The City Council of the City of La Grange met in Regular Session on Monday, June 10, 2019 in the City Hall Council Chambers at 155 E. Colorado St. with the following members present: Mayor Janet Moerbe, Councilmember Bonnie Busch, Mayor Pro tem John J. Cernosek, Councilmember Jan Dockery, Councilman John Eilert, Councilman Pat Janca, Councilman Ken Taylor, Councilmember Kathy Weishuhn and Councilmember Violet Zbranek. Staff present: City Manager Shawn Raborn, Sergeant Travis Anderson and City Secretary Lisa Oltmann. Visitors: Sarah Mabry, Larry Jackson, Beverly white, Tom Hudson, Bob Heath, Rita & Ken Dernehl, Kim Newton, H. Busch, Neale Rabensburg, Phil Oestreich, Brandon Schielack and others.

Mayor Moerbe called the meeting to order. Pastor Marcia Kiefer of Shared Lutheran Ministries gave the invocation.

Under petitions, Larry Jackson addressed the council. Sergeant Anderson introduced Police Officers Curtis Zwahr and Cari Hamon to the council.

CONSENT AGENDA

REGULAR AGENDA

Staff report on Economic and Community Development Programs and Activities. Kim Newton, Community and Economic Development Manager, presented a report to the council on current Community Development Programs and activities. Incentive programs offered are the Paint & Sign Grant Program, Security Enhancement Grant Program, façade Grant Program, and the Low Interest Revolving Loans. There will be professional development workshops at the Historic Casino Hall this year including a Social Media Workshop, Texas Friendly Customer Service Workshop, and Leadership Development Workshops. La Grange Community Development & Tourism includes the La Grange Economic Development Corporation, La Grange Main Street, La Grange Visitors Bureau, and the Operations of the Historic Casino Hall.

Discuss annexation of one tract adjacent to the City of La Grange. Staff is requesting council authorization to begin the annexation of one parcel adjacent to the City of La Grange. The property in question is adjacent to the city limits at 808 N. Horton Street. The owner has
requested that the tracts be brought into the city limits. The city already has utility services adjacent to the subject properties. The proposed schedule for the Hope Hill addition would be as follows: June 10-adopt resolution, June 14 & 25– Publish notice of two Public Hearings, June 24 & July 8-Two Public Hearings, July 8 & August 12-First and Second reading of Annexation Ordinance.

Discuss and or consider a resolution directing City Manager to undertake the steps necessary to annex the area, which resolution shall include the dates for publication of notice, hearings and such other requirements mandated by the Local Government Code and the Charter. Motion Councilman Taylor, Second Councilman Janca to table this until such time to hear more about the pros and cons of the annexation in regards to the city. Motion carried 7-1 with Mayor Pro tem Cernosek voting against.

Discuss and or consider cancelling the July 22nd City Council Meeting. Motion Councilmember Zbranek, Second Councilmember Weishuhn to approve the resolution cancelling the July 22nd meeting. Motion carried.

Tourism Partnership Committee

Discuss and or consider allocation of Tourism Funds. Councilmember Busch, Chair of the Tourism Grant Committee reported that the committee met and review 5 funding requests. The committee requests council fund the requests as follows: Juneteenth on the Square-$1,000; Polka Lovers Club of Texas Museum - $1,000; Fayette County Tourism Association -$3,500; Fayette County Sheriff’s Posse-$6,250; Rotary Club of La Grange-Oktoberfest-$5,000. Motion Councilman Taylor, Second Councilmember Dockery to fund the requests as recommended. Motion carried.

City Manager Update

City Manager Raborn reviewed the Active Project Report. The city is in compliance with TCEQ relating to the Trihalomethanes, and is working to close out the Agreed Order. The property purchase was completed for the 3.9 acres between Lower line and Colorado Landing. It is anticipated that information will be received shortly regarding the new bridge which will be on Hwy 71, we are of the understanding that the new bridge will be on the south side of the existing bridge. The first event for the Summer Reading Program was the Dinosaur George event and there were over 400 in attendance. City crews are collecting brush from the storm damages from last week.

At 6:52 pm a Motion was made by Councilmember Weishuhn, Second by Councilmember Zbranek that the meeting be adjourned. Motion carried.

