

**NOTICE OF LA MARQUE
CITY COUNCIL
BY TELEPHONE CONFERENCE**

In accordance with order of the Office of the Governor issued March 16, 2020, the La Marque City Council will conduct a Regular meeting on **Monday, November 9, 2020 immediately following the Workshop that begins at 6:00 PM by telephone and video conference** in order to advance the public health goal of limiting face-to-face meetings to slow the spread of the Coronavirus/COVID-19. This Notice, the meeting agenda, and the agenda packet can be found online at:

<https://ci.la-marque.tx.us/AgendaCenter>

THERE WILL BE NO PUBLIC ACCESS TO CITY HALL DURING THE MEETING.

The public will be permitted to offer public comments telephonically as provided below and as permitted by the Mayor during the meeting. A recording of the telephonic meeting will be made and will be available to the public in accordance with the Open Meetings Act upon written request.

THE PUBLIC TOLL-FREE DIAL-IN NUMBER TO PARTICIPATE IN THE MEETING IS:

1 (346) 248-7799

ONCE YOU ARE CONNECTED, YOU MUST ENTER THE FOLLOWING:

Meeting ID: 92493940502

Press *6 to mute or unmute your phone line. You may also connect to the meeting on your smartphone, tablet or computer by going to the following internet address:

<https://zoom.us/j/92493940502>

Once you are on the website, you may need to enter the following:

Meeting ID: 924 9394 0502

If you require accommodation to participate in this meeting, contact the City Clerk at 409-938-9259 or cityclerk@cityoflamarque.org at least 48 hours prior to the meeting start time.



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

Mayor Bobby Hocking

Mayor Pro-Tem Keith Bell- District A

Councilmember Chris Lane- District B

Councilmember Robert Michetich- District C

Councilwoman Casey McAuliffe- District D

ORDINANCE NO. O-2020-0018

RESOLUTION NO. R-2020-0019

**CITY OF LA MARQUE
CITY COUNCIL
AGENDA
of
NOVEMBER 9, 2020**

Notice is hereby given that the City Council of the City of La Marque, Texas will conduct a Regular Meeting via teleconference (ZOOM) on Monday, November 9, 2020, beginning immediately after the City Council Workshop that begins at 6:00 p.m.; but no later than 7:00 p.m. for the purpose of considering the following agenda:

(1) CALL MEETING TO ORDER

(2) ROLL CALL

(3) MINUTES

- a. Workshop City Council Minutes of October 12, 2020
- b. Regular City Council Meeting Minutes of October 12, 2020
- c. Special City Council Meeting Minutes of October 19, 2020
- d. Special City Council Meeting Minutes of October 26, 2020
- e. Special City Council Meeting Minutes of October 30, 2020

(4) CONSENT

Discussion/possible on the following items: (City Council reserves the right to pull any item(s) under the consent agenda for further discussion)

- a. Consider recommendation to approve a final plat for Sunset Grove Section 2 with condition that the public infrastructure is completed and accepted by the City – Development Services D. Purnell
- b. Consider recommendation to approve a final plat for Landing at Delany Cove Section 13 with conditions that 1) public infrastructure construction plans are approved by the City; and 2) performance bond for same is submitted and approved by the City – Development Services D. Purnell

- c. Consider recommendation to award Bid **LM #10-21** to DXI Industries for Liquid Chlorine, Calcium Hypochlorite & Sulfur Dioxide in the amount of \$52,126.00 – Public Works Director C. Cary

(5) PUBLIC HEARING

- a. Conduct Public Hearing to hear public input regarding adopting Ordinance No. **O-2020-0016**, repealing Sec. 44-14; Noises as Public Nuisances, Chapter 44, of the Code of Ordinances, City of La Marque, Texas; and in its place adopting a new Sec. 44-14; establishing unreasonably loud noises as public nuisances
- b. Conduct Public Hearing to hear public input regarding adopting Ordinance No. **O-2020-0017**, a final report of the La Marque Planning and Zoning Commission and recommendation to approve a request to change the zoning district from unzoned to (C-1) General Commercial for property known as 1607 4th Ave., La Marque, Texas – Development Services D. Purnell **THIS IS THE FIRST READING**
- c. Conduct Public Hearing to hear public input regarding adopting Ordinance No. **O-2020-0018**, a final report of the La Marque Planning and Zoning Commission and recommendation to approve a request to change the zoning district from (R-1) Single-Family Residential to (C-1) General Commercial for Lots 1, 2, 3 of the Johansson Addition located at or near 2105 Gulf Freeway, La Marque, Texas- Development Services D. Purnell **THIS IS THE FIRST READING**

(6) OLD BUSINESS

- a. Consider recommendation regarding adopting Ordinance No. **O-2020-0016**, amending Section 44-14; “Noises as Public Nuisances,” of Chapter 44, “Miscellaneous Offenses and Provisions,” of the Code of Ordinances, City of La Marque, Texas – Police Chief K. Jackson **THIS IS THE SECOND AND FINAL READING**

(7) NEW BUSINESS

- a. Discussion/possible action regarding Galveston County invoice for COVID-19 testing in the amount of \$101,515.16 – Assistant to City Manager C. Warren
- b. Discussion/possible action regarding adopting Ordinance No. **O-2020-0017**, a final report of the La Marque Planning and Zoning Commission and recommendation to approve a request to change the zoning district from unzoned to (C-1) General Commercial for property known as 1607 4th Ave., La Marque, Texas – Development Services D. Purnell **THIS IS THE FIRST READING**
- c. Discussion/possible action regarding adopting Ordinance No. **O-2020-0018**, a final report of the La Marque Planning and Zoning Commission and recommendation to approve a request to change the zoning district from (R-1) Single-Family Residential to (C-1) General Commercial for Lots 1, 2, 3 of the Johansson Addition located at or near 2105 Gulf Freeway, La Marque, Texas- Development Services D. Purnell **THIS IS THE FIRST READING**

(8) APPOINTMENTS

- a. Discussion/possible action relating to appointments and/or reappointments to fill various positions of the Boards and Commissions – Mayor B. Hocking

(7) EXECUTIVE SESSION

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

(8) ACTION TAKEN FROM EXECUTIVE SESSION

(9) REQUESTS AND ANNOUNCEMENTS

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

- (1) expressions of thanks, congratulations, or condolence;*
- (2) information regarding holiday schedules;*
- (3) an honorary or salutory recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutory recognition for purposes of this subdivision;*
- (4) a reminder about an upcoming event organized or sponsored by the governing body;*
- (5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality or county; and*
- (6) announcements involving an imminent threat to the public health and safety of people in the municipality or county that has arisen after the posting of the agenda.*

(10) ADJOURNMENT

CERTIFICATION:

I hereby certify that the above notice of meeting was posted at 1109-B Bayou Road, La Marque, Texas on or before November 6, 2020, before 5:30 p.m.

Robin Eldridge, TRMC
City Clerk

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



**CITY OF LA MARQUE
CITY COUNCIL WORKSHOP
MINUTES
of
OCTOBER 12, 2020**

City Council Workshop Minutes of the City of La Marque City Council held on Monday, October 12, 2020, beginning at 6:00 p.m. at 1109-B Bayou Road with the following members present:

(1) CALL TO ORDER

Mayor Hocking called the Workshop to order at 6:00 p.m.

(2) ROLL CALL

Bobby Hocking

Keith Bell

Chris Lane

Robert Michetich

Casey Mc Auliffe

Mayor

Mayor Pro-Tem, Councilmember District A

Councilmember, District B

Councilmember, District C

Councilwoman, District D

OTHER OFFICIALS PRESENT:

Charles "Tink" Jackson

Robin Eldridge

Kierra Nance

Derra Purnell

City Manager

City Clerk

Deputy City Clerk

City Attorney

(3) INVOCATION AND PLEDGE OF ALLEGIANCE- Skipped formally

(4) CITIZENS PARTICIPATION

Joe Compian, Chairperson of the Keep La Marque Beautiful Commission reported that they were the recipients of the 2nd place Governors Community Achievement Award. Stressed the diversity and great relationships within the city with everyone working together. He then thanked all of the members of the Commission and members of Council and Mayor for their continued support.

Terry Pettijohn emphasized the importance of good ethics and ethical behavior within the city government, whether appointed or elected. "I just want you know we are watching for these issues."

(5) CONSENT

Discussion on the following item (s): (City Council reserves the right to pull any item (s) under the Consent Agenda for further discussion)

- a. Discussion relating to ratify City Manager's expenditure of \$66,930 from CARES ACT funding for protective masks related to COVID-19

After a brief explanation, there was no further discussion.

(6) NEW BUSINESS

- a. Discussion relating to adopt Ordinance No. **O-2020-0015**, amending Chapter 2, "Administration," Article IV, "Purchasing," of the Code of Ordinances, City of La Marque, Texas and adopting an updated Procurement Policy **THIS IS THE FIRST READING**

After a brief explanation, Mayor Pro-Tem Bell asked what was meant by the "trigger points". This was explained as being the levels (amount of purchase), relating to levels of approval depending on the amount of the purchase. (State and Federal law have changed since the last procurement policy was adopted by the city). Some of the larger cities may have other certain provisions in their policies. Most other cities are still up to the \$50,000.00 threshold, being a "trigger point". All purchases over \$50,000.00 will still have to come before Council for their approval, unless it was an unbudgeted item. The Historically Underutilized Businesses active list is found on the Texas Comptrollers website. Some of the most impactful changes - updating some of the provisions had changed and authorization levels changed, pertaining to the bidding process and what triggers municipalities to have to go out for a formal bid. (Former amount was \$25,000.00, now up to \$50,000.00)

- b. Discussion relating to adopting Ordinance No. **O-2020-0016**, amending Section 44-14, "Noises as Public Nuisances," of Chapter 44, "Miscellaneous Offenses and Provisions," of the Code of Ordinances, City of La Marque, Texas **THIS IS THE FIRST READING**

After a brief explanation as to the reason for the amendment, it was determined that this was in response to complaints that were received from citizens. It addresses certain noises as being public nuisances. Mayor Pro-Tem Bell expressed that the way in which the proposed ordinance seems very gray and could be at the discretion of the complainant and the police officer. It was asked that the entire ordinance be reviewed at some point, since these ordinances are living and change frequently depending on different circumstances. Chief Jackson said that data could be reported and brought back within a one-year time frame to report any violations written in violation of this ordinance and review it at that time. The process from the police department first receiving a call for service to a

citation written was briefly discussed. There would have be an investigation and documentation gathered to determine a probable cause before any citation would be written.

- c. Discussion relating to providing direction to the Public Relations Specialist on the development of a draft three-year communication plan

After a brief explanation, there was no further discussion.

- d. Discussion relating to preliminary plat for Trails at Woodhaven Lakes, Section 1

After a brief explanation, there was no further discussion.

- e. Discussion relating to preliminary plat for Ambrose, Section 1.

After a brief explanation, there was no further discussion.

- f. Discussion relating to utility billing late fees accrued during the COVID-19 pandemic

After a brief explanation, it was suggested that an ending date or something that would be a little more finite be included. A stimulus package and unemployment benefits that were passed by the federal government to help businesses and individuals help get through the pandemic helped a bit. A few other options according to the memo that was sent out to Council before the meeting were also discussed (options two and four) appealed to Mayor Pro-Tem Bell. Further discussion included rental properties, staff time it would take to figure out refunds, or remove late fees retro and the combination of options one and four. A special meeting to draft an emergency ordinance was discussed.

(7) ADJOURNMENT

Mayor Hocking adjourned the Workshop at 6:38 p.m.



CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor

ATTEST:

Robin Eldridge, TRMC
City Clerk



**CITY OF LA MARQUE
CITY COUNCIL REGULAR
MINUTES
of
OCTOBER 12, 2020**

City Council Regular Minutes of the City of La Marque City Council held on Monday, October 12, 2020, beginning immediately following the City Council Workshop that began at 6:00 p.m. at 1109-B Bayou Road with the following members present:

(1) CALL TO ORDER

Mayor Hocking called the Regular Meeting to order at 6:00 p.m.

