Mayor Boudreaux called the meeting to order at 6:31 PM. A quorum was present:**

Laurie Boudreaux, Kelli Matula, Stacey Gootee, Justin Boudreau

Council Members absent: Thomas McLemore and Cody Turner

City Staff present: Erica Molina and Jennifer Ward

Public Present: See Sign in sheet

2. Invocation and Pledge **led by Laurie Boudreaux**
3. Public Comments **Courtney Cox: no dollar amounts available for passed items and objection to adding Kelli Matula and Cody Turner as signers to the city account for checks**
- 4.. New Business

a. consider and take action to accept and award the proposal for the initial City of Simonton comprehensive plan to Ardurra.

Motion by Stacey Gootee to accept and award the proposal for initial City of Simonton comprehensive plan to Ardurra. Kelli Matula seconded.

Ayes: All

Noes: None

Motion Passed

b. consider and take action to approve purchase of annual subscription for Granicus Agenda and Meeting Software

Motion by Stacey Gootee to approve purchase of annual subscription for Granicus Agenda and Meeting Software. Justin Boudreau seconded.

Ayes: All

Noes: None

Motion Passed

c. consider and take action to approve the addition of Kelli Matula and Cody Turner as signers on the city bank account.

Motion by Stacey Gootee to approve the addition of Kelli Matula and Cody Turner as signers on the city bank account. Justin Boudreau seconded.

Ayes: All
Noes: None
Motion Passed

Adjournment **6:46 PM**

Respectfully submitted,

Mayor

City Secretary

PROCLAMATION

FAIR HOUSING MONTH

APRIL 2023

WHEREAS, Title VIII of the Civil Rights act of 1968, as amended, prohibits discrimination in housing and declares it a national policy to provide, within constitutional limits for fair housing in the United States; and

WHEREAS, The principle of Fair Housing is not only national law and policy, but a fundamental human concept and entitlement for all Americans; and

WHEREAS, The National Fair Housing Law, during the month of April, provides an opportunity for Americans to recognize that complete success in the goal of equal housing opportunity can only be accomplished with the help and cooperation of all Americans.

NOW, THEREFORE, I Laurie Boudreaux, Mayor of Simonton, Texas proclaim APRIL 2023, as Fair Housing Month in Simonton, Texas and hereby urge the citizens of Simonton to become aware and support the Fair Housing Law.

In witness whereof I have affixed my signature and seal on this the 18th day of April 2023.

Laurie Boudreaux, Mayor
City of Simonton

Attest:

Erica Molina, City Secretary

RESOLUTION NO. 2023-04

A RESOLUTION OF THE CITY OF SIMONTON, TEXAS (THE “CITY”) FINDING THAT CENTERPOINT ENERGY HOUSTON ELECTRIC, LLC’S (THE “COMPANY”) APPLICATION FOR APPROVAL TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR PURSUANT TO 16 TEX. ADMIN. CODE § 25.243 TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; FINDING THAT THE CITY’S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

WHEREAS, the City of Simonton, Texas (the “City”) is an electric utility customer of CenterPoint Energy Houston Electric, LLC (the “Company”), and a regulatory authority with an interest in the rates and charges of the Company; and

WHEREAS, the City is a member of the Gulf Coast Coalition of Cities (the “GCCC”), with the GCCC being a coalition of similarly situated cities served by the Company that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in the Company’s service area; and

WHEREAS, on or about April 5, 2023, the Company filed with the City an Application for Approval to Amend its Distribution Cost Recovery Factor (the “DCRF”) pursuant to 16 Tex. Admin. Code §25.243, seeking a total DCRF Revenue Requirement of \$162,548,833, which is a \$84,571,868 increase to the Company’s Revenue Requirement approved in its most recent DCRF proceeding, Public Utility Commission Docket No. 53442; and

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

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

WHEREAS, the GCCC’s members and attorneys recommend that the GCCC members deny the DCRF; and **NOW, THEREFORE,**

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIMONTON, TEXAS:

SECTION 1. THAT the Recitals to this Resolution are true and correct and are incorporated herein for all intents and purposes.

SECTION 2. THAT the rates proposed by the Company to be recovered through its DCRF charged to customers located within the City limits are hereby found to be unreasonable and shall be denied.

SECTION 3. THAT the Company shall continue to charge its existing rates to customers within the City.

SECTION 4. THAT the City's reasonable rate case expenses shall be reimbursed in full by the Company within thirty (30) days of presentation of an invoice to the Company.

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

SECTION 6. THAT a copy of this Resolution shall be sent to Denise Gaw, CenterPoint Energy Service Company, LLC, 1111 Louisiana Street, Houston, Texas 77002 and to Thomas Brocato, General Counsel to the Gulf Coast Coalition of Cities, at Lloyd Gosselink Rochelle & Townsend, P.C., 816 Congress Avenue, Suite 1900, Austin, Texas 78701.

PASSED, APPROVED, AND ADOPTED on this 18th day of April, 2023.

FOR THE CITY OF SIMONTON:

LAURIE BOUDREAUX, MAYOR

ATTEST:

Erica Molina, City Secretary

APPROVED AS TO FORM:

Justin Pruitt, City Attorney



A **GENERAL CODE** COMPANY

Proposal for Codification Services

PREPARED FOR:

City of Simonton, Texas

PREPARED BY:

FAYE MOORE

CODIFICATION ACCOUNT MANAGER

fmoore@generalcode.com

800.836.8834

DATE:

October 24, 2022

(Valid for 90 days)

Legal Staff. Franklin Legal Publishing is the only codification firm using Texas-licensed attorneys with years of experience working with Texas municipalities. This translates into accurate, up-to-date, and enforceable codes for you.

No Fine Print. As you will see in the attached information, our pricing does not include any extra last-minute charges or add-ons. We want to make the process as simple as possible for you and your City staff, and we realize that these additional fees will add up so that your true cost can be more than originally anticipated. Our pricing is easy to understand, straightforward, and most importantly, affordable.

Forward Thinking. In our desire to make your code as accessible and easy-to-use as possible, we offer multiple options to access your code. Not only do we provide a printed version, but we can also provide the code online using the *eCode360* platform. This user-friendly platform places usability and accessibility at the forefront, and even allows for the code to be accessed through mobile devices to ensure that you and your citizens always have access to your City's code.

The Extra Mile. With our experience and expertise, we are able to scrutinize your ordinances closely, not only in the initial codification, but with each supplement prepared. Each ordinance receives careful attention before being published. We work closely with your City staff to ensure that the code is always accurate, reliable, and up-to-date, and by going this extra mile, we are able to produce high quality and precise publications.

Perhaps our most important advantage is our well-known level of personal service. We are here to serve you through this process. Through our fast service, researching issues, providing sample ordinances, and a host of other services we provide on a daily basis, we hope to show how we value you and your City. Our philosophy is to regard every client as our most important client, and to that effect, we strive to provide you with whatever assistance we can.

If you have any questions or need any additional information, please call at any time. We are always available, and you can reach me directly at any time on my cell phone at 800.836.8834. I look forward to hearing from you and hope we can begin working with you on this project very soon.