Lisa Oltmann, City Secretary

These Minutes Approved by City Council on:
Janet Moerbe, Mayor

REGULAR COUNCIL MEETING – June 24, 2019

The City Council of the City of La Grange met in Regular Session on Monday, June 24, 2019 in the City Hall Council Chambers at 155 E. Colorado St. with the following members present: Mayor Janet Moerbe, Councilmember Bonnie Busch, Mayor Pro tem John J. Cernosek, Councilmember Jan Dockery, Councilman John Eilert, Councilman Pat Janca, Councilman Ken Taylor, and Councilmember Kathy Weishuhn. Councilmember Violet Zbranek was absent. Staff present: City Manager Shawn Raborn, Chief of Police David Gilbreath, Asst. City Manager Frank Menefee, City Inspector Jason Nigh and City Secretary Lisa Oltmann. Visitors: Phil Oestreich, Tom Hudson, Sarah Mabry, Mike Mabry DVM, Shirley Hudson, Ralph Rosenberg, Candy O’Meara, Harvey E. Busch, Mary Ann Powell, Dusty Littrell, A. Neale Rabensburg and others.

Mayor Moerbe called the meeting to order. Pastor Candy O’Meara of St. Paul Lutheran Church gave the invocation.

Under petitions, Dusty Littrell and Tom Hudson spoke.

CONSENT AGENDA

Discuss and or consider approval of May 2019 minutes.

A motion was made by Councilman Janca and seconded by Councilman Taylor to approve the Consent Agenda Item as presented. Motion passed.

REGULAR AGENDA

Discuss and or consider approval of City Council Committee appointments. Mayor Moerbe recommended that the following City Council Committees be appointed as follows: General Services Committee-John Cernosek Chair, John Eilert, Jan Dockery, and Kathy Weishuhn. Utility Enterprise Committee-Pat Janca Chair, Ken Taylor, Violet Zbranek and Bonnie Busch. Tourism Partnership Grant Committee-John Eilert Chair, Jan Dockery and Violet Zbranek. Main Street Committee-Kathy Weishuhn. Library/Airport-John Cernosek. Motion Councilmember Weishuhn, Second Mayor Pro tem Cernosek to approve committee appointments. Motion carried.

The following items proposed the adoption of the latest published codes.

Discuss and or Consider approval on First Reading An Ordinance Amending Section 3.02.001, Article 3.02, Building Code, Chapter 3, Code Of Ordinances, City Of La Grange, Texas, By Replacing The 2003 Edition Of The International Building Code, Published By The International Code Council, Inc., With The International Building Code, 2018 Edition, As Amended And As In Force And Effect As Of The Date Of This Amendment To Section 3.02.001, As The Rules And Regulations To Govern And To Be Observed And Followed In The City Of La Grange, Texas; And Establishing An Effective Date.

Discuss and or Consider approval on First Reading An Ordinance Amending Section 5.03.001, Article 5.03, Fire Code, Chapter 5, Fire Prevention And Protection, Code Of Ordinances, City Of La Grange, Texas, By Adopting The International Fire Code, 2018 Edition, As Amended And As
In Force And Effect As Of The Date Of This Amendment To Section 5.03.001, As The Rules And Regulations To Govern And To Be Observed And Followed In The City Of La Grange, Texas And Establishing An Effective Date.

Discuss and or Consider approval on First Reading An Ordinance Amending Section 3.04.031, Article 3.04, Plumbing, Division 2, Plumbing Code, Chapter 3, Building Regulations, Code Of Ordinances, City Of La Grange, Texas, By Adopting The International Plumbing Code, 2018 Edition, As Amended And As In Force And Effect As Of The Date Of This Amendment To Section 3.04.031, As The Rules And Regulations To Govern And To Be Observed And Followed In The City Of La Grange, Texas And Establishing An Effective Date.

Discuss and or Consider approval on First Reading An Ordinance Amending Section 3.05.001, Article 3.05, Mechanical Code, Chapter 3, Building Regulations, Code Of Ordinances, City Of La Grange, Texas, By Adopting The International Mechanical Code, 2018 Edition, As Amended And As In Force And Effect As Of The Date Of This Amendment To Section 3.05.001, As The Rules And Regulations To Govern And To Be Observed And Followed In The City Of La Grange, Texas And Establishing An Effective Date.