(2) ROLL CALL

Bobby Hocking

Keith Bell

Chris Lane

Robert Michetich

Casey Mc Auliffe

Mayor

Mayor Pro-Tem, Councilmember District A

Councilmember, District B

Councilmember, District C

Councilwoman, District D

OTHER OFFICIALS PRESENT:

Charles "Tink" Jackson

Robin Eldridge

Kierra Nance

Derra Purnell

City Manager

City Clerk

Deputy City Clerk

City Attorney

(3) MINUTES

- a. Workshop City Council Minutes of September 14, 2020
- b. Regular City Council Meeting Minutes of September 14, 2020
- c. Special City Council Meeting Minutes of September 15, 2020
- d. Special City Council Meeting Minutes of October 5, 2020

** Mayor Pro-Tem Bell made a motion to approve the minutes mentioned above.

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

(4) CONSENT

Discussion/possible action on the following items: (City Council reserves the right to pull any item(s) under the consent agenda for further discussion)

- a. Consider recommendation to ratify City Manager's expenditure of \$66,930 from CARES Act funding for protective masks related to COVID-19

** Councilmember Michetich made a motion to ratify City Manager's expenditure of \$66,930 from CARES Act funding for protective masks related to COVID-19

** Mayor Pro-Tem Bell seconded. **MOTION CARRIED UNANIMOUSLY**

(5) NEW BUSINESS

- a. Discussion/possible action regarding adopting Ordinance No. **O-2020-0015**, amending Chapter 2, "Administration," Article IV, "Purchasing," of the Code of Ordinances, of the City of La Marque, Texas and adopting an updated Procurement Policy **THIS IS THE FIRST READING**

** Councilmember Michetich made a motion to approve Ordinance No. **O-2020-0015**, amending Chapter 2, "Administration," Article IV, "Purchasing," of the Code of Ordinances, of the City of La Marque, Texas and adopting an updated Procurement Policy, on the First reading

** Councilwoman Mc Auliffe seconded.

Mayor Pro-Tem Bell asked for Council could be notified when expenditures fell in between the 25,000.00 to 50,000.00 mark. **MOTION CARRIED UNANIMOUSLY**

- b. Discussion/possible action regarding adopting Ordinance No. **O-2020-0016**, amending Sec. 44-14, "Noises as Public Nuisances," Chapter 44, "Miscellaneous Offenses and Provisions," of the Code of Ordinances, City of La Marque, Texas **THIS IS THE FIRST READING**

** Councilmember Michetich made a motion to approve Ordinance No. **O-2020-0016**, amending Sec. 44-14, "Noises as Public Nuisances," Chapter 44, "Miscellaneous Offenses and Provisions," of the Code of Ordinances, City of La Marque, Texas on the First reading.

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

- c. Discussion/possible action regarding direction to the Public Relations Specialist on the development of a draft three-year communication plan

** Councilmember Michetich made a motion to move forward to the Public Relations Specialist on the development of a draft three-year communication plan.

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

- d. Discussion/possible action regarding preliminary plat for Trails at Woodhaven Lakes, Section 1

** Mayor Pro-Tem Bell made a motion to approve the preliminary plat for Trails at Woodhaven Lakes, Section 1.

** Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY**

e. Discussion/possible action regarding preliminary plat for Ambrose, Section 1

** Mayor Pro-Tem Bell made a motion to approve the preliminary plat for Ambrose, Section 1.

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

f. Discussion/possible action regarding utility billing late fees accrued during the COVID-19 pandemic

** Councilwoman Mc Auliffe requested that staff put together a combination of options one and four in the form of an ordinance to be brought back in a special meeting

** Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY**

(6) APPOINTMENTS

a. Discussion/possible action relating to appointments and/or reappointments to fill various positions of the Boards and Commissions

** Mayor Pro-Tem Bell appointed Cleveland Lane to the unexpired term of a former member (expires in 2022) on the Economic Development Corporation.

(7) EXECUTIVE SESSION

a. Section 551.017 (Consultation with Attorney) regarding pending litigation, or a settlement offer related to contract/employment claims of William Reed

Mayor Hocking closed the Regular meeting and went into Executive Session at 7:21 p.m.

(8) ACTION TAKEN FROM EXECUTIVE SESSION

a. Discussion/possible action regarding pending litigation, or a settlement offer related to contract/employment claims of William Reed

Mayor Hocking reconvened into the Regular meeting at 7:40 p.m.

Councilwoman Mc Auliffe made a motion to accept the settlement proposal
Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY**

(9) REQUESTS AND ANNOUNCEMENTS

There were none

(10) ADJOURNMENT

Mayor Pro-Tem Bell made a motion and Councilmember Michetich seconded to adjourn the Regular meeting at 7:41 p.m. **MEETING ADJOURNED**

Bobby Hocking, Mayor

ATTEST:

Robin Eldridge, TRMC
City Clerk



**CITY OF LA MARQUE
CITY COUNCIL SPECIAL
MEETING MINUTES
of
October 19, 2020**

City Council Minutes of the Special Meeting on Monday, October 19, 2020, beginning at 6:00 p.m. **via teleconference (ZOOM)** for the purpose of considering the following agenda:

(1) CALL TO ORDER

Mayor Hocking called the Special Meeting to order at 6:01 p.m.

(2) ROLL CALL

Bobby Hocking
Keith Bell
Robert Michetich
Casey Mc Auliffe

Mayor
Mayor Pro-Tem - District A
Councilmember- District C
Councilwoman- District D

ABSENT:

Chris Lane

Councilmember-District B

OTHER OFFICIALS PRESENT:

Charles "Tink" Jackson
Derra Purnell
Robin Eldridge

City Manager
City Attorney
City Clerk

(3) NEW BUSINESS

- a. Discussion/possible action regarding adoption of Ordinance No. **O-2020-0017**, temporarily amending Chapter 68, "Water and Sewers," Section 68-76, "Nonpayment of Charges," of the City Code of Ordinances and adopting a temporary late fee waiver policy due to the COVID-19 public health emergency

** Councilmember Michetich made a motion to adopt Ordinance No. **O-2020-0017**, temporarily amending Chapter 68, "Water and Sewers," Section 68-76, "Nonpayment of Charges," of the City Code of Ordinances and adopting a temporary late fee waiver policy due to the COVID-19 public health emergency

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

(4) ADJOURNMENT

Mayor Pro-Tem Bell made a motion to adjourn he Special meeting at 6:03 p.m.
Councilwoman Mc Aulifffe seconded. **SPECIAL MEETING ADJOURNED**

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor

ATTEST:

Robin Eldridge, TRMC, City Clerk

DRAFT



**CITY OF LA MARQUE
CITY COUNCIL SPECIAL
MEETING MINUTES
of
October 26, 2020**

City Council Minutes of the Special Meeting on Monday, October 26, 2020, beginning at 6:00 p.m. **via teleconference (ZOOM)** for the purpose of considering the following agenda:

(1) CALL TO ORDER

Mayor Hocking called the Special Meeting to order at 6:01 p.m.

(2) ROLL CALL

Bobby Hocking
Keith Bell
Robert Michetich
Casey Mc Auliffe

Mayor
Mayor Pro-Tem – District A
Councilmember- District C
Councilwoman- District D

ABSENT:

Chris Lane

Councilmember-District B

OTHER OFFICIALS PRESENT:

Charles “Tink” Jackson
Derra Purnell
Robin Eldridge

City Manager
City Attorney
City Clerk

(3) PUBLIC HEARING

- a. Conduct Public Hearing to hear public input to adopt Ordinance No. O-2020-0015, amending Chapter 2, “Administration,” Article IV, “Purchasing,” of the Code of Ordinances, of the City of La Marque, Texas and adopting an updated Procurement Policy

Mayor Hocking closed the Special meeting and opened the Public Hearing at 6:01 p.m.

No one spoke.

Mayor closed the Public Hearing and reconvened the Special Meeting

(4) OLD BUSINESS

- a. Discussion/possible action regarding adoption of Ordinance No. **O-2020-0015**, amending Chapter 2, "Administration," Article IV, "Purchasing," of the Code of Ordinances, of the City of La Marque, Texas and adopting an updated Procurement Policy

** Councilwoman Mc Auliffe made a motion to adopt Ordinance No. **O-2020-0015**, on the Second and Final Reading

** Mayor Pro-Tem Bell seconded. **MOTION CARRIED UNANIMOUSLY**

(4) ADJOURNMENT

Mayor Pro-Tem Bell made a motion to adjourn the Special meeting at 6:03 p.m. Councilwoman Mc Auliffe seconded. **SPECIAL MEETING ADJOURNED**

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor

ATTEST:

Robin Eldridge, TRMC, City Clerk



**CITY OF LA MARQUE
CITY COUNCIL SPECIAL
MEETING MINUTES
of
October 30, 2020**

City Council Minutes of the Special Meeting on Monday, October 30, 2020, beginning at 6:00 p.m. **via teleconference (ZOOM)** for the purpose of considering the following agenda:

(1) CALL TO ORDER

Mayor Hocking called the Special Meeting to order at 6:01 p.m.

(2) ROLL CALL

Bobby Hocking
Keith Bell
Chris Lane
Robert Michetich
Casey Mc Auliffe

Mayor
Mayor Pro-Tem – District A
Councilmember-District B
Councilmember- District C
Councilwoman- District D

OTHER OFFICIALS PRESENT:

Charles “Tink” Jackson
Derra Purnell
Robin Eldridge

City Manager
City Attorney
City Clerk

(3) EXECUTIVE SESSION

- a. Section 551.074, (Personnel Matter), as Authorized by Chapter 551 of the Texas Government Code, for the purpose of hearing a complaint or charge against an officer or employee, Councilmember Robert Michetich

Mayor Hocking closed the Special Meeting and went into the Executive Session at 6:01 p.m.

Mayor reconvened to the Special Meeting at 6:54 p.m.

(4) ACTION TAKEN FROM EXECUTIVE SESSION

- a. Discussion and possible action regarding matters discussed during Executive Session

Mayor Pro-Tem Bell made a motion for City Council to censure Councilmember Robert Michetich, District C for his actions related to this election, the current election cycle Councilmember Lane seconded. After roll call was called by the City Manager (City Clerk as having technical difficulties); Councilmembers Bell, Lane, Mc Auliffe and Mayor Hocking – AYES; Councilmember Michetich abstained **4 AYES and 1 ABSTAINION**

It was noted that since the subject concerned Councilmember Michetich, his abstention wouldn't be considered a NO vote.

(5) ADJOURNMENT

Mayor Pro-Tem Bell made a motion to adjourn the Special meeting at 6:56 p.m. Councilwoman Mc Auliffe seconded. **SPECIAL MEETING ADJOURNED**

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor

ATTEST:

Robin Eldridge, TRMC, City Clerk



CITY COUNCIL AGENDA FORM

Meeting Date: November 9, 2020

Prepared by: Derra Purnell

Agenda item: 4a

Reviewed by: Charlene Warren/

Charles Jackson

Department: Development Services

AGENDA ITEM DESCRIPTION: Consider recommendation to approve a final plat for Sunset Grove Section 2 with condition that the public infrastructure is completed and accepted by the City

X

ATTACHMENTS FOR REFERENCE

1. Planning and Zoning Commission report
2. Submitted plat

STAFF BRIEFING:

- Planning & Zoning Commission approved this plat with the condition that the public infrastructure is complete and approved by the City prior to recording of the final plat with the Galveston County Clerk
- The public infrastructure for this subdivision has been installed, but Adico is working with the developer to verify the punch list items are completed

HISTORY:

October 27, 2020 - Consideration by Planning & Zoning Commission

TARGET IMPLEMENTATION: **November 9, 2020**

SIGNIFICANT ACTION DATES: **N/A**

ACTION:

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

Cost Details:

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

STAFF'S RECOMMENDATION: Motion to approve with condition a final plat for Sunset Grove Section 2

FISCAL IMPACT: **None**



City of La Marque Planning & Zoning Commission

COMMISSION REPORT

Meeting Date: October 27, 2020

Agenda Item: Discussion / possible action regarding a final plat for Sunset Grove Section 2 being a subdivision of 14.68 Acres near Delany Road and Prairie St

Item Type: Plat - Final Plat

History: Final plat was previously approved, but has since expired

Standard for Approval:

Plats that comply with the requirements of City Code Chapter 41 and Chapter 212 of the Texas Local Government Code must be approved.

References: City Code Chapter 41;
Chapter 212, Texas Local Government Code

Council approval: Required

Public comments: None

Recommendation: Motion to approve a final plat for Sunset Grove Section 2, subject to the condition that:

- 1) The public infrastructure is complete and approved by the City prior to recording of the final plat with the Galveston County Clerk.



CITY COUNCIL AGENDA FORM

Meeting Date: November 9, 2020

Prepared by: Derra Purnell

Agenda item: 4b

Reviewed by: Charlene Warren

Charles Jackson

Department: Development Services

AGENDA ITEM DESCRIPTION: Consider recommendation to approve a final plat for Landing at Delany Cove Section 13 with conditions that 1) public infrastructure construction plans are approved by the City; and 2) performance bond for same is submitted and approved by the City

☒

ATTACHMENTS FOR REFERENCE

1. Planning and Zoning Commission report
2. Submitted plat

STAFF BRIEFING:

- Planning & Zoning Commission approved this plat subject to the following conditions:
 - 1) Public infrastructure plans are approved by the City;
 - 2) Performance bond for public infrastructure construction is submitted and accepted by the City; and
 - 3) Applicant provides original certified tax certificates.
- The public infrastructure plans have been approved by Adico, subject to approval of these plans by the Galveston County Drainage District #2
- If public infrastructure will not be completed prior to recording of the final plat, a performance bond is required by the City to ensure construction of the infrastructure
- The original tax certificates have been provided to the City since the Planning & Zoning Commission meeting

HISTORY:

October 27, 2020 - Consideration by Planning & Zoning Commission

TARGET IMPLEMENTATION: November 9, 2020

SIGNIFICANT ACTION DATES: N/A

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



CITY COUNCIL AGENDA FORM

ACTION:

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

Other Funding	
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STAFF'S RECOMMENDATION: Motion to approve with conditions a final plat for Landing at Delany Cove Section 13

FISCAL IMPACT: None



City of La Marque Planning & Zoning Commission

COMMISSION REPORT

Meeting Date: October 27, 2020

Agenda Item: Discussion / possible action regarding a final plat for Landing at Delany Cove Section 13 near Delany Road and FM 1765

Item Type: Plat - Final Plat

History: Preliminary plat approved previously

Standard for Approval:

Plats that comply with the requirements of City Code Chapter 41 and Chapter 212 of the Texas Local Government Code must be approved.