Sincerely,



Faye Moore
Codification Account Manager

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Executive Summary

A thorough review of your request has given us a better understanding of your unique needs and helped us determine ways that we can partner with you to make the City of Simonton's Code a more useful and effective resource for your community. The executive summary below serves as an overview for building a collaborative codification solution that can help the City achieve its goals.

Situation Analysis

The City of Simonton's Code was originally codified in 2016, and was last updated in 2019. However, the Code may contain inconsistencies, errors and outdated information that could potentially affect the Code's enforceability and alignment with relevant Texas statutes.

It is our understanding that the City would like a complete recodification, including a comprehensive review by Texas-licensed attorneys and update of the 2016 Code, to include all legislation of a general and permanent nature to Ordinance No. 2022-04. The completed Code will be delivered in printed form.

The City would also like to provide online access to the Code and make it easier for constituents and staff to find information by implementing a fully searchable online version of its Code, housed on our unparalleled *eCode360* platform.

Simonton's Investment

The price of the recommended solution will be \$8,995

A detailed breakdown of the investment and available options can be found in the Investment Details and Options section on page 10.

Our Solution

- > **Convert your Code to be housed on our innovative *eCode360* platform**
Franklin Legal and *General Code* will convert your Code and place it on *eCode360*. Created for a variety of users, *eCode360* makes the complete current text of your Code available online in a format that is easy for your community to use and is fully searchable.
- > **Supplement your Code**
We will then perform Supplement No. 23 to update the Code with legislation through Ordinance No. 2022-04.
- > **Create an Updated Code**
Franklin Legal and *General Code* will provide the City with an updated Code that is clear and easy for your community to access and use.
- > **An Editorial and Legal Analysis**
This process ensures that legislation is up-to-date and is in line with Texas statutes and the current needs of your constituents, in addition to making the overall Code consistent in organization, format, style, and content.
- > **An online Code housed on our innovative *eCode360* platform**
Created for a variety of users, *eCode360* makes the complete current text of your Code available online in a format that is easy for your community to use and is fully searchable.

> **1 custom printed Code book, with an option for additional printed volumes**

We will provide you with 1 fully customized print copy of your new Code, with additional copies as requested.

> **Supplementation Services**

We will work with the City to keep the Code up to date in the future.

The Franklin Legal Recommended Solution and Process

Below is an outline of the process for completing your codification project.

Project Launch

Franklin Legal will consult with Simonton's designated contact person to review the project generally and to clarify any initial questions for both Franklin Legal and the City. To begin the project, the City and Franklin Legal shall confirm the source materials for the project. For more detail, see the source materials listed on page 9.

Convert your Code onto eCode360

As an initial step in the project, we will convert your Code into XML format to make your Code available on our fully searchable eCode360 platform.

eCode360 is a secure, reliable online platform created specifically to house codified laws and municipal documents. Built with a variety of user needs in mind, eCode360 will provide Simonton's staff, citizens and businesses with unparalleled flexibility to quickly access and search your Code on a variety of desktop and mobile devices.

eCode360 Benefits:

A centralized solution—laws, regulations and related documents are integrated into a dynamic, centralized resource

Simple to use—eCode360 is easy and intuitive and offers powerful time-saving features

Always up-to-date—We will update your eCode360 site with each supplement to your Code

A trusted, “go-to” resource—Empower staff to answer questions with clarity and confidence

Always evolving—We consistently release innovative functionality based on communities' needs

eCode360 Service Level included in this Project: **Premium**

	Premium eCode360
Annual Maintenance Fee	\$1,195
New Laws	x
Easy and Flexible Searching	x
Dynamic Table of Contents	x
Email or Share Links	x
Printing	x
Bookmarking Searches	x
Archive View	x
"Sticky" Table Headers	x
Administrative Tools	x
Translate	x
eCode360 Search App	x
Linked New Laws	x
Public and Private Notes	x
Sample Legislation (Multicode Search)	x
Download to Word	x

Download to PDF	x
New Laws Indicator	x
Advanced Search	x
Customizable Titles	x
eAlert	x
Public Documents Module	x

For more information about *eCode360*, see page 14.

Editorial and Legal Analysis with Manuscript

The City's existing Code will be used as the Manuscript for the project. The Code will be supplemented just prior to preparation of the Editorial and Legal Analysis in order to optimize the City's review of the Code, and also so that we are reviewing the most up-to-date material.

To accompany your updated Code, we will prepare an Editorial and Legal Analysis for your review. Your project team will do a thorough review and analysis of your legislation and provide specific recommendations and input for improvement. The Analysis will be presented in a progressive format with option sets to guide the user in the decision-making process. City officials, including the City Attorney, will have the final decision-making authority for the resolution of any and all issues. As part of this Analysis, a proposed reorganization of the Code may be provided for review and approval by the City if deemed appropriate. (Please note that if reorganization and renumbering is authorized by the City, this work shall occur at the Draft stage of the project.)

The Editorial and Legal Analysis will include the following:

- > Identification of duplications, conflicts and inconsistencies between or within various sections of the Code
- > Identification of duplications, conflicts and inconsistencies with Texas statutes
- > Any practical recommendations to make your legislation more enforceable
- > Suggestions regarding fines, fees and penalties
- > Suggestions on ways to modernize your legislation

Your Responsibilities

The City will review the Editorial and Legal Analysis and make the final decisions on any changes that are deemed necessary. All final decisions regarding the sufficiency of the legislation which is to be codified, and any changes to be made to said legislation, shall be the province of the City officials and the City Attorney.

A review period is set by the performance schedule. We stress the importance of staying within the allotted time period to avoid disruptions in the production process and delays in the delivery of the Code.

Supplement the 2016 Code

Franklin Legal and *General Code* will supplement your current Code with uncodified legislation through Ordinance No. 2022-04, to provide ready access to the most up-to-date version of the existing Code until such time as publication of your new Code is completed.

Final Editing of the Manuscript and Submission of the Draft

Once the Editorial and Legal Analysis is returned, an editor will begin the final editing process. During this time, we will:

- > Edit the text to incorporate any revisions and additions previously approved in the Editorial and Legal Analysis phase
- > Update the Table of Contents listing all chapters and articles included in the Code, as applicable
- > Include cross-references and Editor's Notes, as required, and add historical notations indicating the source and date of adoption of each enactment
- > Proofread all copy to correct typographical and spelling errors

Franklin Legal and *General Code* will submit a Draft of the Code for final review by the City. With the submission of the Draft, the editorial work on your project will be completed; therefore, if the City requires any additional changes, further charges will apply.

Adopting Ordinance

Our attorneys will prepare and submit an ordinance to adopt the final draft of the new Code.

Update your online Code housed on eCode360

Once the project has been completed, we will update the City's eCode360 with the new version of the City's Code.

Printed Copies

Franklin Legal and *General Code* will provide the required number of printed copies of the new Code. The Code will be bound in an appropriately sized D-ring style turned-edge binders. The City name will be foil-leaf stamped on these binders. Customizable tabs for each major division of the Code will be included. Tabs and custom binders are included in the base cost for this project.