Discuss and or Consider approval on First Reading An Ordinance Amending Section 3.06.001, Article 3.06 Fuel Gas Code, Chapter 3, Building Regulations, Code Of Ordinances, City Of La Grange, Texas, By Adopting The International Fuel Gas Code, 2018 Edition, As Amended And As In Force And Effect As Of The Date Of This Amendment To Section 3.06.001, As The Rules And Regulations To Govern And To Be Observed And Followed In The City Of La Grange, Texas And Establishing An Effective Date.

Discuss and or Consider approval on First Reading An Ordinance Amending Section 3.08.001, Article 3.08 Residential Code, Chapter 3, Building Regulations, Code Of Ordinances, City Of La Grange, Texas, By Adopting The International Residential Code, 2018 Edition, As Amended And As In Force And Effect As Of The Date Of This Amendment To Section 3.08.001, As The Rules And Regulations To Govern And To Be Observed And Followed In The City Of La Grange, Texas And Establishing An Effective Date.

Discuss and or Consider approval on First Reading An Ordinance Amending Section 3.09.001, Article 3.09 Property Maintenance Code, Chapter 3, Building Regulations, Code Of Ordinances, City Of La Grange, Texas, By Adopting The International Property Maintenance Code, 2018 Edition, As Amended And As In Force And Effect As Of The Date Of This Amendment To Section 3.09.001, As The Rules And Regulations To Govern And To Be Observed And Followed In The City Of La Grange, Texas And Establishing An Effective Date.

Discuss and or Consider approval on First Reading An Ordinance Amending Chapter 3, Code Of Ordinances, City Of La Grange, Texas, Building Regulations, By Adding A New Article, Article 3.16, To Be Named Existing Buildings Code, And Adopting The 2018 Edition Of The Existing Buildings Code Published By The International Code Council, Inc., As The Rules And Regulations To Govern And To Be Observed And Followed In The City Of La Grange, Texas; And Establishing An Effective Date.

Discuss and or Consider approval on First Reading An Ordinance Amending Chapter 3, Code Of Ordinances, City Of La Grange, Texas, Building Regulations, By Adding A New Article, Article 3.17, To Be Named Swimming Pool And Spa Code, And Adopting The 2018 Edition Of The
Swimming Pool And Spa Code Published By The International Code Council, Inc., As The Rules And Regulations To Govern And To Be Observed And Followed In The City Of La Grange, Texas; And Establishing An Effective Date.

Discuss and or Consider approval on First Reading An Ordinance Amending Section 3.15.01, State Energy Code Adopted, Article 3.15 Energy Codes, Chapter 3, Building Regulations, Code Of Ordinances, City Of La Grange, Texas, By Adopting The International Energy Conservation Code, 2018 Edition, In Place Thereof As In Force And Effect As Of The Date Of This Amendment To Section 3.15.001, As The Rules And Regulations To Govern And To Be Observed And Followed In The City Of La Grange, Texas And Establishing An Effective Date.

Discuss and or Consider approval on First Reading An Ordinance Amending Section 3.03.031, Article 3.03, Electricity, Division 2., Electrical Code, Code Of Ordinances, City Of La Grange, Texas, By Adopting The National Electrical Code, NFPA 70, 2017 Edition, As Amended And As In Force And Effect As Of The Date Of This Amendment To Section 3.03.031, As The Rules And Regulations To Govern And To Be Observed And Followed In The City Of La Grange, Texas And Establishing An Effective Date.

Motion Councilmember Weishuhn, Second Councilmember Janca we approve updates to all of the codes listed codes 1-11 on page 2. (Insert #1) Motion carried 7-0.

Discuss Hope Hill annexation issue. Staff brought back for council discussion the annexation of the Hope Hill Development. Advantages of Annexation: Land use control over development – Zoning will protect adjacent city residents. Properties are required to be constructed to city code requirements. Enforcement of property maintenance standards – weedy lots. Additional property taxes from development – estimated at $17,330 at buildout per year. Disadvantage: Additional service area with same city resources.

Discuss and or consider approval of a resolution directing City Manager to undertake the steps necessary to annex the area, which resolution shall include the dates for publication of notice, hearings and such other requirements mandated by the Local Government Code and the Charter. Staff is requesting council authorization to begin the annexation of one parcel adjacent to the City of La Grange. The property in question is adjacent to the city limits at 808 N Horton Street. The owner has requested that the tracts be brought into the city limits. We will already have utility services adjacent to the subject properties. Annexation schedule for Hope Hill 2019 Addition.