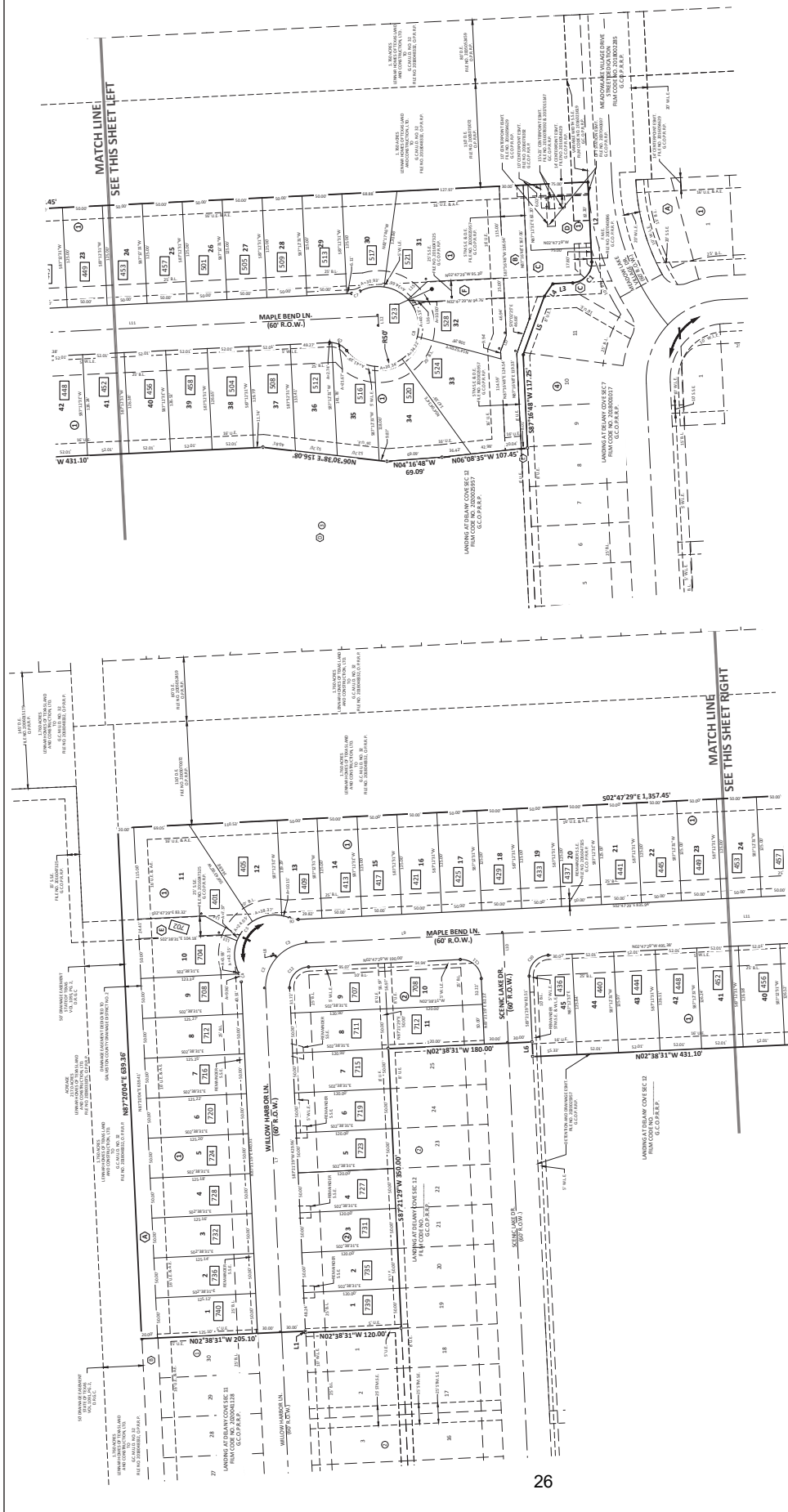
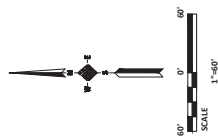
References: City Code Chapter 41;
Chapter 212, Texas Local Government Code

Council approval: Required

Public comments: None

Recommendation: Motion to approve a final plat for Landing at Delany Cove Section 13, subject to the conditions that:

- 1) Public infrastructure plans are approved;
- 2) Performance bond for public infrastructure construction is submitted and accepted by the City; and
- 3) Applicant provides original certified tax certificates.



RESERVE TABLE			
RESERVE NAME	RESTRICTION	SQ. FT.	ACRES
A	DRAINAGE AND OPEN SPACE	52,788	1.204
B	LANDSCAPING, OPEN SPACE, DETENTION AND DRAINAGE	8,423	0.193
C	LANDSCAPING, OPEN SPACE AND UTILITIES	5,557	0.128
D	UTILITIES	6,165	0.141
E	LANDSCAPING, OPEN SPACE AND UTILITIES	2,622	0.060
F	LANDSCAPING, OPEN SPACE AND UTILITIES	2,790	0.064

OPEN SPACE TABLE			
SECTION	PLAT AREA	OPEN SPACE	
LANDING AT DELANY COVE SEC. 13	11.862	11.862	
LANDING AT DELANY COVE SEC. 13	11.862	11.862	
LANDING AT DELANY COVE SEC. 13	11.862	11.862	
TOTAL	40.538	40.538	

CURVE TABLE			
CURVE	BEARING	LENGTH	CHORD DISTANCE
C1	S00°00'00" E	25.00	25.00
C2	S44°59'51" E	55.00	43.38
C3	S44°59'51" E	55.00	43.38
C4	S44°59'51" E	55.00	43.38
C5	S44°59'51" E	55.00	43.38
C6	S44°59'51" E	55.00	43.38
C7	S44°59'51" E	55.00	43.38
C8	S44°59'51" E	55.00	43.38
C9	S44°59'51" E	55.00	43.38
C10	S44°59'51" E	55.00	43.38
C11	S44°59'51" E	55.00	43.38
C12	S44°59'51" E	55.00	43.38

LINE TABLE			
LINE	BEARING	LENGTH	CHORD DISTANCE
L1	S89°21'27" W	100.00	100.00
L2	S89°21'27" W	100.00	100.00
L3	S89°21'27" W	100.00	100.00
L4	S89°21'27" W	100.00	100.00
L5	S89°21'27" W	100.00	100.00
L6	S89°21'27" W	100.00	100.00
L7	S89°21'27" W	100.00	100.00
L8	S89°21'27" W	100.00	100.00
L9	S89°21'27" W	100.00	100.00
L10	S89°21'27" W	100.00	100.00
L11	S89°21'27" W	100.00	100.00
L12	S89°21'27" W	100.00	100.00
L13	S89°21'27" W	100.00	100.00
L14	S89°21'27" W	100.00	100.00
L15	S89°21'27" W	100.00	100.00
L16	S89°21'27" W	100.00	100.00
L17	S89°21'27" W	100.00	100.00

FINAL PLAT
LANDING AT DELANY COVE SEC 13
A SUBDIVISION OF
11.862 ACRES
LOCATED IN
S.F. AUSTIN LEAGUE NO. 4 SURVEY, A-2
CITY OF LA MARQUE, GALVESTON COUNTY, TEXAS
56 LOTS 2 BLOCKS 6 RESERVES

OWNER:
LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD.
13300 HWY. 6
SUITE 100
HOUSTON, TX 77060
713.462.0000
713.462.0000
713.462.0000

ENGINEER:
IDS
Engineering Group
13300 HWY. 6
SUITE 100
HOUSTON, TX 77060
713.462.0000
713.462.0000
713.462.0000



CITY COUNCIL AGENDA FORM

Meeting Date: November 9, 2020

Prepared by: Venisha Henderson/
Chaise Cary

Department: Public Works

Agenda item: 4c

Reviewed by: Charlene Warren/
Charles Jackson

AGENDA ITEM DESCRIPTION: Consider recommendation to award Bid **LM #10-21** to DXI Industries for Liquid Chlorine, Calcium Hypochlorite, and Sulfur Dioxide in the amount of \$52,126.00

X

ATTACHMENTS FOR REFERENCE

1. Bid Tab

STAFF BRIEFING:

- There were six (6) bids solicited as well as a legal ad placed in the Galveston County Daily Newspaper that ran twice in a fifteen (15) day period
- A notice was posted on the City of La Marque web site
- A bid was posted through BidNet
- Of responses received, one (1) qualified bid was received
- Please see the enclosed bid tabulation for bid results
- Staff recommends awarding the bid for Liquid Chlorine, Calcium Hypochlorite, and Sulfur Dioxide to DXI Industries as the lowest qualified bid meeting specifications
- The bid amounts are based on specifications supplied by the City of La Marque

HISTORY:

- DXI Industries has been a vendor of La Marque since 2008
- These chemicals are used for the treatment process in the City's Wastewater Discharge and Disinfection of the potable drinking water

TARGET IMPLEMENTATION: November 9, 2020

SIGNIFICANT ACTION DATES: N/A

ACTION:

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

Cost Details:

Budgeted	\$60,000.00
Actual Bid	\$52,126.00
Estimated Expenditure	\$60,000.00
Acct. Name(s)	Operating Supplies
Line Item #	02-2010-24-00
Other Funding	



CITY COUNCIL AGENDA FORM

STAFF'S RECOMMENDATION: Motion to award Bid **LM #10-21** to DXI Industries for Liquid Chlorine, Calcium Hypochlorite, and Sulfur Dioxide in the amount of \$52,126.00

FISCAL IMPACT: These chemicals are annual reoccurring purchases. The annual bid came in under the estimated budget costs of chemicals.

**BID TAB
LM 10-21
CHLORINE
CALCIUM HYPOCHLORITE
SULFUR DIOXIDE**

Macaulay Controls Company

ESTIMATED QUANTITY (UNITS)	DESCRIPTION	UNIT PRICE PER DRUM	TOTAL BASED ON ESTIMATEDQUANTITY
28	150 lb. Cylinders of Chlorine as Specified	NO BID	NO BID
24	1 – Ton Cylinder of Chlorine as Specified	NO BID	NO BID
20	100 lb. Drums of Calcium Hypochlorite, as per the specifications	\$186.00	\$3,720.00
165	150 lb. Cylinders of Sulfur Dioxide (SO2), as per the specifications	NO BID	NO BID

INCOMPLETE BID

DXI Industries

ESTIMATED QUANTITY (UNITS)	DESCRIPTION	UNIT PRICE PER DRUM	TOTAL BASED ON ESTIMATEDQUANTITY
28	150 lb. Cylinders of Chlorine as Specified	\$140.00	\$3,920.00
24	1 – Ton Cylinder of Chlorine as Specified	\$824.00	\$19,776.00
20	100 lb. Drums of Calcium Hypochlorite, as per the specifications	\$184.00	\$3,680.00
165	150 lb. Cylinders of Sulfur Dioxide (SO2), as per the specifications	\$150.00	\$24,750.00

BID \$52,126.00



CITY COUNCIL AGENDA FORM

Meeting Date: November 9, 2020

Prepared by: Chief Kirk Jackson

Agenda item: 6a

Reviewed by: Charlene Warren

Charles Jackson

Department: Police

AGENDA ITEM DESCRIPTION: Consider recommendation regarding adopting Ordinance No. **O-2020-0016**, amending Section 44-14; "Noises as Public Nuisances," of Chapter 44, "Miscellaneous Offenses And Provisions," of the Code of Ordinances, City of LaMarque, Texas **THIS IS THE SECOND AND FINAL READING**

X

ATTACHMENTS FOR REFERENCE

1. Proposed Ordinance
2. Current City Code Provisions

STAFF BRIEFING:

- The La Marque Code of Ordinances, Section 44-14, prohibits specific noises as public nuisances
- The ordinance does not address sources of noise that are harmful to the well-being of the citizens, other than the sources prohibited by ordinance
- Recent concerns brought forth by citizens, and at the request of City Council, led City staff to identify needed changes to Section 44-14
- The proposed revisions to Section 44-14 have been reviewed and approved by the City Attorney

HISTORY:

July 2016 - The La Marque City Ordinance addressing noises as public nuisances was last amended

TARGET IMPLEMENTATION: After adoption of a proposed ordinance on First Reading, conducting a Public Hearing, and adoption of the Ordinance on the Second Reading

SIGNIFICANT ACTION DATES:

May 15, 2017 - First reading of proposed ordinance; item tabled

October 12, 2020 - Item brought back for first reading, passed by City Council

ACTION:

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

Cost Details:

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



CITY COUNCIL AGENDA FORM

STAFF'S RECOMMENDATION: Motion to adopt Ordinance No. **O-2020-0016**, amending Section 44-14; "Noises as Public Nuisances," of Chapter 44, "Miscellaneous Offenses And Provisions," of the Code of Ordinances, City of La Marque, Texas **THIS IS THE SECOND AND FINAL READING**

FISCAL IMPACT: N/A

ORDINANCE NO. O-2020-0016

AN ORDINANCE OF THE CITY COUNCIL OF LA MARQUE, TEXAS AMENDING CHAPTER 44, "MISCELLANEOUS OFFENSES AND PROVISIONS," ARTICLE I, "IN GENERAL," SECTION 44-14, "NOISES AS PUBLIC NUISANCES," OF THE CODE OF ORDINANCES OF THE CITY OF LA MARQUE, TEXAS; PROVIDING A PENALTY NOT TO EXCEED \$500 FOR EACH VIOLATION; ESTABLISHING AN EFFECTIVE DATE; AND MAKING OTHER PROVISIONS RELATED TO THE SUBJECT.