Provide Ongoing Code Maintenance

Franklin Legal and *General Code* will perform all aspects of the supplementation process. Supplements will be prepared on a schedule as selected by the City. The City need only provide the new ordinances for inclusion in the Code. Franklin Legal and *General Code* will then prepare amendatory pages for insertion in the new Code. The average turn-around time for Code supplements is 3 to 4 weeks, depending on the volume of new legislation.

Project Materials

Source Materials

Franklin Legal will use the following source materials for the project:

- > A copy of the City's 2016 Code, as updated to Ordinance No. 2019-11
- > Uncodified legislation, adopted from Ordinance No. 2020-22 through Ordinance No. 2022-04

Project Scope

This proposal and the scope of this project consider only up to an estimated 215 pages, based on the legislation submitted for review as listed above. The processing, review, and inclusion of any materials not submitted are outside the project scope as proposed and therefore may be subject to additional charges. We request that Simonton set up a process to routinely send any new legislation upon adoption. This additional legislation will be included in the Code up to the point where the editorial work has been completed and will be subject to an additional charge at the end of the project.

Investment Details and Options

Conversion Process

No Charge

- > Conversion of the Code into an XML Document (Electronic Output Only)
- > Premium eCode360 (First Year)

Supplementation

No Charge

- > Supplement to Update the 2016 Code from Ordinance No. 2020-22 to Ordinance No. 2022-04 (Electronic Output Only)

Codification Project Price

\$8,995

Services included with the codification project:

- > Creation of a New Code, with Project Scope Including Legislation to Ordinance No. 2022-04
- > Editorial Work
- > Proofreading
- > Shipping

Initial deliverables included with the codification project:

- > Editorial and Legal Analysis
- > Manuscript
- > Draft

Final deliverables included with the codification project:

- > Updated eCode360
- > eCode360 Search App
- > Publication of 1 Code Volume in a D-Ring Style Turned-Edge Binders
- > Comprehensive Index
- > Disposition List
- > Customizable Tabs
- > Code Adoption Legislation

Please note: Code books in addition to the 1 Code book included in the Codification Project Price may be ordered through the publication date of your Code. Pricing is available upon request.

Ongoing Services

Premium eCode360 Annual Maintenance

\$1,195

The maintenance fee is an annual recurring flat fee that begins one year from the initial posting of eCode360. Therefore, we recommend that the City budget for this service each year. The fee covers annual licensing, web hosting, and posting of new legislation between regular Code supplements and the PubDocs Module. Please note that this does not include the cost for codifying new legislation.

Supplementation

Charges for supplementation, after the initial supplement and during the subsequent phases of the project, are outside the scope of work and the base price of the project. Therefore, the City should budget separately for ongoing supplementation during the recodification project.

Codification Performance and Payment Schedule

Deliverable	Delivery Date	Payment Milestone
Contract Signing	Within 30 days of contract signing	20% of total codification project price due
*Submission of the Editorial and Legal Analysis	Within 180 days of completion of the Code Conversion and posting of eCode360; the City has 100 days for review	40% of total project price due
*Submission of Draft	Within 145 days of receipt of responses to the Editorial and Legal Analysis; the City has 45 days to review	30% of total project price due
Delivery of the Code	Within 40 days of approval to proceed with the publication of the Code	Balance of total project price due

**Code supplements shall be prepared prior to this stage to ensure that the Code remains up-to-date throughout the project.*

Code supplements shall be invoiced separately and are outside the scope of the project pricing. Estimates are available upon request.

Ongoing Supplementation Services

Future Supplementation Services

Franklin Legal Publishing will provide supplementation services at a rate of \$20.00 per page for a period of three years from date of publication.

Thereafter, fees may be increased annually consistent with the Producer Price Index for Publishing Industries, published by the U.S. Dept. of Labor.

Per page rate includes:

- > Acknowledgement of materials
- > Data conversion
- > Editorial work and codification
- > Proofreading
- > Indexing
- > Updating online version of Code
- > Printing required number of copies

Items not included in per page rate:

- > Color images: Additional charge per image
 - > Shipping and handling
-

Payment for supplements

Invoices submitted at time of shipment

Authorization and Agreement

The City of Simonton, Recodification, October 24, 2022

Project Price

\$8,995

The City of Simonton, Texas, hereby agrees to the procedures outlined above, and to *General Code's* Codification Terms and Conditions, which are available at <http://www.generalcode.com/terms-and-conditions-documents/>.

City of Simonton, Fort Bend County, Texas

By: _____ Witnessed by: _____

Title: _____ Title: _____

Date: _____ Date: _____

GENERAL CODE, LLC/FRANKLIN LEGAL PUBLISHING

By: _____ Witnessed by: _____

Title: _____ Title: _____

Date: _____ Date: _____

This document serves both as a proposal and as an agreement. To accept this proposal and delegate authority to *General Code* to administer the codification project, complete the form above, including authorized signatures. A signed copy of this agreement will be mailed back to Simonton for its records. Scan and email the completed form to contracts@generalcode.com.

Appendix

eCode360 Platform

Our eCode360 platform is designed specifically to house codified laws and municipal information. eCode360's intuitive design, responsive navigation, and robust search functionality drive performance and user satisfaction.

Simple for Everyone

eCode360 offers a user experience that's simple and intuitive. Our easy-to-use, uncluttered interface allows users to access, search and share Code sections with incredible speed and precision on desktop and mobile devices. It provides the power to communicate information to everyone in your municipality like never before.

24/7/365 Access and Security

General Code supports your community through technologies that transform your users' experience and empower your community to access, navigate and share your Code in exciting new ways. Our eCode360 platform was designed by our own in-house team of software engineers, experts who understand the importance and value of simplifying how you access and use your Code, generating an impressive 71,000 users a day while boasting an incredible uptime average of 99.9%. eCode360 is available 24/7, 365 days a year.

eCode360 is hosted on Amazon Web Services (AWS)'s EC2, which has an uptime guarantee of 99.99%. Our servers are backed up using IT industry best practices, taking advantage of multiple redundancies and regions within AWS. In addition to a robust disaster recovery plan, we have taken steps to avoid disaster by building eCode360 from the ground up to be secure and scalable. The system is designed and engineered to minimize the possibility of intrusion and uses multiple leading-edge technologies to harden and secure the service.

eCode360 is our proprietary platform, and does not require any Folio installation or licenses.

Maintenance and Updates

eCode360 is maintenance- free for our users. *General Code* employs a team of software developers, web application developers and system administrators who maintain and update the platform to give you an intuitive and seamless experience with your Code. Our most recent enhancements can be found at <https://www.generalcode.com/happycode/>.

Free Introductory eCode Webinar for Municipal Staff

Our introductory eCode webinar lets you work online with an experienced Training Specialist who can demonstrate eCode360's powerful tools and offer step-by-step guidance to help you use the Code. A great resource for municipal employees who want to help their constituents!