June 24, 2019-Adopt resolution directing City Manager to undertake the steps necessary to annex the area, which resolution shall include the dates for publication of notice, hearings and such other requirements mandated by the Local Government Code and the Charter. June 28, 2019 and July 26, 2019-Publish notices of two Public Hearings, July 8, 2019 and August 12, 2019-Two Public Hearings. August 12, 2019 and August 26, 2019-First and Second reading of Annexation Ordinance. Motion Mayor Pro tem Cernosek, Second Councilman Eilert to have staff begin the annexation process into the city. Motion carried 4-3 with Councilmember Busch, Councilman Taylor, and Councilman Janca voting against. Insert #2

Chief of Police Update
Chief Gilbreath recently attended a Public Information officers course. The department has been very busy, in May there were over 400 calls. There were a number of General Complaint calls, multiple MHMR calls. A stolen vehicle out of Austin was recovered by the department.
City Manager Update
There will be no change in the garbage or recycling pick up schedule next week due to the July 4th Holiday.
The next quarterly bulk pick up will be on July 20th.
The Hazard Mitigation Project is still under consideration.

The budget workshop was then held. This is to provide council an overview of the draft objectives for FY 2019-2020. Some items are to issue RFP for Banking and Audit Services in Spring of 2020. Develop and implement systematic review of City Operations to include organizational risks and opportunities. Develop and implement a Strategic Plan for the Police Department. Annual reclaim program in the street department. Complete restroom addition at White Rock Park. Evaluate installation of Columbarium at the Cemetery. Complete minor facility facelift, West Gym and Gym Restrooms at the Randolph Recreation Center. Continue planning process to renovate City Hall. Coordinate implementation of Adopted Comprehensive Plan items. Implementation of Interactive Downtown Information Project. Continue basic system upgrades on the utilities. Continue tree trimming project. Continue replacement of Aerator & support structure at Well Station G. Complete trunk sewer line upgrade project.

At 7:10 pm a Motion was made by Councilmember Weishuhn, Second by Councilman Taylor that the meeting be adjourned. Motion carried.

____________________________________
Lisa Oltmann, City Secretary

These Minutes Approved by City Council on:

____________________________________
____________________________________
Janet Moerbe, Mayor
MEMORANDUM

TO: Shawn Raborn, City Manager

FROM: Frank Menefee

SUBJECT: Current Code Adoption

DATE: May 21, 2019

PROPOSED ADOPTION OF LATEST PUBLISHED CODES

<table>
<thead>
<tr>
<th>CODE</th>
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<th>PROPOSED</th>
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<tr>
<td>1. International Building Code</td>
<td>2003</td>
<td>2018</td>
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<tr>
<td>2. International Fire Code</td>
<td>2003</td>
<td>2018</td>
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<tr>
<td>3. International Plumbing Code</td>
<td>2003</td>
<td>2018</td>
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<tr>
<td>4. International Mechanical Code</td>
<td>2003</td>
<td>2018</td>
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<tr>
<td>8. Existing Building Code</td>
<td>2003</td>
<td>2018</td>
</tr>
<tr>
<td>9. Swimming Pool and Spa Code</td>
<td>*</td>
<td>2018</td>
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* The only significant change between the 2003 and 2018 edition is the residential fire sprinkler requirement in Section R313 “Automatic Fire Sprinkler Systems” for one and two family dwellings as follows:
A RESOLUTION OF THE CITY COUNCIL OF
THE CITY OF LA GRANGE, TEXAS DIRECTING THE
CITY MANAGER TO UNDERTAKE ANNEXATION ACTION
WITH RESPECT TO CERTAIN SPECIFIED AREAS OF LAND

WHEREAS, the City Council has reviewed and fully considered the needs of the
inhabitants of the City of La Grange and finds that there exists a need for annexation of
certain lands from time to time for the purpose of promoting the health, safety and
general welfare of the persons owning, residing on or otherwise occupying within
established boundaries of the City;