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

Section 1. That, Section 44-14, Noises as Public Nuisances, of Chapter 44, Miscellaneous Offenses and Provisions, Article I, In General, is amended to read as follows:

"Sec. 44-14. - Noises as public nuisances.

(a) *Enumeration of specific loud noises.*

- (1) No person(s) may play any musical type apparatus inside or outside a residence or business so that the sound is plainly audible at a distance of 50 or more feet outside of the building or structure from source of noise or sound.
- (2) No person(s) shall sound any horn or signal device on any automobile, motorcycle, or other vehicle while not in motion, except as a danger signal if another vehicle is approaching apparently out of control or in motion only as a danger signal after or as brakes are being applied and deceleration of vehicle is intended; the creation by means of any signal device plainly audible at a distance of 50 or more feet.
- (3) The keeping of any animal or bird causing a frequent or long-continued noise plainly audible at a distance of 50 feet or more constitutes a nuisance.

(b) *Unreasonable noises, residential zoning.*

- (1) In all areas zoned for residential use, the creation of any unreasonably loud noise which causes distress, discomfort or injury to persons of ordinary sensibilities in the immediate vicinity thereof is hereby declared to be a nuisance and is hereby prohibited.
- (2) Any noise of such character, intensity and continued duration which substantially interferes with the comfortable enjoyment of any dwelling in an area zoned for residential use by persons of ordinary sensibilities is also declared to be a nuisance and is hereby prohibited.

(c) *Unreasonable noises, commercial and industrial zoning*

- (1) In areas zoned for commercial or light industrial use, the creation of any unreasonably loud noise which causes material distress, discomfort or injury

to persons of ordinary sensibilities in the immediate vicinity thereof is hereby declared to be a nuisance and is hereby prohibited when such noise emanates from inside or on the premises of a house, hotel, apartment or other dwelling place.

- (2) Noise emanating from any premises in an area zoned for commercial or light industrial use is hereby deemed reasonable and permissible when it is associated with the ordinary operation of an amusement, business, industry or commerce and such business is being conducted in accordance with all city ordinances and permit requirements.

(d) *Noise near schools, courts, hospitals, place of worship, etc.*

The creation of any excessive, unreasonable or unnecessary noise on any street adjacent to any school, place of worship, institution of learning or court while the same is in session, or adjacent to any hospital, convalescent, old age or rest home, which unreasonably interferes with the workings of such institution or may interfere with the comfort of patients within such institution, is hereby prohibited, if conspicuous signs or other evidence indicating the presence of such school, court, hospital, convalescent, old age or rest home are displayed, giving the public adequate notice of the presence of such institution.

(e) *Permit required for outdoor sound equipment.*

No person shall use or cause to be used any loudspeaker, loudspeaker system, sound amplifier or any other machine or device which produces, reproduces, or amplifies sound outside of buildings or other enclosed structures without first obtaining a permit to do so except as provided for in subsection 44-14(f). Such permit:

- (1) May be made by making application to the Chief of Police.
- (2) Is valid for one 15-hour period between the hours of 9:00 a.m. and 12:00 a.m.
- (3) Shall only permit the amplification of either music and/or human speech.
- (4) Shall be applied for no later than five working days prior to the date for which the permit is being sought.

The application for the permit required to be filed pursuant to this section shall contain the following information:

- (1) The date of the application.
- (2) The date for which the permit is requested.
- (3) The name and address of the applicant.
- (4) The name and address of the person who will have charge of the sound amplifying equipment.
- (5) The purpose for which the sound equipment will be used.
- (6) The address and/or a description of the location where the sound equipment will be used.

- (7) The anticipated number of persons and or spectators who will be in attendance.
 - (8) If security will be provided, the company which will be providing the site security.
- (f) Defenses.
- The following defenses shall apply to any offense established in this article:
- (1) The emission of any sound was for the purpose of alerting persons to the existence of an emergency, danger or attempted crime;
 - (2) The sound was produced by an authorized emergency vehicle;
 - (3) The sound was produced by emergency work necessary to restore public utilities, or to restore property, to a safe condition, or to protect persons or property from imminent danger, following a fire, accident or natural disaster;
 - (4) The sound was generated at a lawfully scheduled stadium event, by a parade and spectators and participants on the parade route during a permitted parade, or by a pyrotechnic display that was inspected and approved by the fire marshal;
 - (5) The sound was generated by spectators and participants of any outdoor event, fun run, race, festival, fiesta, or concert which was sponsored, cosponsored, or permitted by the city; or
 - (6) Any other lawful activity which constitutes protected expression pursuant to the First Amendment of the United States Constitution.
 - (7) The sound was produced by the erection, excavation, construction, demolition, alteration, or repair work, or the permitting or causing thereof, of any street, building or other structure, or the operation or the permitting or causing the operation of any tools or equipment used in any such activity conducted during the hours and days such work is authorized under City Code.
 - (8) The sound was produced by aircraft in flight or in operation at an airport, or railroad equipment in operation on railroad rights-of-way.
 - (9) The sound was generated as authorized under the terms of a permit issued under this article.
 - (10) The sound was produced by church bells or church chimes when used as part of a religious observance or service during daytime hours and which did not exceed five continuous minutes in duration in any one-hour period.
 - (11) The sound was produced by a sound amplification system on the property of a commercial business and the sound does not extend beyond the property under control of the commercial business from which the sound is being produced.

(g) *Penalty.* The violation of any provision of this Article shall be unlawful and, upon conviction, punishable as a Class -C misdemeanor subject to a fine not exceeding \$500.00. Each occurrence of a violation and each day that a violation continues shall constitute a separate offense.”

Section 2. Repeal. This ordinance is intended to be cumulative and shall not repeal any provision of a previous ordinance or City Code provision, except to the extent that a provision is inconsistent and cannot be reconciled with this ordinance.

Section 3. Severability. In the event any clause, phrase, provision, sentence) or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it is the intention of the City Council that the invalidity or unconstitutionality of the one or more parts shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision other than the part declared to be invalid or unconstitutional; and the City Council of the City of La Marque, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 4. Publication and Effective Date. This ordinance shall be effective immediately upon adoption, public hearing in accordance with Section 2.19 of the City Charter, and publication of this ordinance or a caption that summarizes the purpose of this ordinance and the penalty for violating this ordinance in accordance with Chapter 52 of the Texas Local Government Code and Article II of the City Charter.

PASSED, AND APPROVED by the City Council of the City of La Marque on First Reading this **12th** day of **October** 2020; and

PASSED, APPROVED, AND ADOPTED by the City Council of the City of La Marque on Second and Final Reading this ____ day of _____, 2020.

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor

ATTEST:

Robin Eldridge, TRMC, City Clerk

APPROVED AS TO FORM:

Derra Leigh Purnell, City Attorney

Sec. 44-14. - Noises as public nuisances.

(a) *Enumeration of specific loud noises.*

- (1) No person(s) may play any musical type apparatus inside or outside a residence or business so that the sound is plainly audible at a distance of 50 or more feet outside of the building or structure from source of noise or sound without first obtaining a permit to do so as provided in section (b) below.
- (2) No person(s) shall sound any horn or signal device on any automobile, motorcycle, or other vehicle while not in motion, except as a danger signal if another vehicle is approaching apparently out of control or in motion only as a danger signal after or as brakes are being applied and deceleration of vehicle is intended; the creation by means of any signal device plainly audible at a distance of 50 or more feet.
- (3) The keeping of any animal or bird causing a frequent or long-continued noise plainly audible at a distance of 50 feet or more constitutes a nuisance. Refer to existing Galveston County Health District Rules for animal control, section .028(b).

(b) A permit is required for the use of outdoor sound amplification equipment for special events such as concerts, civic or church events or an event which invokes rights pursuant to the First Amendment of the United States Constitution. Such permit:

- (1) May be made by making application to the chief of police.
- (2) Is valid for one 15-hour period between the hours of 9:00 a.m. and 12:00 a.m.
- (3) Shall only permit the amplification of either music and/or human speech.
- (4) Shall be applied for no later than five working days prior to the date for which the permit is being sought.

(c) The application for the permit required to be filed pursuant to this section shall contain the following information:

- (1) The date of the application.
- (2) The date for which the permit is requested.
- (3) The name and address of the applicant.
- (4) The name and address of the person who will have charge of the sound amplifying equipment.
- (5) The purpose for which the sound equipment will be used.
- (6) The address and/or a description of the location where the sound equipment will be used.
- (7) The anticipated number of persons and or spectators who will be in attendance.

- (8) If security will be provided, the company which will be providing the site security.
- (d) *Penalty.* The violation of any provision of this section shall be unlawful and a misdemeanor offense, punishable by a fine not exceeding \$500.00. Each referral and each day a violation of this section continues shall constitute a separate offense.
- (e) *Severability.* Severability is intended throughout and within this article. If any provision, including any section, paragraph, sentence, clause, phrase or word or the application thereof to any person or circumstances is held invalid, the application to other persons or under other circumstances shall not be affected thereby and the validity of the provision in any and all other respects shall not be affected thereby. It is intended that this provision be held inapplicable in any case if such exists, where its application would be unconstitutional construction hereof is intended and shall be given. There is no intent herein to violate either the Texas Constitution or the Constitution of the United States.

(Ord. No. O-2016-0010, §§ 1,2, 7-11-2016)

Editor's note— Ord. No. O-2016-0010, §§ 1 and 2, adopted July 11, 2016, repealed and reenacted § 44-14, as set out herein. Former § 44-14 pertained to similar subject matter and derived from Code 1972, § 11-11; Ord. No. 740; and Ord. No. 909, § 11-11, adopted Feb. 25, 2002.



CITY COUNCIL AGENDA FORM

Meeting Date: November 9, 2020

Prepared by: Charlene Warren

Agenda item: 7a

Reviewed by: Charlene Warren/

Charles Jackson

Department: Administration

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding Galveston County invoice for COVID-19 testing in the amount of \$101,515.16

☒

ATTACHMENTS FOR REFERENCE

1. Cover letter/invoice dated October 1, 2020

STAFF BRIEFING:

- Galveston County and its thirteen (13) municipalities received funding from the Coronavirus Relief Fund (CRF) under the Coronavirus Aid, Relief, and Economic Security Act (CARES Act)
- Allocation to the City of La Marque was \$924,935, based on population at \$55 per capita; all funding is required to be expended by December 30, 2020 or the funds are to be returned
- Galveston County's allotment was \$2.3M, of which they committed over 56% (\$1.3M) to expanded public testing and assisting GCHD with their needs
- Staff's recommendation was to retain the CARES Act funding for the City's current/future COVID-19 needs and in December, transfer any unused funding to Galveston County
- At the July 13, 2020 meeting, City Council requested to table and return for consideration on the August 10, 2020 agenda
- At the August 10, 2020, Council voted to deny the interlocal agreement
- On October 26, 2020, Finance Director Kou notified City Manager Jackson of an invoice from the County of Galveston requesting payment in the amount of \$101,515.16 for COVID-19 testing for La Marque for the months May through September, 2020

HISTORY: N/A

TARGET IMPLEMENTATION: Dependent upon Council action

SIGNIFICANT ACTION DATES:

07/13/2020 - City Council voted to table interlocal agreement consideration until the August meeting

8/10/2020 - City Council voted to deny the interlocal agreement



CITY COUNCIL AGENDA FORM

ACTION:

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

Cost Details:

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

STAFF'S RECOMMENDATION: Dependent upon City Council's direction

FISCAL IMPACT: Up to \$101,515.16



Dear City Municipality,

Since May 2020, Galveston County and UTMB has run a successful COVID-19 testing program for all Galveston County residents. As of mid-September, 68,504 tests have been completed and paid for under this program. In June 2020, Galveston County entered into an inter-local agreement with the Galveston County's Health District to "*Track, Respond & Mitigate*" Covid-19 within our County. This successful commitment has aided in the overall reduction of Covid positive cases. Per our ongoing conversations with your Emergency Management Coordinator, the enclosed invoice includes your city's respective costs for these services. Services enclosed include testing costs for your city's respective residents and costs for the services of the Galveston County Health District.

As you know, the CARES Act requires that 75% of funds received must go to cover COVID related response expenditures. 100% of this invoice goes to the 75% requirement.

We appreciate your partnership during these challenging times. Working together, we have successfully protected the vast majority of our citizens all while keeping our county open.

Please review your attached invoice. If you have any questions, please feel free to contact Galveston County Emergency Management Coordinator, Scott Tafuri at Scott.Tafuri@co.galveston.tx.us or 281-309-5003.