“Multi-purpose” your Code Content—and better serve your community.

Give departments and individuals within your municipality the ability to view and use the specific Code information they need—when they need it. With eCode360 Content Export, we export your Code's content to an Excel or CSV file. From there, the file can be imported into systems other departments are already using where information from your Code can be quickly viewed and used. This saves others—especially staff who serve the public in the field—the time and effort of searching the entire Code manually to find the particular section they need. For more information about our Content Export services, please contact us at sales@generalcode.com.

Sample eCode360 Screens

1 Custom Banner

3 View Archived Codes

4 Public Documents Portal

2 Public and Private Notes

5 Multicode

6 New Laws

1 CITY OF TOWNSVILLE

Settings Log Out

Home Admin Help Enter search term... Advanced Multicode

Print Email Download Share Get Updates Add Note

City of Townsville, NY / General Legislation

← Chapter 295 Swimming Pools →

2 Swimming Pool Application

A City Building Permit is required along with requirements in this chapter before any installation or construction of a swimming pool. [City Building Permit link.](#)

Created on 2018-10-08 by Jeanie Sanders; Last modified on 2019-02-21 by Jeanie Sanders

[HISTORY: Adopted by the Common Council of the City of Townsville as Ch. 35 of the 1975 Municipal Code. Amendments noted where applicable]

5 Find Codes

Municipality Name

State

Counties

Government Type

Within of Zip Code

Population

Search Codes

Cancel Search

Add Codes

+ Add All Codes (2264)

Ass	Type	Name	County	State	Population
+	County	Adams County, WI	Adams	WI	20843
+	County	Albany County, NY	Albany	NY	297556
+	County	Allegany County, MD	Allegany	MD	72831
+	County	Allegheny County, PA	Allegheny	PA	1223411
+	City	Appleton City, MO	St. Clair	MO	1127
+	County	Appomattox County, VA	Appomattox	VA	14128
+	City	Atlantic City, NJ	Atlantic	NJ	39958
+	County	Atlantic County, NJ	Atlantic	NJ	271620

6

Title	Adopted	Subject	Affects
L.L. No. 19-2018 - Sewer Amendment <i>This goes into effect 1/12/2019</i>	2018-08-02	Clerk Amendment, Departments and Bureaus Amendment	Ch 18A, Ch 20
L.L. No. 20-2018 <i>goes into effect 1/1/2019</i>	2018-08-23	Zoning Amendment	Ch 05
L.L. No. 21-2018	2018-08-23	Zoning Amendment	Ch 05
L.L. No. 22-2018	2018-09-13	Neighborhood Preservation Amendment	Ch 02
L.L. No. 23-2018	2018-09-13	Building Construction Administration Amendment	Ch 16
L.L. No. 24-2018	2018-09-13	Zoning Amendment	Ch 05
L.L. No. 25-2018	2018-09-13	Zoning Amendment	Ch 05

- 1** Custom Banner
- 2** Public and Private Notes
- 3** View Archived Codes
- 4** Public Documents Portal
- 5** Multicode
- 6** New Laws

The American Rescue Plan

On March 11, 2021, President Biden signed into law the American Rescue Plan Act of 2021. This \$1.9 trillion stimulus package is a huge opportunity for municipalities as the Plan includes \$360 billion in direct financial relief for state and local governments, including \$65 billion for America's cities, villages and towns, as well as \$65 billion for counties. While the new law outlines the allocation process and authorized use of funds, the U.S. Department of the Treasury is charged with issuing related regulations, guidance and allocation amounts.

The U.S. Department of Homeland Security (DHS) has determined Code enforcement is essential to the U.S. response to the coronavirus pandemic. Federal funding available under the recently enacted American Rescue Plan can be used by governments to continue their essential operations and by addressing their digital (virtual) needs for remote work. **According to the U.S. Treasury, this funding can be used for municipal and building Code department hardware and software investments.** The investments that establish digital (virtual) capabilities, including the deployment of technology that enables online access to Codes, will help mitigate the challenges ahead for vital governmental services. When considering how to use available American Rescue Plan funds keep in mind:

- Federal funding to maintain operations and develop digital (virtual) capabilities is essential
- The lack of digital (virtual) capabilities risks the safety and efficacy of departments' work
- Code officials are essential to health and safety during the pandemic
- Inadequate operations and digital (virtual) capabilities slow construction essential to response and recovery

For more information regarding *General Code's* Coronavirus advocacy resources use the following links:

General information

<https://home.treasury.gov/policy-issues/coronavirus/assistance-for-state-local-and-tribal-governments/state-and-local-fiscal-recovery-funds>

<https://home.treasury.gov/system/files/136/SLFRP-Quick-Reference-Guide-FINAL-508a.pdf>

FAQ

<https://home.treasury.gov/system/files/136/SLFRPFAQ.pdf>

<https://www.naco.org/resources/featured/naco-recovery-fund-faqs>

Allocations

<https://www.naco.org/resources/featured/state-and-local-coronavirus-fiscal-recovery-funds#table>
<https://www.nlc.org/resource/local-allocations-in-the-american-rescue-plan/>