WHEREAS, such purpose is accomplished by orderly growth that results in logical
extension of the City’s geographical limits, with respect to distribution of population, as
well as balanced, symmetrical lines of demarcation; and provision of various municipal
services to persons owning, residing on or otherwise occupying property within as well
as adjacent to the City; and

WHEREAS, the area of land proposed for annexation and described below is
located adjacent to and contiguous with the corporate limits of the City of La Grange,
are each within the extraterritorial jurisdiction of the City of one-half mile, and do not
exceed in total size 10% of the total corporate area on January 1, 2019;

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

That the City Manager undertake steps necessary to annex the property
described as in Exhibit "A", attached hereto and incorporated by reference herein,
including service plans preparation; compliance with notice to be published in a
newspaper of general circulation in La Grange, Texas, on June 28, 2019 and July 25,
2019; two (2) public hearings to be held at the City Council Chambers at 6:00 p.m. on
July 8, 2019, and at 6:00 p.m. and one on August 12, 2019; and any such other
requirements mandated by the Municipal Annexation Act as modified in Chapters 43 of
the Texas Local Government Code, the City Charter of the City of La Grange, Texas,
and such policies established by resolution or ordinance, as have heretofore been
adopted by the City.

BE IT FURTHER RESOLVED:

That the City Secretary is hereby authorized and directed to place and keep an
executed copy of said notices, hearing minutes, service plans, and this resolution in the
permanent files of the City Secretary’s Office.
PASSED AND APPROVED on this the 24th day of June, 2019.

City of La Grange, Texas

[Signature]
Janet Moerbe, Mayor

ATTEST:

[Signature]
Lisa Oltmann, City Secretary
EXHIBIT "A"

STATE OF TEXAS
COUNTY OF FAYETTE

WILLIAM KARISCH

22.950 ACRES

All that certain tract or parcel of land containing 22.950 acres situated in the John H. Moore 1/2 League, A-71, in Fayette County, Texas (of which 2.50 acres are located within the Corporate Limits of the City of La Grange), and being a part of that tract described as 30.053 acres in a deed from Anita Johnston, et al., to William Karisch, et al., dated September 5, 2014 and recorded in Volume 1706, Page 104 of the Official Records of Fayette County, said 22.950 acre tract being more particularly described by metes and bounds as follows:

Commencing at a 1/2" iron rod found in the South right-of-way line of State Highway 71 (9.556 acres - District Court Cause No. 87-647; Vol. 11, Pg. 876 Abstract of Judgments Records) for the Northeast corner of the (called) 0.958 acre Edward Orona tract (Vol. 1442, Pg. 9 F.C.O.R.) and the Northwest corner of said (called) 30.053 acre Karisch tract, said point having a coordinate value of North = 13,889,200.70 feet and East = 2,643,632.35 feet according to the Texas State Plane Coordinate System - South Central Zone - NAD 83(2011);

Thence South 42 degrees 39 minutes 48 seconds West, departing said Highway 71 right-of-way line, 167.33 feet along the common line between said Orona and Karisch tracts to a 1/2" iron rod set for the North corner of the tract herein described and the PLACE OF BEGINNING;

Thence South 47 degrees 38 minutes 47 seconds East, departing said common line and severing said 30.053 acre Karisch tract, 303.36 feet to a 1/2" iron rod set within said Karisch tract for corner;

Thence South 01 degrees 13 minutes 44 seconds East, 120.13 feet to a 1/2" iron rod set within said Karisch tract for corner;

Thence South 47 degrees 38 minutes 47 seconds East, 299.68 feet to a 1/2" iron rod set in the common line between said Karisch tract and the (called) 26.5265 acre Ralph Rosenberg tract (Vol. 1412, Pg. 123; Vol. 345, Pg. 89 - F.C.O.R.) for the East corner of the tract herein described, from which a 1/2" iron rod found in the South right-of-way line of State Highway 71 for the Northeast corner of said 30.053 acre Karisch tract bears North 42 degrees 21 minutes 13 seconds East, 709.39 feet;
EXHIBIT "A"

WILLIAM KARISCH
22.950 ACRES

PAGE 2

Thence South 42 degrees 21 minutes 13 seconds West, along said common line, at 640.15 feet passing a 1" iron pipe found for the West corner of said Rosenberg tract and the North corner of the Paula Rosenberg Subdivision (Vol. 353, Pg. 528 F.C.D.R.) and continuing for a total distance of 712.15 feet along the common line between said Rosenberg Subdivision tract and said Karisch tract to a 1/2" iron rod found near the Northwest base of a 24" tree stump for an angle point;