Please remit your payment to
Galveston County AP Clerk
722 Moody (21st St.) 4Fl.
Galveston, TX. 77550

Sincerely,

Galveston County



City of La Marque
CITY HALL
A/P Clerk Finance
1111 Bayou Road
La Marque, TX 77568
409-938-9200

10/01/2020

Invoice #: C19Testing 05, 06, 07, 08, 09/2020 + GCHD for La Marque

For Covid 19 Testing (PCR & AntiBody) for the Months of May, June, July, August & September 2020

May - 72 - PCR-Nasal Swab Tests & Processed	\$100.00 Unit Cost	Sub-total \$7,200.00
June - 284 - PCR-Nasal Swab Tests & Processed	\$100.00 Unit Cost	Sub-total \$28,400.00
June -20 - Antibody Tests Administered & Processed	\$ 52.00 Unit Cost	Sub-total \$1,040.00
July - 298 - PCR-Nasal Swab Tests & Processed	\$100.00 Unit Cost	Sub-total \$29,800.00
July - 21 - Antibody Tests Administered & Processed	\$ 52.00 Unit Cost	Sub-total \$1,092.00
August - 95 - PCR-Nasal Swab Tests & Processed	\$100.00 Unit Cost	Sub-total \$9,500.00
August - 5 - Antibody Tests Administered & Processed	\$ 52.00 Unit Cost	Sub-total \$260.00
September - 55 - PCR-Nasal Swab Tests & Processed	\$100.00 Unit Cost	Sub-total \$5,500.00
September - 1 – Antibody Tests & Processed	\$52.00 Unit Cost	Sub-total \$52.00
1 - Galveston County Health District – <i>Track, Respond & Mitigate</i>		Sub-total \$18,671.16
		Total: \$101,515.16

Please remit payment to:

Galveston County AP Clerk

722 Moody (21st St.) 4Fl.

Galveston, TX. 77550



CITY COUNCIL AGENDA FORM

Meeting Date: November 9, 2020

Prepared by: Derra Purnell

Agenda item: 7b

Reviewed by: Charlene Warren/

Charles Jackson

Department: Development Services

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding adopting Ordinance No. **O-2020-0017**, a final report of the La Marque Planning and Zoning Commission and recommendation to approve a request to change the zoning district from unzoned to (C-1) General Commercial for property known as 1607 4th Ave., La Marque, Texas **THIS IS THE FIRST READING**

X

ATTACHMENTS FOR REFERENCE

1. Ordinance
2. Planning and Zoning Commission report
3. Zoning map screen shot
4. Public comments

STAFF BRIEFING:

- Planning and Zoning Commission issued a final report and recommended approval of this zone change from unzoned to (C-1) General Commercial
- This parcel appears to have been left off of the zoning maps in the past

HISTORY:

October 27, 2020 - Consideration by Planning & Zoning Commission

TARGET IMPLEMENTATION: After adoption of proposed ordinance on First Reading, conducting a Public Hearing, and adoption of the Ordinance on the Second Reading

SIGNIFICANT ACTION DATES: N/A

ACTION:

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

Cost Details:

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

STAFF'S RECOMMENDATION: Motion to adopt Ordinance No. **O-2020-0017**

FISCAL IMPACT: None

ORDINANCE NO. O-2020-0017

AN ORDINANCE OF THE CITY COUNCIL OF LA MARQUE, TEXAS AMENDING THE CITY'S ZONING MAP AND COMPREHENSIVE PLAN BY CHANGING THE ZONING DISTRICT OF CERTAIN PROPERTY LOCATED AT 1607 4th AVE., LA MARQUE, TEXAS, FROM UNZONED TO (C-1) GENERAL COMMERCIAL; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH VIOLATION; PROVIDING AN EFFECTIVE DATE; AND MAKING OTHER PROVISIONS RELATED TO THE SUBJECT

WHEREAS, Payton Hill (the "Owner") submitted an application for the City to amend the zoning district of Owners' property located at 1607 4th Ave., La Marque, Texas, Galveston County Tax Property ID No. 196009; and

WHEREAS, the Zoning Commission and the City Council have conducted, in the time and manner required by law, a public hearing on the proposal to change the zoning for the property; and

WHEREAS, the Zoning Commission recommended approval of the requested change in zoning district applicable to the property; and

WHEREAS, the City Council finds that the proposed change in zoning district is consistent with the City's comprehensive plan, and that the comprehensive plan and zoning map of the City should be amended to include the requested change in zoning district for the property;

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

Section 1. That the application by the Owner is approved and the adopted zoning map of the City is amended by changing the zoning district applicable to the property known as 1607 4th Ave., La Marque, Texas, Galveston County Property Tax Property ID No. 196009 from unzoned to (C-1) General Commercial.

Section 2. The City's comprehensive plan is amended in accordance with this Ordinance.

Section 3. Penalty. As provided in Section 71-3 of the City Code, Any person who shall violate any of the provisions of this ordinance or who shall fail to comply therewith or with any of the requirements t hereof, or who shall erect or alter any buil ding, or who shall commence to erect or alter any building in violation of any detailed statement of plan submitted or approved t hereunder, shall for each violation or noncompliance be deemed guilty of a misdemeanor , and upon conviction, shall be fined as provided in section 1-7 of the City Code. The owner of that building or premises or part thereof where anything in violation of this chapter shall be placed or shall exist, and any architect, builder, contractor, agent or corporation employed in connection therewith who may have assisted in the commission of any such violation shall be subject to the penalties herein provided.

Section 4. Repeal. This ordinance is intended to be cumulative and shall not repeal any provision of a previous ordinance or City Code provision, except to the extent that a provision is inconsistent and cannot be reconciled with this ordinance.

Section 5. Severability. In the event any clause, phrase, provision, sentence) or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it is the intention of the City Council that the invalidity or unconstitutionality of the one or more parts shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision other than the part declared to be invalid or unconstitutional; and the City Council of the City of La Marque, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 6. Publication and Effective Date. This ordinance shall be effective immediately upon adoption, public hearing in accordance with Section 2.19 of the City Charter, and publication of this ordinance or a caption that summarizes the purpose of this ordinance and the penalty for violating this ordinance in accordance with Chapter 52 of the Texas Local Government Code and Article II of the City Charter.

PASSED, AND APPROVED by the City Council of the City of La Marque on First Reading this _____ day of _____ 2020; and

PASSED, APPROVED, AND ADOPTED by the City Council of the City of La Marque on Second and Final Reading this ____ day of _____, 2020.

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor

ATTEST:

Robin Eldridge, TRMC, City Clerk

APPROVED AS TO FORM:

Derra Leigh Purnell, City Attorney

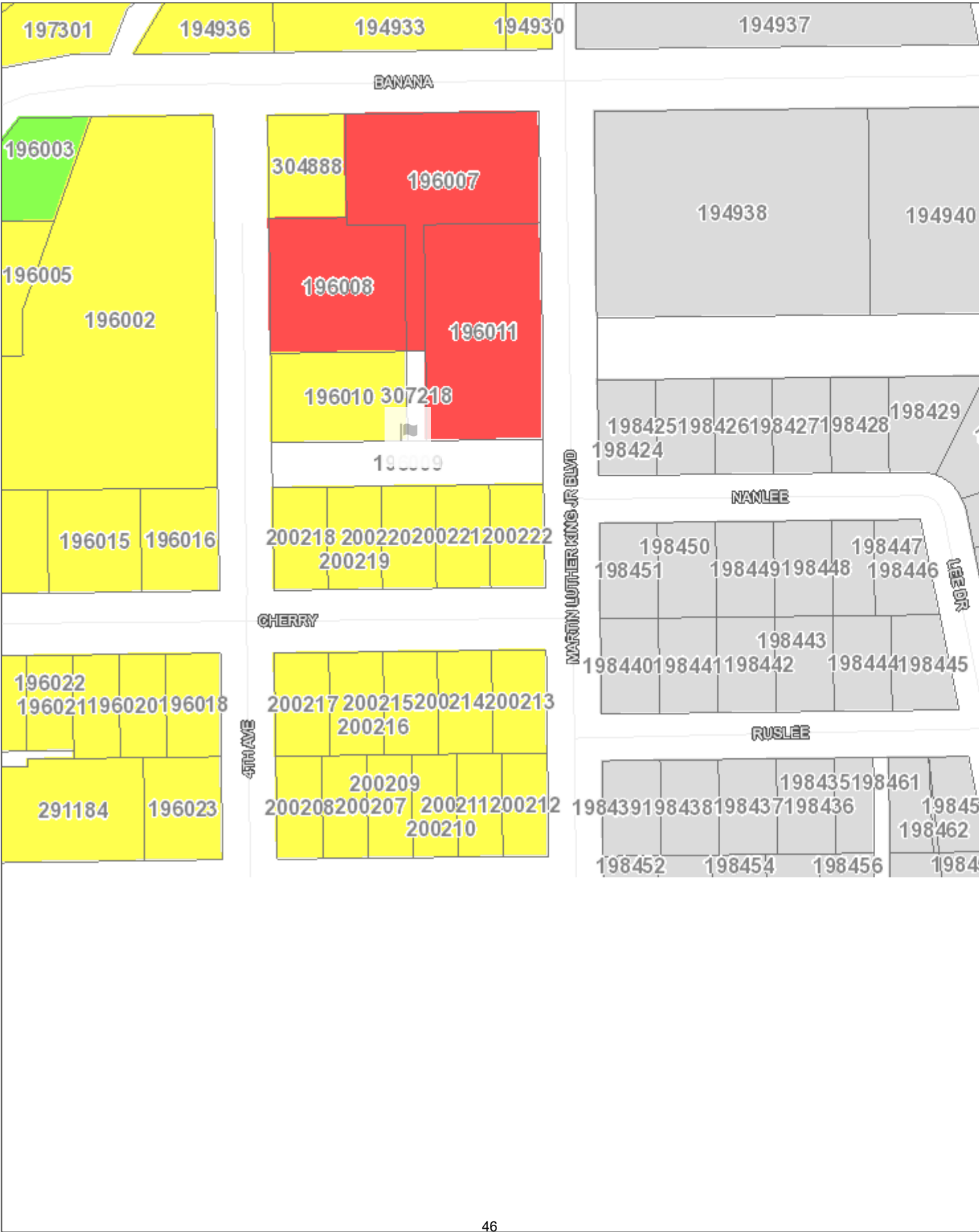


City of La Marque Planning & Zoning Commission

COMMISSION REPORT

- Meeting Date:** October 27, 2020
- Agenda Item:** Discussion / possible action to issue a final report and provide a recommendation to City Council regarding a zone change from unzoned to (C-1) General Commercial for 1607 4th Ave., La Marque, Texas
- Item Type:** Zone change
- History:** Was left off the original zoning map last time it was adopted
- Standard for Approval:** “[E]ither the general welfare of the city affected by the area to be changed will be enhanced, or that the property is unusable for the purposes allowed under existing zoning.” See City Code Sec. 71-26(k).
- References:** City Code Chapter 71;
Chapter 211, Texas Local Government Code
- Council approval:** Required; Ordinance also required
- Public comments:** See attached letter from neighbor across the street opposed to the zone change
- Recommendation:** Motion to recommend approval of a zone change from unzoned to (C-1) General Commercial for 1607 4th Ave., La Marque, Texas

City of La Marque



10.16.2020

Mrs Sharon Walker
1516 4th Ave.
409/935-6521

Mrs Walker called into the Planning & Zoning Dept in regards to the notice she received about 1604 4th Street.

She requested for her Objections to be noted, since she is unable to call in.

1. Dead End street
2. Elderly community within neighborhood
3. Not well lite for dusk hours – crime
4. Narrow street – does not allow for 2 car usage
5. Noise pollution – music / gatherings
6. No extra traffic needed for fear of problems

Ms. Dena Purnell.

I am writing you this letter because I take care of my total disabled stepfather and I cannot make the meeting. I only have a house phone, no way to get on the Internet. He do not want this property at ~~1607~~ 4th are becoming commercial property. Thank You.

Sharon Walker

We are writing you about a letter I received from you. I do not want this commercial property here. This is some of our reasons. We cannot make the Meeting

- ① I have already had to call code enforcement, officer Stinson on this man. He cursed her out and she called her supervisor out here too. He is out of control.
- ② Our road is too small only one car at a time can come down the road. If there are 2 cars we have to pull over in the grass.
- ③ It is too dark at night. We have no street lights at all.
- ④ We take care of elderly people at this end of the road.
- ⑤ We live on a dead end road, because there is no traffic and no island people. We feel safe down here.

That is why we bought houses on a dead end road.

⑨ We have a Personal Care home at this end of the street. The Mildred House Inc. "State Licensed Facility". It would not be safe down here anymore. They will not feel safe anymore and it will not be quit. That's why she has it on a dead end road. I take care of a V.A. Partic

100. ⑨ We do not want the extra traffic on this little dead end road.

⑩ There has been 2 houses here and my house has already been broken into. This happen in the daytime. We don't want anymore people in this area please. These are just a few reasons why we do not want this property at 1607 4th Ave to be commercial property. Thank you. Call me if you need to.