A GENERAL CODE COMPANY

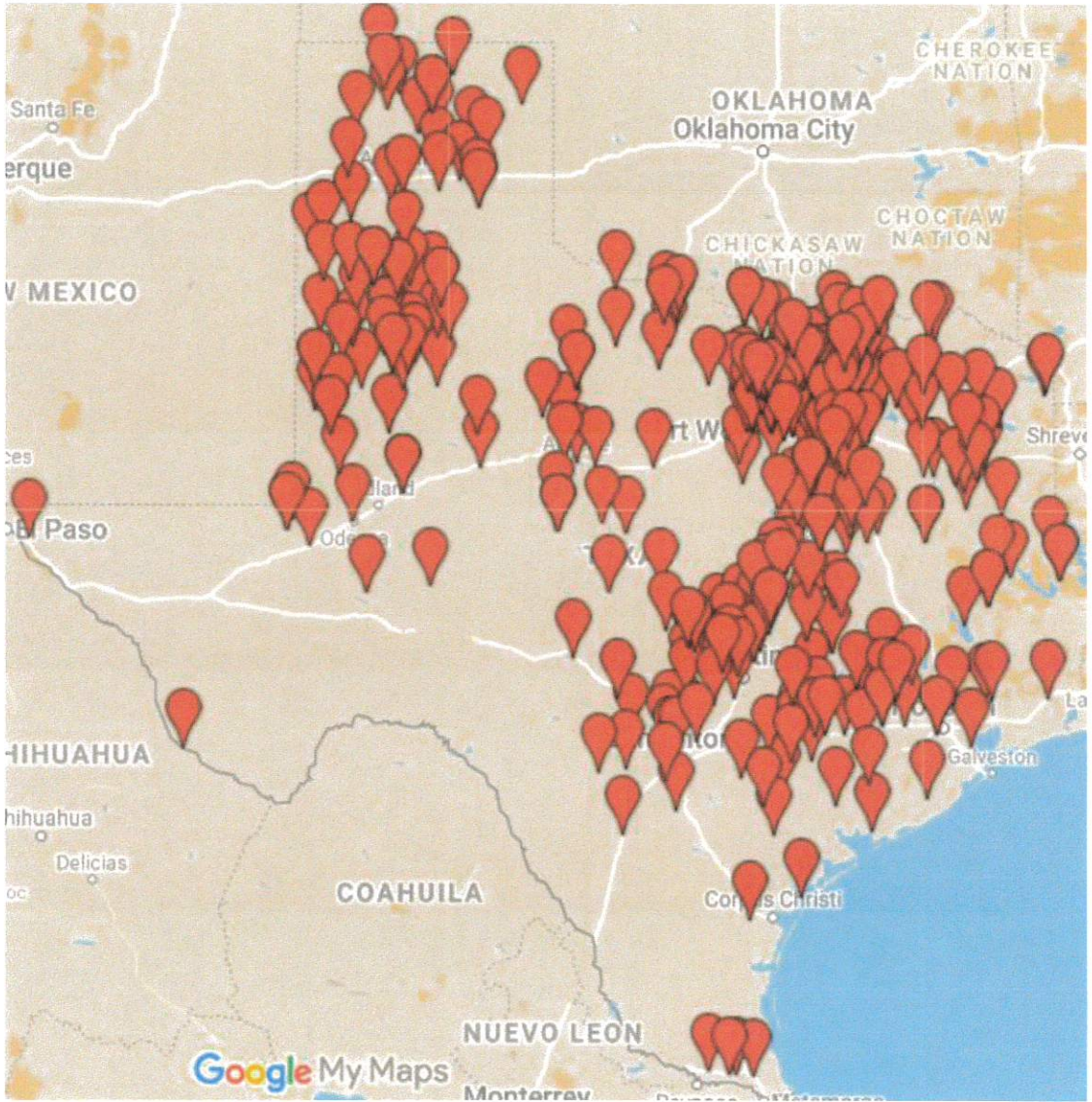
Contact us today to join our growing list of clients benefiting from Texas' leading codification and legal review firm!

info@franklinlegal.net • www.franklinlegal.net • 806.797.8281

Asterisks indicate those cities that have chosen to leave their previous codifier and join the Franklin Legal family.

Abernathy	Clarksville City	Groesbeck	Leander	Pantego*	Smithville
Alba	Claude	Groom	Lefors	Paradise	Snyder*
Alma	Clyde	Gunter	Leonard	Paris*	Somerset
Anna*	Coleman	Hale Center	Levelland	Pecan Hill*	Southside Place
Andrews*	Colorado City	Hallettsville	Liberty*	Pelican Bay	Spearman*
Anson	Columbus*	Hamlin	Liberty Hill	Petersburg	Springtown
Archer City	Combine*	Haskell	Littlefield*	Pflugerville*	Stanton
Atlanta	Copper Canyon	Haslet	Llano*	Pilot Point*	Stinnett
Aubrey*	Corrigan	Hearne*	Lockney	Pineland	Stratford*
Aurora	Cottonwood Shores	Hempstead	Lone Oak	Pittsburg	Sulphur Springs*
Azle	Crandall	Hereford*	Lorenzo	Plains	Sundown*
Balcones Heights*	Crosbyton*	Highland Haven	Lorenzo	Plainview*	Sunnyvale
Ballinger*	Cross Roads	Highland Park*	Lowry Crossing	Point Venture	Sunray
Bandera	Cuero*	Highland Village*	Lubbock*	Post*	Tahoka*
Bangs	Dalworthington Gardens*	Hillsboro*	Lucas*	Pottsboro	Teague
Bartlett	Denver City	Holliday	Lufkin*	Prairie View	TMCA Inc..
Bartonville	DeSoto	Hondo	Magnolia	Presidio	Trenton
Beaumont*	Dilley	Horizon City	Mart	Providence Village	Trophy Club*
Bee Cave	Double Oak	Horseshoe Bay	McCamey*	Queen City	Troup*
Bells	Dumas*	Howardwick*	McLendon-Chisholm*	Quinlan	Troy
Bellville	Eagle Lake	Hubbard	Memphis	Ralls*	Tulia*
Bertram	Earth	Hudson Oaks	Mercedes	Ransom	Tye
Beverly Hills*	Eastland*	Humble*	Mexia*	Canyon	University Park
Big Lake*	Edgecliff Village	Huntington	Midlothian*	Red Oak*	Valley View
Big Sandy*	Edna*	Hutchins	Milford	Reno-Lamar Co.	Vega*
Blanco	El Campo*	Hutto	Monahans*	Reno-Parker Co.	Vernon*
Blooming Grove	El Lago*	Idalou	Moody	Rice	Village of the Hills
Blue Mound	Elkhart	Ingram	Morgan's Pt. Resort	River Oaks*	Volente
Blue Ridge	Emory	Iowa Park	Morton*	Robstown*	Waller
Bonham	Eules*	Italy	Moulton	Rockdale	Weimar
Borger*	Eureka	Ivanhoe*	Mt. Enterprise	Rockport*	West
Bovina	Fairfield*	Jacksboro*	Muenster*	Rosebud	West Lake Hills*
Boyd	Fairview*	Jarrell	Muleshoe	Royse City*	Westover Hills
Brady	Flatonia	Johnson City	Murphy*	Runaway Bay*	Westworth Village
Brazoria	Florence	Jonestown	Navasota*	Sabinal	Whitehouse*
Brenham*	Floydada*	Josephine	New Deal	Sachse*	Whitney
Briarcliff	Forest Hills*	Joshua	New Fairview	Saint Jo	Wichita Falls*
Bridgeport*	Forney	Jourdanton	New Home	Saint Paul	Willow Park
Brownfield*	Friona*	Junction	New Summerfield	San Augustine	Wilmer
Brownsboro	Frisco*	Katy	Newark	San Benito	Wilson
Bruceville-Eddy	Fritch*	Kaufman*	Nixon	San Felipe	Wimberley*
Buda*	Frost	Kermit*	Nocona	San Juan*	Wink*
Bulverde	Garden Ridge	Kilgore*	Nolanville	San Saba	Winnsboro
Cactus	Garland*	Knox City*	Northlake	Sanger	Winters
Caddo Mills	Gardland*	Krugerville	Oak Leaf	Sansom Park	Wolforth
Caldwell	Giddings*	Krum	Oak Point	Schulenburg*	Wortham
Caldwell	Glenn Heights	Krum	Oak Ridge	Schulenburg*	Yorktown
Calvert	Goliad*	La Feria	Odessa*	Seagoville*	
Cameron	Gonzales*	La Grange*	Olton	Seagraves	
Canadian*	Gordon	La Grange*	Onalaska	Seminole*	
Canyon*	Granbury	Lake Tanglewood	Overton*	Seymour	
Cedar Park	Grand Saline*	Lake Worth	Ovilla	Shady Shores	
Celina*	Granger*	Lakeside City	Palacios	Shallowater	
Chandler*	Granite Shoals*	Lakeway	Palmer	Sherman*	
Channing	Greenville	Lamesa*	Pampa*	Shiner	
Clarendon*	Grey Forest*	Lancaster	Panhandle	Slaton*	
		Lavon			

Texas based. Texas proud.