Thence South 15 degrees 08 minutes 26 seconds West, 84.85 feet along said common line to a 1/2" iron rod found near the Northeast base of a 30" post oak tree for an angle point;

Thence South 41 degrees 29 minutes 51 seconds West, continuing along said common line, at 12.50 feet passing a 3/4" iron pipe found, at 312.66 feet passing a 3/4" iron pipe found, and continuing for a total distance of 406.92 feet to a 3/8" iron rod found for the East corner of the (called) 0.76 acre Frank Brauner tract (Vol. 481, Pg. 495 F.C.D.R.), the most Easterly South corner of said 30.053 acre Karisch tract and the most Easterly South corner of the tract herein described;

Thence North 54 degrees 06 minutes 05 seconds West, 217.81 feet to a 3/8" iron rod found for the North corner of said Brauner tract and an inside corner of said Karisch tract;

Thence South 39 degrees 51 minutes 22 seconds West, 208.21 feet to a 1/2" iron rod found in the Northeast margin of "Horton Street" (60' wide right-of-way; Vol. 1, Pg. 27 Fayette County Plat Records) for the West corner of said Brauner tract, the most Western South corner of said Karisch tract and the most Western South corner of the tract herein described, from which a 1/2" iron rod found bears South 39 degrees 51 minutes 22 seconds West, 2.76 feet;

Thence North 46 degrees 33 minutes 58 seconds West, 498.47 feet along said Northeast margin of "Horton Street" to a 1/2" iron rod found for an angle point, from which a 1/2" iron rod found bears North 68 degrees 09 minutes 47 seconds West, 7.40 feet;

Thence North 68 degrees 09 minutes 47 seconds West, continuing along said North margin of "Horton Street", 37.94 feet to a 1/2" iron rod found for the South corner of the (called) 1.023 acre Margarette Wagoner tract (Vol. 1304, Pg. 267 F.C.O.R.), the West corner of said Karisch tract and the West corner of the tract herein described, from which a 1/2" iron rod found bears North 68 degrees 09 minutes 47 seconds West, 444.64 feet;

Thence North 42 degrees 45 minutes 34 seconds East, departing said "Horton Street", at 219.40 feet passing a 5/8" iron rod found for the East corner of said Wagoner tract and the South corner of the Northpoint Addition (Vol. 2, Pg. 48 Fayette County Plat Records), at 883.66 feet passing a 5/8" iron rod found, at 1,129.64 feet passing a 1/2" iron rod found, at 1,293.78 feet passing a 1/2" iron rod found, and continuing for a total distance of 1,375.72 feet to a 1/2" iron rod found for the East corner of said Northpointe Addition and the South corner of said Edward Orona tract;

PAGE 2 OF 3
Thence North 42 degrees 39 minutes 48 seconds East, 147.21 feet along the common line between said Kariach and Orona tracts to the PLACE OF BEGINNING and containing 22.950 acres (of which 2.5 acres are within the Corporate Limits of the City of La Grange).

Bearings, distances and coordinates used herein are “GRID” based on the Texas State Plane Coordinate System - South Central Zone - NAD 83(2011). Convergence = +01 degree 02 minutes 26 seconds. Combined factor = 0.99990387.

STATE OF TEXAS
COUNTY OF FAYETTE

I, Kevin Von Minden, a Registered Professional Land Surveyor, do hereby certify the foregoing field notes to be true and correct to the best of my knowledge and belief.

BEFCO ENGINEERING, INC.
Firm No. 10001700
Consulting Engineering & Land Surveying

Kevin Von Minden, R.P.L.S.
Registration No. 4438
May 3, 2018
BEFCO Job No. 18-7143
Exhibit "A"

Property Description

Attached is a description of the Property intended to be annexed by the City of La Grange by request of the owner(s) and a map or drawing of same.

ABS A071 MOORE J H. 1/2 LG. 20.45 ACRES. NO BLDGS OR M H as which to add to ABS A071 MOORE J H. HORTON HILL (439) LOT 3 2.5 NO BLDGS OR M H which has already been annexed into the city limits of La Grange, Tx and is owned by the same.