409-935-6521

Sharon Walker
& Bobby Boyington

1516 4th Ave
(Home)

409-935-6521



CITY COUNCIL AGENDA FORM

Meeting Date: November 9, 2020

Prepared by: Derra Purnell

Agenda item: 7c

Reviewed by: Charlene Warren

Charles Jackson

Department: Development Services

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding adopting Ordinance No. **O-2020-0018**, a final report of the La Marque Planning and Zoning Commission and recommendation to approve a request to change the zoning district from (R-1) Single-Family Residential to (C-1) General Commercial for Lots 1, 2, 3 of the Johansson Addition located at or near 2105 Gulf Freeway, La Marque, Texas **THIS IS THE FIRST READING**

X

ATTACHMENTS FOR REFERENCE

1. Ordinance
2. Planning and Zoning Commission report
3. Zoning map screen shot

STAFF BRIEFING:

- Planning and Zoning Commission issued a final report and recommended approval of this zone change from unzones to (C-1) General Commercial
- This parcel appears to have been left off of the zoning maps in the past

HISTORY:

October 27, 2020 – Consideration by Planning and Zoning Commission

TARGET IMPLEMENTATION: After adoption of proposed ordinance on First Reading, conducting a Public Hearing, and adoption of the Ordinance on the Second Reading

SIGNIFICANT ACTION DATES: N/A

ACTION:

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

Cost Details:

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

STAFF'S RECOMMENDATION: Motion to adopt Ordinance No. **O-2020-0018**

FISCAL IMPACT: N/A

ORDINANCE NO. O-2020-0018

AN ORDINANCE OF THE CITY COUNCIL OF LA MARQUE, TEXAS AMENDING THE CITY'S ZONING MAP AND COMPREHENSIVE PLAN BY CHANGING THE ZONING DISTRICT OF CERTAIN PROPERTY LOCATED AT OR NEAR 2105 GULF FREEWAY, LA MARQUE, TEXAS, FROM (R-1) SINGLE FAMILY RESIDENTIAL TO (C-1) GENERAL COMMERCIAL; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH VIOLATION; PROVIDING AN EFFECTIVE DATE; AND MAKING OTHER PROVISIONS RELATED TO THE SUBJECT

WHEREAS, Mike Unbehagen (the "Owner") submitted an application for the City to amend the zoning district of Owners' property, Lots 1, 2, and 3 of the Johannson Addition located at or near 2105 Gulf Freeway, La Marque, Texas, more specifically described as shown in Exhibit "A" (the "Property") and also identified by Galveston County Property Tax ID Nos. 198136, 198137, and 198138; and

WHEREAS, the Zoning Commission and the City Council have conducted, in the time and manner required by law, a public hearing on the proposal to change the zoning for the Property; and

WHEREAS, the Zoning Commission recommended approval of the requested change in zoning district applicable to the Property; and

WHEREAS, the City Council finds that the proposed change in zoning district is consistent with the City's comprehensive plan, and that the comprehensive plan and zoning map of the City should be amended to include the requested change in zoning district for the property;

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

Section 1. That the adopted zoning map of the City is amended by changing the zoning district applicable to the property, as described in Exhibit A to this Ordinance, incorporated by reference for all purposes, from (R-1) Single-Family Residential to (C-1) General Commercial.

Section 2. The City's comprehensive plan is amended in accordance with this Ordinance.

Section 3. Penalty. As provided in Section 71-3 of the City Code, Any person who shall violate any of the provisions of this ordinance or who shall fail to comply therewith or with any of the requirements t hereof, or who shall erect or alter any buil ding, or who shall commence to erect or alter any building in violation of any detailed statement of plan submitted or approved t hereunder, shall for each violation or noncompliance be deemed guilty of a misdemeanor , and upon conviction, shall be fined as provided in section 1-7 of the City Code. The owner of that building or premises or part thereof where anything in violation of this chapter shall be placed or shall exist, and any architect, builder, contractor, agent or corporation employed in connection therewith who may have assisted in the commission of any such violation shall be subject to the penalties herein provided.

Section 4. Repeal. This ordinance is intended to be cumulative and shall not repeal any provision of a previous ordinance or City Code provision, except to the extent that a provision is inconsistent and cannot be reconciled with this ordinance.

Section 5. Severability. In the event any clause, phrase, provision, sentence) or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it is the intention of the City Council that the invalidity or unconstitutionality of the one or more parts shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision other than the part declared to be invalid or unconstitutional; and the City Council of the City of La Marque, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

Section 6. Publication and Effective Date. This ordinance shall be effective immediately upon adoption, public hearing in accordance with Section 2.19 of the City Charter, and publication of this ordinance or a caption that summarizes the purpose of this ordinance and the penalty for violating this ordinance in accordance with Chapter 52 of the Texas Local Government Code and Article II of the City Charter.

PASSED, AND APPROVED by the City Council of the City of La Marque on First Reading this _____ day of _____ 2020; and

PASSED, APPROVED, AND ADOPTED by the City Council of the City of La Marque on Second and Final Reading this ____ day of _____, 2020.

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor

ATTEST:

Robin Eldridge, TRMC, City Clerk

APPROVED AS TO FORM:

Derra Leigh Purnell, City Attorney

Exhibit "A"

PROPERTY DESCRIPTION:

Being Lots One (1), Two (2) and Three (3), of JOHANNSON ADDITION, a subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 254-A, Page 70, and transferred to Plat Record 12, Map No. 64 in the Office of the County Clerk of Galveston County, Texas.

SAVE AND EXCEPT for the following described tract of land to-wit:

Being a 0.0255 acre (1,100 square feet) parcel of land out of Lot 1, Johannson Addition, recorded in Plat 12, Map 64 Galveston County Map Records, situated in the John D. Moore Survey Abstract 150, Galveston County, Texas; said 0.0255 acre parcel also being out of a 0.8288 of an acre (calculated) tract described in a deed executed on December 15, 1993, from Texas City Bank to Charles Colwell, recorded under Galveston County Clerk's File No 9353662, File Code No. 009-40-0125, Official Public Records of Real Property Galveston County; said 0.0255 acre parcel of land being more particularlly described by metes and bounds as follows:

COMMENCING at a point in the East right-of-way line of May Avenue (60' R.O.W.), being the Northwest corner of Lot 2 of said Johannson Addition and the Southwest corner of said Lot 1;

THENCE North, along the existing right-of-way line of said May Avenue a distance of 92.29 feet (called 92.48 feet) to a found TxDOT aluminum cap set in the proposed Southwest right-of-way line of IH-45 for the Southwest corner of the herein described tract and the PLACE OF BEGINNING;

THENCE North, continuing along the existing West line of said 0.8288 acre tract and said Lot 1, a distance of 50.01 feet to a 1 inch pipe found at the intersection of the existing Southwest right-of-way line of IH 45 (300 feet wide per Volume 735, Page 205 Galveston County Deed Records) and the existing East right-of-way line of said May Avenue for the Northwest corner of said 0.8288 acre tract, said Lot 1 and the herein described tract;

THENCE South 62° 36' 17" East, along the existing Southwest right-of-way line of IH 45 and the Northeast line of said 0.8288 ace tract and said Lot 1, a distance of 49.92 feet to a found 5/8 inch rod with a TxDOT aluminum cap set in the proposed Southwest right-of-way line of IH 45 for the Northeast corner of the herein described tract;

THENCE South 58° 31' 43" West, along the proposed Southwest right-of-way line of IH 45, a distance of 51.88 feet (called 52.05) feet to the PLACE OF BEGINNING and containing 0.0254 acres, 1,106 square feet (Called 0.0255 acres, 1,110 square feet) of land, more or less.