A Member of the ICC Family of Solutions





A GENERAL CODE COMPANY

October 24, 2022

Ms. Erica Molina, City Secretary
City of Simonton
PO Box 7
Simonton, TX 77476

Dear Ms. Molina:

Thank you for your interest in our codification services. I have put together the attached proposal for your review. I hope that the following information will prove beneficial to you and the City.

Franklin Legal was founded over 20 years ago, and soon became the most recommended and respected codification firm in the state. This is due to our absolute commitment to providing the best personal service to our clients; with over 300 Texas clients, we are confident in our level of quality and dedication in our services.

We earned trust and loyalty through the personal touch we provide, and I look forward to continuing to extend that same partnership to your City as well. It is our goal to work with you in providing professional and accurate codification services sure to please you and your citizens.

As you may also know, Franklin Legal is now a General Code® company, providing our clients with enhanced code services, resources and digital options that provide municipal staff and constituents better access to the Code. As a part of this expanded service offering, I have included with this agreement our newest online offering, *eCode360*. This online municipal code platform includes a responsive design for navigation with mobile devices, robust search functionality, and a portal for hosting minutes, agendas, and public documents.

The Franklin Legal/General Code Advantage

Location and Personal Touch. Franklin Legal was started in Texas, and as such, we're proud to be able to lend you and your City the personal touch that comes from fellow Texans. With representatives located around the state, we can assist you in person, whether it be by attending council meetings or serving as your right-hand regarding your City's code. We pride ourselves on being accessible, offering immediate responses to phone calls or emails, to better serve you and your citizens.

Experience. With over 300 code clients and years of extensive experience, Franklin Legal is able to provide outstanding service to you with our trusted teams of attorneys and legal editors. On average, our attorneys possess over 25 years of experience, while our legal editors average over 12 years. When it comes to handling your City's code, we have the knowledge and experience necessary to ensure a quality product in a timely manner. This is enhanced even more with the expertise and experience *General Code* can now bring to our clients.



CivicPlus

302 South 4th St. Suite 500
Manhattan, KS 66502
US

Quote #: Q-31150-1
Date: 11/2/2022 12:47 PM
Expires On: 1/31/2023

Client:
SIMONTON, TEXAS

Bill To:
SIMONTON, TEXAS

SALESPERSON	Phone	EMAIL	DELIVERY METHOD	PAYMENT METHOD
Ellen Ostermeyer	x	eostermeyer@civicplus.com		Net 30

QTY	PRODUCT NAME	DESCRIPTION	PRODUCT TYPE
395.00	Recodification	Recodification (per page) includes 5 copies	One-time
Total Investment Initial Term		USD 9,946.10	
Annual Recurring Services		USD 0.00	

Total Days of Quote:365

- This Statement of Work ("SOW") is between Simonton Texas ("Client") and CivicPlus, LLC (the "Service Provider"), and shall be subject to the terms and conditions of the CivicPlus Master Services Agreement located at <https://www.civicplus.com/master-services-agreement> ("MSA"), to which this SOW is hereby attached. By signing this SOW, Client expressly agrees to the terms and conditions of the MSA throughout the Term of this SOW.
- This SOW shall remain in effect for an initial term starting at signing of this Agreement ending eighteen (18) months from the signing of this Agreement or Service Provider's shipment of the final code, whichever occurs earlier ("Initial Term"). In the event that neither party gives 60 days' notice to terminate prior to the end of the Initial Term, or any subsequent Renewal Term, this SOW may be renewed for an additional 1-year renewal term ("Renewal Term"). The Initial Term and all Renewal Terms are collectively referred to as the "Term".
- The Total Investment Initial Term shall be invoiced as follows:
 - Upon signing this Agreement: 25%
 - Upon submission of the Legal Memorandum: 25%
 - Upon Submission of Proofs: 25%
 - Upon Delivery: Balance of Total Investment Initial Term.
 - Any additional costs will be billed separately, upon delivery.
- The initial Annual Recurring Services shall be invoiced eighteen (18) months from the signing of this Agreement or upon Service Provider's shipment of the final code, whichever occurs earlier ("Annual Services Start Date"). Subsequent Annual Recurring Services shall be invoiced on the anniversary date of the Annual Services Start Date of the relevant calendar year and subject to a annual increase each Renewal Term following the Annual Services Start Date.

5. Codification Services shall Include: Pages with single column and 10 point font unless otherwise listed above; receipt, review and organization of materials; Legal analysis and research by a full-time Service Provider attorney; Preparation of a legal memorandum by a Service Provider attorney; 3-hour Teleconference with attorney (additional time billed at \$150/hr); Implementation of approved legal findings; one draft copy of code with approved changes ("Proofs"); Updating State Law references; Editorial preparation, proofreading, and page formatting; Indexing; Tables; graphics and tabular matter; Final proofreading and corrections; Quality control review and printing – an amount of printed copies set forth in the line items above, to include 3-post stamped binder and tabs; and Sample adopting ordinance prepared by a Service Provider attorney. "Tables" shall include: supplement history table, code comparative table, and ordinance history table. An additional hourly charge shall be assessed for the creation, modification, addition or updating of any table or schedule other than those enumerated herein.
6. Codification Services do NOT include: freight; state sales tax; or any annual recurring services.
7. Client understands and agrees that the Total Investment for Codification Services may be increased by the addition of legislation or materials; or pages over the amount of pages with columns and font size listed in the line items above which may be added at the per page rate agreed upon by the Parties based on column and font size listed above. Legislation added to the project must be approved and received prior to the cutoff date established by the parties. Following the delivery of the final code draft for client proofing (the "Proof"), any extensive changes requested in the Proof content, and/or any material added to the Proof that was not previously contemplated by the parties, will be subject to an additional "Proof Update" fee. Proofs not returned within 45 days may be subject to a Proof Update fee.
8. Client agrees to provide all necessary and correct documentation, materials and communication in a timely manner as agreed upon by the parties following execution of this SOW. Service Provider shall not begin work under this SOW until all necessary documentation, materials, of a general and permanent nature and in a useable format (MS WORD or editable PDF), and communication are received. Service Provider will not be liable or responsible for any delay in the time or completion of the services due to the action or inaction of Client
9. Adhering to an established schedule of deadlines is critical to the success of this project and will ensure the contents of the Legal Memorandum remain current and complete at the time the final code ("Code") is adopted and republished. To ensure a successful project completion, it's important that a conference between the parties is held to discuss the findings of the Legal Memorandum within 45 days of its receipt, and that the subsequent Proof the Service Provider provides be returned within 45 days with any revisions noted. If the Proof is not returned within 45 days, additional update fees may apply. Client acknowledges Service Provider reserves the right to ship and close out any project if no feedback to the Proof is received within 45 days.
10. Client acknowledges Service Provider does not permanently retain prior versions of the legal Code or any other work product.
11. Additional services, including but not limited to, additional labor required because of delays, errors or omissions on the part of Client, may be purchased upon mutual written agreement between the parties.
12. Client acknowledges that Service Provider may provide legal analysis through codification, Codification or legal review services. Unless indicated otherwise, information sent via Internet email or through websites cannot be guaranteed to be confidential. Client further acknowledges that any legal analysis provided by Service Provider is provided to Client's legal counsel for their use and direction and is not intended to be legal advice nor is it intended to substitute for the advice or services of an attorney. Additionally, no attorney-client relationship can be established under this SOW.
13. The Parties agree that notwithstanding the indemnification covenants at Section 15 of the MSA, shall not apply to public interpretation of Legal Code or work product. Service Provider shall not be responsible for the legal sufficiency or copyright infringement of any material initially or subsequently published.

Additional Terms and Conditions:

If Annual Recurring Supplement Services is included in the services to be delivered under this SOW, the following terms apply:

1. Annual Recurring Supplement Services does NOT include:
 - Additional copies, reprints, binders and tab orders;
 - Documents that contain tables, graphics, unique formatting requirements, or any other form-based code requirements;
 - Legal work, creation of fee schedules, gender neutral review/implementation, external linking;
 - Codifying complete replacement of complex subject matter such as, but not limited to, Zoning (or equivalent). This work is subject to a one-time editorial conversion fee and an increase in the annual supplement rate and online hosting fee(s). Quote provided upon receipt of material;
 - Codifying a newly adopted full Chapter/Title/Appendix. This may be subject to a one-time additional editorial fee and an increase in the annual supplement rate and online hosting fee(s). Material to be reviewed upon receipt;
 - Codifying a newly adopted term change legislation. This may be subject to a one-time additional editorial fee. Material to be reviewed upon receipt;
 - The addition of Manuals, Policies, Procedures, Comprehensive Plans, Land Use, Unified Codes, Zoning (or equivalent). Quotation upon request; and
 - Online Code hosting and online features.

2. In the event Client wishes to increase its Supplement Updates frequency, Client agrees to pay an annual increase in an amount to be agreed upon between the parties, such amount to be prorated from the time of purchase to align with Client's Renewal Date. Client shall provide CivicPlus with written notice, email is sufficient, of its intent to acquire such services. Rush Supplement requests will be assessed an additional one-time fee.

If Legal Review is included in the services to be delivered under this SOW, the following terms apply:

1. Legal Review services include legal review of Client's Code of Ordinances ("Code") as published, to ensure conformity with state statutes and to identify any areas of possible legal concern. The review will also determine if there are any inconsistencies or conflicts within the legislation itself. Service Provider will notate any state law references within the Code that need to be updated in the memorandum. Legislation not currently included in the Code can be reviewed for an additional fee. Within 30 days of Client's receipt of the Legal Memorandum, Client may purchase an optional conference, via telephone or webinar, to review the Legal Memorandum and Service provider's recommendations, to be billed at Service Provider's current rates. The Legal Review services excludes Implementation of any recommendations.

If Self Publishing Software is included in the services to be delivered under this SOW, the following terms apply:

1. Client's responsibilities include:
 - a. Providing all code and/or book material to be converted to the Self-Publishing Software frame in digital format. The destination format for storage and presentation of the Client's document will be in the form of standard HTML and PDF;
 - b. Participating in the training necessary to use the software for the publication and integration of enacted legislation, and the drafting of future ordinances for self-updating; and
 - c. Integrating all future legislation into the existing code and continue to use the Self-Publishing Software to update and maintain any additional Client publications (unless for an additional fee the Service Provider is utilized for this service).

2. Client may add additional publications to the Self Publishing Software services purchased herein at an additional annual rate for each added publication, to be agreed upon by the parties, including without limitation: Minutes; Policies and Procedures; Resolutions; Public Works; Construction Standards; Plans; Charters, Museums, Airports.

Acceptance

By signing below, the parties are agreeing to be bound by the covenants and obligations specified in this SOW and the MSA terms and conditions found at: <https://www.civicplus.com/master-services-agreement>.

IN WITNESS WHEREOF, the parties have caused this SOW to be executed by their duly authorized representatives as of the dates below.

Client

CivicPlus

By:

By:

Name:

Name:

Title:

Title:

Date:

Date:

Contact Information

*all documents must be returned: Master Service Agreement, Statement of Work, and Contact Information Sheet.

Organization _____ URL _____

Street Address _____

Address 2 _____

City _____ State _____ Postal Code _____

CivicPlus provides telephone support for all trained clients from 7am –7pm Central Time, Monday-Friday (excluding holidays).
Emergency Support is provided on a 24/7/365 basis for representatives named by the Client. Client is responsible for
ensuring CivicPlus has current updates.

Emergency Contact & Mobile Phone _____

Emergency Contact & Mobile Phone _____

Emergency Contact & Mobile Phone _____

Billing Contact _____ E-Mail _____

Phone _____ Ext. _____ Fax _____

Billing Address _____

Address 2 _____

City _____ State _____ Postal Code _____

Tax ID # _____ Sales Tax Exempt # _____

Billing Terms _____ Account Rep _____

Info Required on Invoice (PO or Job #) _____

Are you utilizing any external funding for your project (ex. FEMA, CARES): Y [] or N []

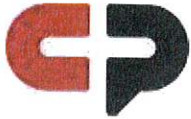
Please list all external sources: _____

Contract Contact _____ Email _____

Phone _____ Ext. _____ Fax _____

Project Contact _____ Email _____

Phone _____ Ext. _____ Fax _____



CivicPlus

302 South 4th St. Suite 500
Manhattan, KS 66502
US

Quote #:

Q-31149-1

Date:

11/2/2022 12:45 PM

Expires On:

1/31/2023

Client:

SIMONTON, TEXAS

Bill To:

SIMONTON, TEXAS

SALESPERSON	Phone	EMAIL	DELIVERY METHOD	PAYMENT METHOD
Ellen Ostermeyer	x	eostermeyer@civicplus.com		Net 30

QTY	PRODUCT NAME	DESCRIPTION	PRODUCT TYPE
1.00	Legal Review	Legal Review - Code through Supplement No. 4	One-time
Total Investment Initial Term		USD 3,400.00	
Annual Recurring Services		USD 0.00	