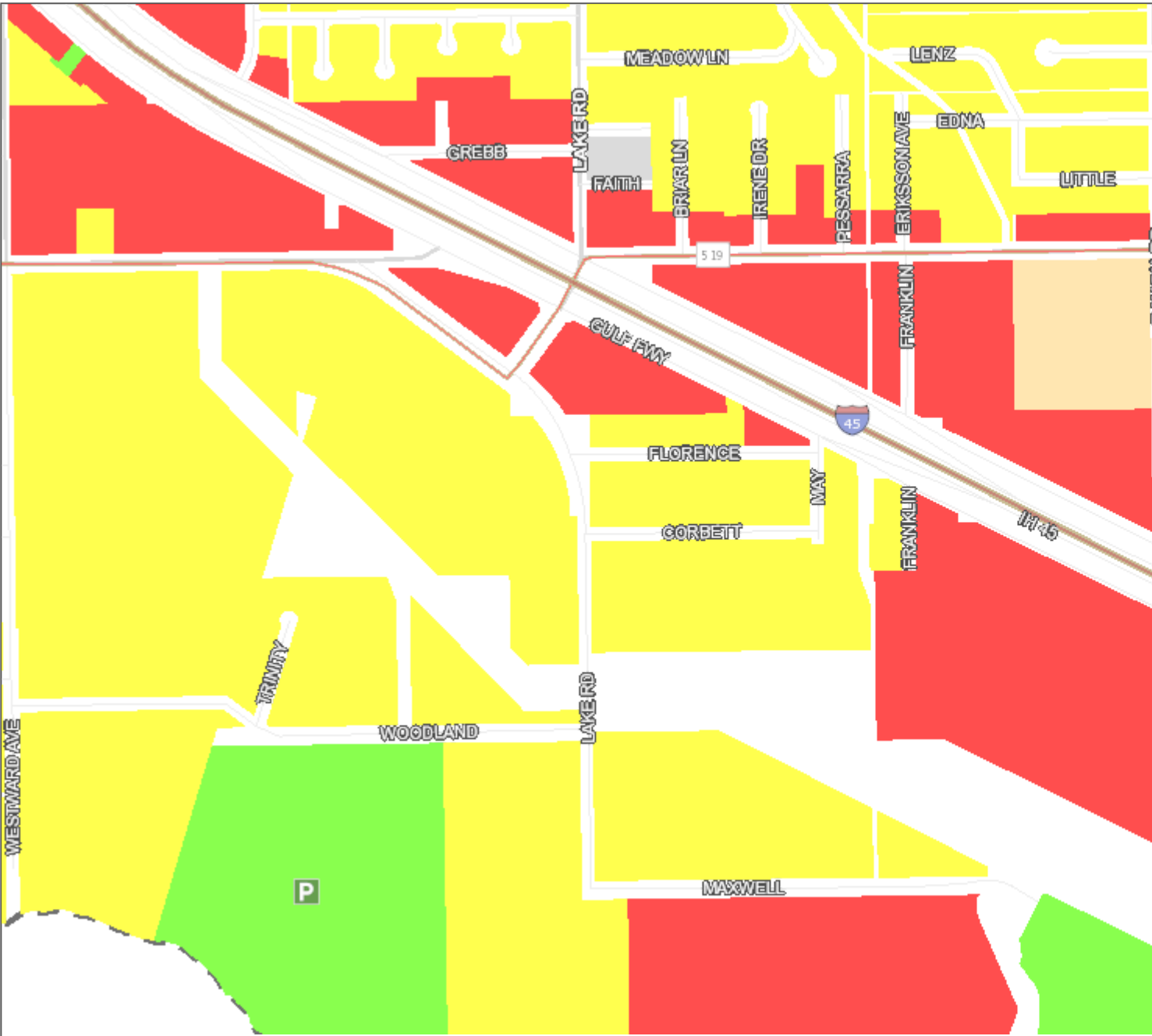


City of La Marque Planning & Zoning Commission

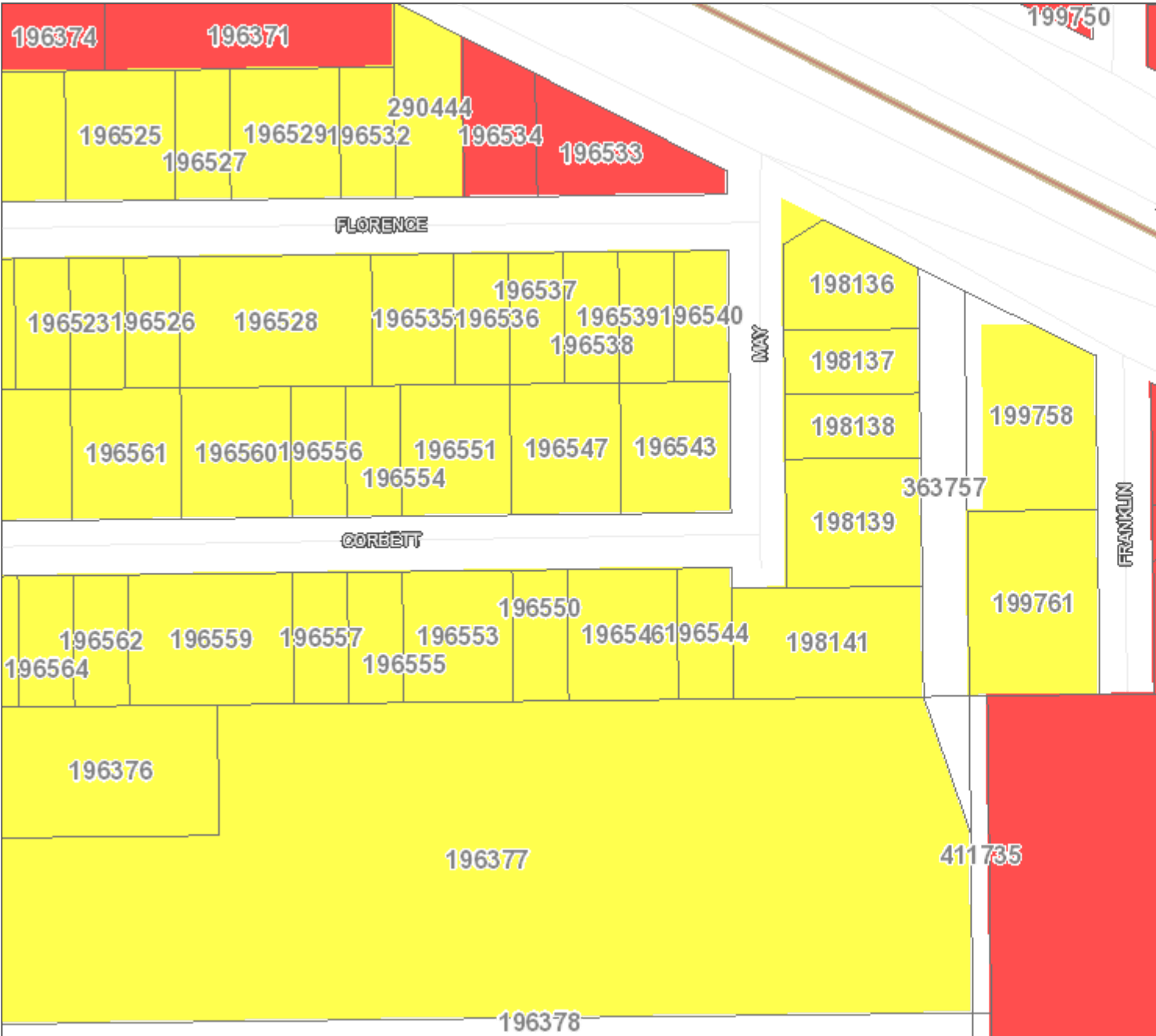
COMMISSION REPORT

- Meeting Date:** October 27, 2020
- Agenda Item:** Discussion/possible action to issue a final report and provide a recommendation to City Council regarding a zone change from (R-1) Single-Family Residential to (C-1) General Commercial for Lots 1, 2, 3 of the Johansson Addition located at or near 2105 Gulf Freeway, La Marque, Texas.
- Item Type:** Zone change
- History:** Tabled at the September 15th meeting
- Standard for Approval:** “[E]ither the general welfare of the city affected by the area to be changed will be enhanced, or that the property is unusable for the purposes allowed under existing zoning.” See City Code Sec. 71-26(k).
- References:** City Code Chapter 71;
Chapter 211, Texas Local Government Code
- Council approval:** Required; Ordinance also required
- Public comments:** One adjacent property owner against a commercial development; one for the change and considering changing their property
- Recommendation:** Motion to issue a final report and recommend approval of a zone change from (R-1) Single-Family Residential to (C-1) General Commercial for property at or near 2105 Gulf Freeway.

City of La Marque



City of La Marque





CITY OF LA MARQUE
"Gateway to the Gulf"
1130 1st St., La Marque, TX 77568
409-938-9252 S.Sutton@CityOfLaMarque.Org

Rezone Application

Application Date: 9-1-2020 **SmartGov Project #:** _____
Name of Agent: Mike Unbehagen **Phone:** 409-370-9415
Address: 5121 N 1/2 Galveston, TX 77551
Name of Owner: Unbehagen Properties, LLC **Phone:** 409-370-9415
Address: 5121 N 1/2 Galveston, TX 77551
Property Description: Lots 1,2,3 Johansson Addition **Parcel #:** 198136
Address: 2005 Gulf Freeway, La Marque, TX 77568
Plot of Area Attached: YES NO **Metes and Bounds Attached:** YES NO
Present Zone: Residential
Reason for Change: Properties have been used for commercial business and currently has a commercial building on Lot 3 while zoned residential.
Desired Outcome: Rezone to commercial

APPLICATION CHECKLIST

- ☐ **SITE PLAN** (To scale) **WITH EXISTING IMPROVEMENTS, DEVELOPMENTS AND PROPERTY LINES**
(8-1/2 X 11 if larger than 8 1/2 x 11 please fold to appropriate size)
- ☐ **SURVEY** (To scale, 2 Copies)
- ☐ **CURRENT AND ORIGINAL CERTIFIED TAX RECEIPTS**
- ☐ **TITLE REPORT** (If purchased in the last 60 days) **OR**
- ☐ **PLANNING LETTER**
- ☐ **NON-REFUNDABLE APPLICATION FEE** (Payable to the "City Of La Marque")

Submitted to the Board on: ____ / ____ / ____
Approved: _____ **Denied:** _____ **Other:** _____
Comments: _____

APPLICANTS CERTIFICATE

I AFFIRM THAT MY STATEMENTS CONTAINED IN THIS APPLICATION ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

Signature of applicant: Mike Unbehagen **Date:** 9/1/2020

NOTE: All Planning and Zoning meetings take place on the 2nd Tuesday of the each month. Applications must be received **30 days** prior to the 2nd Tuesday of each month to be considered for that Planning and Zoning Commission meeting.

Survey of Lots One (1), Two (2) and Three (3), of JOHANNSSON ADDITION, a subdivision in Galveston County, Texas, according to the map or plat thereof recorded in Volume 254-A, Page 70, and transferred to Plat Record 12, Map No. 64 in the Office of the County Clerk of Galveston County, Texas.

SAVE AND EXCEPT for the following described tract of land to-wit:

Being a 0.0255 acre (1,100 square feet) parcel of land out of Lot 1, Johannsson Addition, recorded in Plat 12, Map 64 Galveston County Map Records, situated in the John D. Moore Survey Abstract 150, Galveston County, Texas; said 0.0255 acre parcel also being out of a 0.8288 of an acre (calculated) tract described in a deed executed on December 15, 1993, from Texas City Bank to Charles Colwell, recorded under Galveston County Clerk's File No 9353662, File Code No. 009-40-0125, Official Public Records of Real Property Galveston County; said 0.0255 acre parcel of land being more particulary described by metes and bounds on attached Exhibit "A".

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

Brene Addison
Registered Professional
Land Surveyor No. 6598



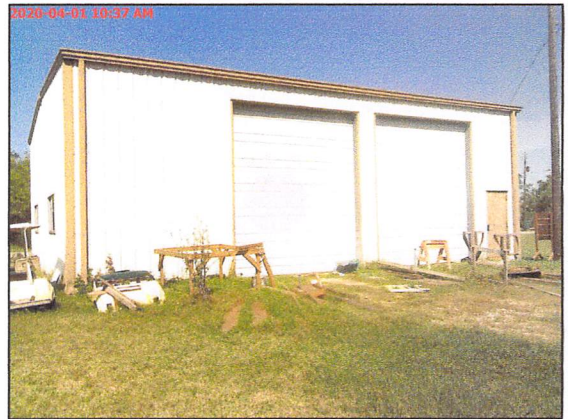
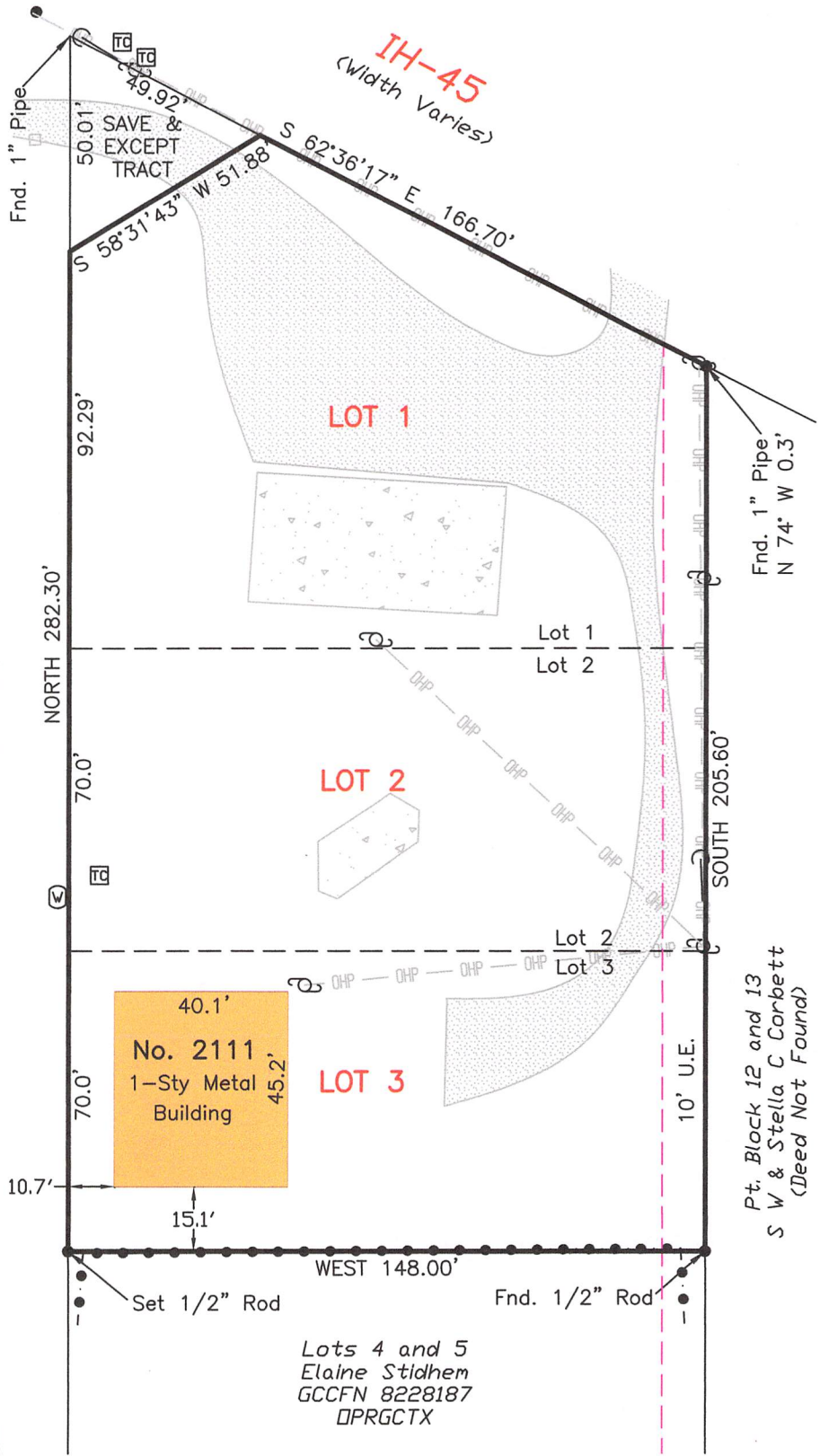
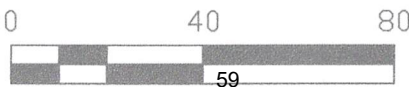
SCALE: 1" = 40'

Stewart Title File No. 706930
This property is subject to restrictive covenants recorded in/under Vol. 802, Pg. 675 and Vol. 1031, Pg. 71 of the Official Public Records of Real Property of Galveston County, Texas. 10.c) Easement recorded in Vol. 407, Pg. 626.

NOTES:

- 1) This property is subject to the building and zoning ordinances of the City of La Marque.
- 2) This property does lie within the 100 Year Flood Plain as established by the Federal Emergency Management Agency.
- 3) This property is subject to any restrictions of record and may be subject to setbacks from power lines as established by OSHA and/or the local power company.
- 4) Bearings are based on the monumentation of the East line of Johannsson Addition.

Stewart Title File No. 706930
Insured: Unbehagen Properties, LLC



Legend:	
OHP	Overhead Power
Chain Link Fence	Chain Link Fence
Asphalt	Asphalt
Concrete	Concrete
Power Pole	Power Pole
Telecomm. Box	Telecomm. Box
Down Guy	Down Guy
Water Meter	Water Meter
U.E. Utility Easement	U.E. Utility Easement
Easement Line	Easement Line

TRICON
LAND
SURVEYING, LLC
Mailing: 6341 Stewart Rd. #251
Physical: 2011 59th Street
Galveston, TX 77551
409-497-2772
TriconLandSurveying.com
T.B.P.L.S. Firm No. 10194309

Drafting: LP Survey Date: April 1, 2020

Surveyed for: Mike Unbehagen



CITY COUNCIL AGENDA FORM

Meeting Date: November 9, 2020

Agenda item: 8a

Prepared by: Robin Eldridge

Reviewed by: Charlene Warren/
Charles Jackson

Department: Mayor & City
Council

AGENDA ITEM DESCRIPTION: Discussion/possible action relating to appointments and/or reappointments to fill various positions of the Boards and Commissions

X

ATTACHMENTS FOR REFERENCE

1. Current vacancies on Boards and Commissions
2. Current applications on file

STAFF BRIEFING:

- There have been a few changes since the last time appointments and reappointments have been on the City Council agenda and a few vacancies have occurred within this time period that are critical to have full boards / commissions present to conduct business
- There are a few vacant positions still available for appointment or reappointment
- Yellow highlighted names and terms have expired Green highlighted names will be expiring at the end of this year
- **BOARD OF ADJUSTMENTS-** Mayor has one appointment; District "C" has an alternate appointment

THE BOARD OF ADJUSTMENTS IS A VERY IMPORTANT DECISION-MAKING BOARD; AND ONE OF THE BOARDS THAT HAVE A DIFFICULT TIME HAVING A QUORUM

- **BUILDING STANDARDS COMMISSION** - Mayor has one appointment and one alternate appointment Deanie Barrett has submitted her resignation from this Commission as of October - **this is an unexpired term vacancy** - District "C" Appointment
- **CEMETERY** - Districts "B" and "C" all have appointments
- **CIVIL SERVICE COMMISSION** - City Manager has one appointment
- **ECONOMIC DEVELOPMENT CORPORATION** - District "D" has one appointment
- **KEEP LA MARQUE BEAUTIFUL COMMISSION** - Mayor has one appointment and District "A" has one appointment



CITY COUNCIL AGENDA FORM

- **PARKS BOARD** – Mayor has one appointment, and District “D” has one appointment
- **PLANNING & ZONING COMMISSION** – Mayor has one appointment, and District “B” has one appointment

HISTORY:

- Historically, appointments are made as vacancies occur (if possible) and as members reach the end of their terms, based on applications on file, and in accordance with Ordinance
- The ordinance that establishes each Board and Commission requires that the positions be staggered; this is the reason that there are different years for terms ending

TARGET IMPLEMENTATION: As soon as possible, as to fill each Board or Commission with the number of members required to conduct City business

SIGNIFICANT ACTION DATES:

Several terms have ended and several more will expire at the end of this year

ACTION:

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

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

STAFF'S RECOMMENDATION: Motion to approve appointments and/or reappointments to fill various positions of the Boards and Commissions

FISCAL IMPACT: N/A (Boards and Commission members serve without pay)

BOARD OF ADJUSTMENT

BOARD OF ADJUSTMENT- ORD. 953		Appointed	Expires	Appoints
1. Lillian Petty	#11 N. Skimmer	20	22	D
2. David Pennington	924 Cypress	20	22	C
3. Herman Harper	102 Union	19	21	A
4. Harold Augustus	1030 Laurel	18	20	M
5. Lois M. Jones	2602 Meadow Lane	19	21	B
ALTERNATES				
1. Crystal Cooper	521 Waterside Ridge Lane	20	22	D
2. Vacant U		20	21	C
Ex-officio- Open				

The Board shall consist of five (5) members who are residents of the City, each to be appointed by the City Council for a term of two years and removable for cause by the appointing authority upon written charges and after public hearing.