Total Days of Quote:365

1. This Statement of Work ("SOW") is between Simonton Texas ("Client") and CivicPlus, LLC (the "Service Provider"), and shall be subject to the terms and conditions of the CivicPlus Master Services Agreement located at <https://www.civicplus.com/master-services-agreement> ("MSA"), to which this SOW is hereby attached. By signing this SOW, Client expressly agrees to the terms and conditions of the MSA throughout the Term of this SOW.
2. This SOW shall remain in effect for an initial term starting at signing of this Agreement ending eighteen (18) months from the signing of this Agreement or Service Provider's shipment of the final code, whichever occurs earlier ("Initial Term"). In the event that neither party gives 60 days' notice to terminate prior to the end of the Initial Term, or any subsequent Renewal Term, this SOW may be renewed for an additional 1-year renewal term ("Renewal Term"). The Initial Term and all Renewal Terms are collectively referred to as the "Term".
3. The Total Investment - Year 1 will be invoiced upon signing of this SOW
4. The initial Annual Recurring Services shall be invoiced eighteen (18) months from the signing of this Agreement or upon Service Provider's shipment of the final code, whichever occurs earlier ("Annual Services Start Date"). Subsequent Annual Recurring Services shall be invoiced on the anniversary date of the Annual Services Start Date of the relevant calendar year and subject to a annual increase each Renewal Term following the Annual Services Start Date.
5. Codification Services shall Include: Pages with single column and 10 point font unless otherwise listed above; receipt, review and organization of materials; Legal analysis and research by a full-time Service Provider attorney; Preparation of a legal memorandum by a Service Provider attorney; 3-hour Teleconference with attorney (additional time billed at \$150/hr); Implementation of approved legal findings; one draft copy of code with approved changes ("Proofs"); Updating State Law references; Editorial preparation, proofreading, and page formatting; Indexing; Tables; graphics and tabular matter; Final proofreading and corrections; Quality control review and printing – an amount of printed copies set forth in

the line items above, to include 3-post stamped binder and tabs; and Sample adopting ordinance prepared by a Service Provider attorney. "Tables" shall include: supplement history table, code comparative table, and ordinance history table. An additional hourly charge shall be assessed for the creation, modification, addition or updating of any table or schedule other than those enumerated herein.

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7. Client understands and agrees that the Total Investment for Codification Services may be increased by the addition of legislation or materials; or pages over the amount of pages with columns and font size listed in the line items above which may be added at the per page rate agreed upon by the Parties based on column and font size listed above. Legislation added to the project must be approved and received prior to the cutoff date established by the parties. Following the delivery of the final code draft for client proofing (the "Proof"), any extensive changes requested in the Proof content, and/or any material added to the Proof that was not previously contemplated by the parties, will be subject to an additional "Proof Update" fee. Proofs not returned within 45 days may be subject to a Proof Update fee.

8. Client agrees to provide all necessary and correct documentation, materials and communication in a timely manner as agreed upon by the parties following execution of this SOW. Service Provider shall not begin work under this SOW until all necessary documentation, materials, of a general and permanent nature and in a useable format (MS WORD or editable PDF), and communication are received. Service Provider will not be liable or responsible for any delay in the time or completion of the services due to the action or inaction of Client

9. Adhering to an established schedule of deadlines is critical to the success of this project and will ensure the contents of the Legal Memorandum remain current and complete at the time the final code ("Code") is adopted and republished. To ensure a successful project completion, it's important that a conference between the parties is held to discuss the findings of the Legal Memorandum within 45 days of its receipt, and that the subsequent Proof the Service Provider provides be returned within 45 days with any revisions noted. If the Proof is not returned within 45 days, additional update fees may apply. Client acknowledges Service Provider reserves the right to ship and close out any project if no feedback to the Proof is received within 45 days.

10. Client acknowledges Service Provider does not permanently retain prior versions of the legal Code or any other work product.

11. Additional services, including but not limited to, additional labor required because of delays, errors or omissions on the part of Client, may be purchased upon mutual written agreement between the parties.

12. Client acknowledges that Service Provider may provide legal analysis through codification, Codification or legal review services. Unless indicated otherwise, information sent via Internet email or through websites cannot be guaranteed to be confidential. Client further acknowledges that any legal analysis provided by Service Provider is provided to Client's legal counsel for their use and direction and is not intended to be legal advice nor is it intended to substitute for the advice or services of an attorney. Additionally, no attorney-client relationship can be established under this SOW.

13. The Parties agree that notwithstanding the indemnification covenants at Section 15 of the MSA, shall not apply to public interpretation of Legal Code or work product. Service Provider shall not be responsible for the legal sufficiency or copyright infringement of any material initially or subsequently published.

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 - Codifying complete replacement of complex subject matter such as, but not limited to, Zoning (or equivalent). This work is subject to a one-time editorial conversion fee and an increase in the annual supplement rate and online hosting fee(s). Quote provided upon receipt of material;
 - Codifying a newly adopted full Chapter/Title/Appendix. This may be subject to a one-time additional editorial fee and an increase in the annual supplement rate and online hosting fee(s). Material to be reviewed upon receipt;
 - Codifying a newly adopted term change legislation. This may be subject to a one-time additional editorial fee. Material to be reviewed upon receipt;
 - The addition of Manuals, Policies, Procedures, Comprehensive Plans, Land Use, Unified Codes, Zoning (or equivalent). Quotation upon request; and
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1. Client's responsibilities include:
 - a. Providing all code and/or book material to be converted to the Self-Publishing Software frame in digital format. The destination format for storage and presentation of the Client's document will be in the form of standard HTML and PDF;
 - b. Participating in the training necessary to use the software for the publication and integration of enacted legislation, and the drafting of future ordinances for self-updating; and
 - c. Integrating all future legislation into the existing code and continue to use the Self-Publishing Software to update and maintain any additional Client publications (unless for an additional fee the Service Provider is utilized for this service).
2. Client may add additional publications to the Self Publishing Software services purchased herein at an additional annual rate for each added publication, to be agreed upon by the parties, including without limitation: Minutes; Policies and Procedures; Resolutions; Public Works; Construction Standards; Plans; Charters, Museums, Airports.

Acceptance

By signing below, the parties are agreeing to be bound by the covenants and obligations specified in this SOW and the MSA terms and conditions found at: <https://www.civicplus.com/master-services-agreement>.

IN WITNESS WHEREOF, the parties have caused this SOW to be executed by their duly authorized representatives as of the dates below.

Client

CivicPlus

By:

By:

Name:

Name:

Title:

Title:

Date:

Date:

Contact Information

*all documents must be returned: Master Service Agreement, Statement of Work, and Contact Information Sheet.

Organization _____ URL _____

Street Address _____

Address 2 _____

City _____ State _____ Postal Code _____

CivicPlus provides telephone support for all trained clients from 7am –7pm Central Time, Monday-Friday (excluding holidays).
Emergency Support is provided on a 24/7/365 basis for representatives named by the Client. Client is responsible for
ensuring CivicPlus has current updates.

Emergency Contact & Mobile Phone _____

Emergency Contact & Mobile Phone _____

Emergency Contact & Mobile Phone _____

Billing Contact _____ E-Mail _____

Phone _____ Ext. _____ Fax _____

Billing Address _____

Address 2 _____

City _____ State _____ Postal Code _____

Tax ID # _____ Sales Tax Exempt # _____

Billing Terms _____ Account Rep _____

Info Required on Invoice (PO or Job #) _____

Are you utilizing any external funding for your project (ex. FEMA, CARES): Y [] or N []

Please list all external sources: _____

Contract Contact _____ Email _____

Phone _____ Ext. _____ Fax _____

Project Contact _____ Email _____

Phone _____ Ext. _____ Fax _____