The City Council may appoint two (2) alternate members of the Board who shall serve in the absence of one (1) or more of the regular members.

These alternate members, when appointed, shall serve for the same period as the regular members, which are for a term of two (2) years, and any vacancy shall be filled in the same manner, and they shall be subject to removal the same as the regular members.

Each position on the Board shall be given a numerical designation with the designations beginning with the number 1 and ending with the number 5.

The terms of the odd-numbered positions (1, 3 & 5) will expire in odd-numbered years and the terms of even-numbered years (2 & 4) shall expire in even-numbered years. Board members may be appointed to successive terms.

E- Expired Term

U- Unexpired Term

BUILDING STANDARDS COMMISSION

<i>BUILDING STANDARDS COMMISSION ORD. #449</i>		Appointed	Expires	Appoints
VACANT U		19	21	C
Kaleb Smith	614 Benson St.	19	21	D
Diane Winston	1501 Colorado	19	21	B
Trina Phillips	1222 Kirsten	18	20	M
Billy Jefferson	89 Borondo Reach	20	22	A
ALTERNATES				
Maggie Manuel	1706 Crockett	18	20	A
Ex-officio- District A				

The Building Standards Commission for the City of La Marque, Texas shall consist of five (5) members to be appointed by City Council; and a number of alternate members not to exceed eight.

Commission members shall serve for two (2) year terms.

E- Expired Term

U- Unexpired Term

CIVIL SERVICE COMMISSION

CIVIL SERVICE COMMISSION Local Govmt. Code & ORD. 821				
		Appointed	Expires	Appoints
1. Lucy Glenn	824 Laurel	19	22	CM
2. Morris Martin, Jr.	725 Lilac	18	21	CM
3. Samuel Swain (U)	1209 Foreman	19	20	CM
Patty Rees				

The Civil Service Commission shall consist of three (3) members appointed by the City Manager.

Each January, the Commission must appoint a Chair and Vice Chair.

2019- Vice Morris, Lucy- VC

Chapter 143.006 and 007 - Local Government Code –Terms of Office

The terms of office shall be for three (3) year terms, with no more than one member appointed each year, with the exception of the initial appointments.

CEMETERY BOARD

CEMETERY BOARD – ORD. 1033		Appointed	Expires	Appoints
1. Ellen Hanley	1019 Plum	20	22	A
2. Rosalind Meeks Crockett	1302 Merry Lane	18	20	C
3. Kurt Koopman	1004 Lilac	18	20	B
4. Bim Crowder (CHAIR)	401 Texas Avenue	19	21	D
5. Alanah Brown (U)	716 Amato St.	20	21	M
Ex-officio- OPEN				

The Cemetery Board for the City of La Marque, Texas shall consist of five (5) members to be appointed by City Council; and one ex-officio member of City Council.

Board members shall serve for two (2) year terms.

U- Unexpired Term

KEEP LA MARQUE BEAUTIFUL COMMISSION

<i>KLMB- ORDINANCE # O-2017-0021</i>		Appointed	Expires	Appoints
1. Kimberley Yancy	2602 Meadow Lane	19	21	B
2. Alanah Brown	716 Amato St.	19	21	D
3. Joe A. Compian E	1020 Duroux	17	19	A
4. Terry Pettijohn	41 Borondo Pines	18	20	M
5. Kathy Herrin	56 Borondo Pines	19	21	B
6. Tracie Steans	2101 Jeridona	19	21	M
7. Rebecca Mould E	13 Borondo Stretch	20	21	C
Ex-officio- District D				

All seven (7) Commissioners appointed by the City Council serve two (2) year staggered terms, except that appointment to vacancies shall be for the unexpired term of the position to which the appointment is made.

E- Expired

U- Unexpired

PARKS BOARD

PARKS BOARD ORD. #758		Appointed	Expires	Appointment
1. Al Reida	2621 Meadow Lane	19	21	C
2. Tamara Williams	614 Benson	20	22	B
3. Michael Bock	106 Longridge	19	21	M
4. Bo Hunter	2613 Lake Park Drive	22	24	A
5. Louis McGaffey	2314 Downey	19	21	M
6. Larry Walker	P.O. Box 1785	18	20	D
7. Herbert Franklin	8017 Big Oak Dr. - TX City	20	22	A
8. C.J. Leggett	1225 Kirsten	18	20	M
Ex-officio- District B				

There is hereby established a Parks Board to consist of eight (8) members who shall be appointed by the City Council and shall serve for two year terms.

The members shall serve staggered terms, that is, four (4) members' terms shall expire on odd numbered years and four members' terms shall expire on even number years.

E- Expired term

U- Unexpired term

PLANNING & ZONING COMMISSION

PLANNING & ZONING ORD. # 2014-0023		Appointed	Expires	Appoints
1 Augustino Molis	741 Spoonbill	20	22	A
2 Alan Waters	#1 Pin Tail	19	21	B
3 Greg Cornett	1310 Cedar	19	21	C
4 Hugh Cash	217 Sarlee	18	20	M
5 Douglas Hobgood	406 Edgar	19	21	D
ALTERNATES				
#1 Stephanie Gordon (U)	105 Lake Rd.	20	21	A
#2 Chris Columbo (U)	1206 Veronica	19	20	B
Ex-officio- District C				

The City Council shall appoint a Planning and Zoning Commission which shall consist of five (5) members, each member being a resident and a real property taxpayer of the City of La Marque, and none of whom shall hold any other position in the City Government.

Three members of the **first** Commission shall be appointed for a term of two years and two for a term of one year. Thereafter, new members shall be appointed for a term of two years. Ordinance No. O-2014-0023, allows for City Council to appoint two (2) alternates to the Planning & Zoning Board.

***Alternates** are required to attend and review packets as the regular Commission members. In the case that an alternate is present to make a quorum, in the absence of a member, they will be allowed to vote. If all members are present, alternates votes will not be allowed to vote.

U- unexpired term

Robin Eldridge

From: noreply@civicplus.com
Sent: Thursday, February 27, 2020 11:02 AM
To: Robin Eldridge
Subject: Online Form Submittal: CANDIDATE APPLICATION FORM FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS

CANDIDATE APPLICATION FORM FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS

Board Preference 1	Economic Development Corporation
Board Preference 2:	Parks Board
First Name	veverly
Last Name	sumlin
Address1	1015 roosevelt st
Address2	<i>Field not completed.</i>
City	lamarque
State	tx
Zip	77568
Are you a resident of La Marque?	Yes
Phone Number	832-663-2950
Profession	accounting clerk
Special Knowledge or Experience applicable to City Board/Commission function:	citizen of lamarque for over 20 years
Other Civic Activities:	gleaming of Galveston, M&D organization
Disclaimer	I understand and agree,
Disclaimer	I understand and agree.
Today's Date	2/27/2020 11:15 AM

Email not displaying correctly? [View it in your browser.](#)

**CANDIDATE APPLICATION FORM
FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS
OF
THE CITY OF LA MARQUE**

City Council will review applicants interested in serving on a City Board and/or City Commission. Information disclosed on this application or any other attached documents may be disclosed in public meetings.



Please type or print information

Board Preference 1: PARK BOARD

Board Preference 2: KEEP LA MARQUE BEAUTIFUL COMMISSION

Name: TOMIA R GRIFFIN

Home Address: 2619 BELLVIEW STREET

City: LA MARQUE Zip: 77568 La Marque Resident: _____ yrs

Home Telephone: 409 457 6647 Home E-mail: trenegriffin01@gmail.com

Profession: CEO/FOUNDER

Special Knowledge or Experience applicable to City Board/Commission function: _____

Other Information (Civic Activities):

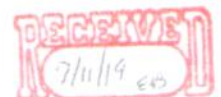
KHAMBEEL FOUNDATION RIGHTEDUS ACTS OF KINDNESS

I verify that the information I have provided on this application to be true and correct.
I also acknowledge that this information may be made available to the public.

Signature: [Signature]

Date: 07/11/19

PLEASE RETURN COMPLETED APPLICATION TO THE CITY CLERK'S OFFICE, 1111 BAYOU RD, LA MARQUE, TEXAS 77568. APPLICATIONS WILL REMAIN ON FILE FOR TWO YEARS.



Robin Eldridge

From: noreply@civicplus.com
Sent: Friday, January 3, 2020 11:20 AM
To: Robin Eldridge
Subject: Online Form Submittal: CANDIDATE APPLICATION FORM FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS

CANDIDATE APPLICATION FORM FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS

Board Preference 1	Economic Development Corporation
Board Preference 2:	Building & Standards Commission
First Name	Joy
Last Name	Blackburn
Address1	2219 Scott St
Address2	<i>Field not completed</i>
City	LaMarque
State	Texas
Zip	77568
Are you a resident of La Marque?	Yes
Phone Number	713 202 4751
Profession	Retired Teacher
Special Knowledge or Experience applicable to City Board/Commission function:	Working as a part-time Real Estate agent with Ethernedge Real Estate in Texas City. I enjoy promoting the city of LaMarque as a safe small town with affordable housing.
Other Civic Activities:	Tutoring in the high schools- specialized in the sciences.
Disclaimer	I understand and agree.
Disclaimer	I understand and agree.
Today's Date	1/3/2020 11:15 AM

Robin Eldridge

From: noreply@civicplus.com
Sent: Wednesday, November 6, 2019 4:08 PM
To: Robin Eldridge
Subject: Online Form Submittal: CANDIDATE APPLICATION FORM FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS

CANDIDATE APPLICATION FORM FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS

Board Preference 1	Cemetery Board
Board Preference 2:	Library Board
First Name	Joel
Last Name	Camacho
Address1	25 Borondo Stretch
Address2	<i>Field not completed.</i>
City	La Marque
State	Texas
Zip	77658
Are you a resident of La Marque?	Yes
Phone Number	4097620148
Profession	Academic Advisor College of the Mainland
Special Knowledge or Experience applicable to City Board/Commission function:	Mental Health Board member, County of Pierce, Tacoma, Washington
Other Civic Activities:	Mentor, Galveston County Veterans Treatment Court Facilitate Grief and Bereavement Ministry, First Baptist Church Texas City
Disclaimer	I understand and agree,
Disclaimer	I understand and agree.

Robin Eldridge

From: Robin Eldridge
Sent: Monday, August 17, 2020 10:02 AM
To: Charles Jackson; Bobby; christopherlanetx@gmail.com; Robert Michetich; Casey McAuliffe; Keith Bell
Subject: FW: Online Form Submittal: CANDIDATE APPLICATION FORM FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS

We received an application for Boards and Commissions.....it is below



Robin Eldridge, TRMC
City Clerk
1111 Bayou Road, La Marque, Texas 77568
O: 409-938-9259
cityoflamarque.org

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Monday, August 17, 2020 12:02 AM
To: Robin Eldridge <r.eldridge@cityoflamarque.org>
Subject: Online Form Submittal: CANDIDATE APPLICATION FORM FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS

CANDIDATE APPLICATION FORM FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS

Board Preference 1	Board of Adjustment
Board Preference 2:	Civil Service Commission
First Name	DELON
Last Name	DELAFOSSE
Address1	222 Edgar Street
Address2	Field not completed.
City	La Marque
State	TX
Zip	77568

Are you a resident of La Marque?	Yes
Phone Number	8327858586
Profession	Customer Service
Special Knowledge or Experience applicable to City Board/Commission function:	I've served on the Senior Citizens Board in Bath, MI when I use to live there. We worked very closely with the city manager. I attended every board meeting as well as listen to the citizens when they came before the board.
Other Civic Activities:	Community Activist
Disclaimer	I understand and agree,
Disclaimer	I understand and agree.
Today's Date	8/17/2020 12:15 AM

Email not displaying correctly? [View it in your browser.](#)