

**NOTICE OF LA MARQUE
CITY COUNCIL
REGULAR MEETING
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, March 8, 2021 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 - Keith Bell
Vacant - District A

Councilmember Robert Michetich - District C
Councilwoman Casey McAuliffe - District D

Councilmember Joe Compian - District B

ORDINANCE NO. O-2021-0005
RESOLUTION NO. R-2021-0008

**CITY OF LA MARQUE
CITY COUNCIL
AGENDA
of
March 8, 2021**

Notice is hereby given that the City Council of the City of La Marque, Texas will conduct a **Regular Meeting via telephone/video conference hosted through Zoom as provided in the attached notice on Monday, March 8, 2021 at 6:00 p.m.** 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) PROCLAMATIONS/PRESENTATIONS

- a. Proclamation - Deanie Barrett
- b. Proclamation - Richard Duroux
- c. Proclamation - "Neighbors Helping Neighbors"

(4) APPROVAL OF MINUTES

- a. Special Meeting Minutes of January 25, 2021
- b. Workshop Minutes of February 8, 2021
- c. Regular Meeting Minutes of February 8, 2021
- d. Special Minutes of March 2, 2021

(5) CONSENT AGENDA

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. Discussion/possible action regarding adopting Resolution No. **R-2021-0007**, ordering the General Election to be held May 1, 2021, to elect one (1) Mayor; (1) Councilmember for District "A"; and one (1) Councilmember for District "C", each for a three (3) year term

- b. Discussion/possible action regarding adopting Resolution No. **R-2021-0008**, designating the official mailing address and e-mail address for public information requests

(6) PUBLIC HEARING

- a. Conduct Public Hearing to hear public input regarding adopting Ordinance No. **O-2021-0002**, amending the Delany Cove Planned Development District (“Delany Cove PDD”) established by Ordinance No. O-2019-0026 by adding Section 14; and making other provisions related to the subject
- b. Conduct Public Hearing to hear public input regarding adopting Ordinance No. **O-2021-0003**, amending the fiscal year 2020-21 Budget for 1764 Water Plant Pumps project by increasing various accounts expenditures and revenues as set forth in Exhibit A

(7) OLD BUSINESS

- a. Discussion/possible action regarding adopting Ordinance No. **O-2021-0002**, amending the Delany Cove Planned Development District (“Delany Cove PDD”) established by Ordinance No. O-2019-0026 by adding Section 14; and making other provisions related to the subject - Development Services D. Purnell **THIS IS THE SECOND AND FINAL READING**
- b. Discussion/possible action regarding adopting Ordinance No. **O-2021-0003**, amending the fiscal year 2020-21 Budget for 1764 Water Plant Pumps project by increasing various accounts expenditures and revenues as set forth in Exhibit A - Finance Director S. Kou **THIS IS THE SECOND AND FINAL READING**

(8) NEW BUSINESS

- a. Discussion/possible action regarding adopting Ordinance No. **O-2021-0004**, amending City Code Section 2.9, “Establishing a Policy for Appointments to Boards, Commissions and Committees”, and assigning the Mayor to the La Marque Economic Development Corporation Board as an ex-officio non-voting member – Mayor K. Bell **THIS IS THE FIRST READING**
- b. Discussion/possible action regarding adopting Ordinance No. **O-2021-0005**, prescribing the type of notice to be given for public hearings on large scale updates and corrections to the City’s Zoning Map – Development Services D. Purnell **THIS IS THE FIRST READING**
- c. Discussion/possible action regarding ratifying the City Manager’s approval of expenditures to Texas Pride Utilities for costs involved in emergency sanitary sewer rehabilitation caused by winter storm Uri, in the amount of \$253,321.25 – Public Works Director C. Cary
- d. Discussion/possible action regarding appointments and/or reappointments to fill various positions of the Boards and Commissions – Mayor K. Bell

(9) 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)

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

(11) ADJOURNMENT

CERTIFICATION:

I hereby certify that the above notice of meeting was posted at 1109-B Bayou Road, La Marque, Texas on or before March 5, 2021, 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.
.....

**Office of the Mayor
City of La Marque**
PROCLAMATION

WHEREAS, Deanie Barrett was born on July 3, 1943 in Smith County, Texas, and graduated from Troup High School in 1961; and

WHEREAS, after high school, she attended Tyler Business College for two years before moving to La Marque, Texas in 1965; and

WHEREAS, during her twenty-five-year tenure with the City of La Marque, Deanie helped in the creation of the city's first City Marshall's office while working in the Municipal Court; and

WHEREAS, after retiring from the city, she served on the City Council for two years, was a member of the Building Standards Commission for seven years and was a Board member of the La Marque Economic Development Corporation for nine years; and

WHEREAS, as a member of the La Marque Garden Club, her yard was easy to spot because of her love for growing flowers and developing beautiful landscapes; and

WHEREAS, those who knew her, considered her to be very loyal to her community and will always be remembered as a dedicated servant to the City of La Marque; and

NOW THEREFORE, we the Mayor and City Council hereby proclaim March 3, 2021 as:

“DEANIE BARRETT DAY”

in the City of La Marque and encourage all businesses and citizens to remember her family in their hearts and prayers in recognition of her life and her many years of service to our city.

In testimony whereof, witness my hand and the Seal of the City of La Marque, this 3rd day of March 2021.

Keith Bell, Mayor

**Office of the Mayor
City of La Marque**
PROCLAMATION

WHEREAS, Richard Alexander Duroux was born on December 1, 1926 in La Marque, Texas, to Mitchell and Lillian Duroux; and

WHEREAS, he answered the call to military service by serving in the Army from 1945, during World War II, until his honorable discharge in 1946. He spent the remainder of his early adulthood working in the Texas City Refinery, renting properties, and painting homes, eventually settling into a career with the La Marque Police Department in 1959; and

WHEREAS, during his twenty-seven-year tenure with the City of La Marque, Richard proudly wore badge number 104 until being promoted to Sergeant in 1966, soon after earning the title of Assistant Chief, then promoted to Chief of Police in 1980 where he remained until his retirement in 1986; and

WHEREAS, after retiring from the city, he enjoyed many years in the home he had constructed on the land where he grew up until relocating in January 2016 with his wife to spend his remaining days in New Jersey; and

WHEREAS, he was an active member of Queen of Peach church, an avid gardener and devoted husband and grandfather; and

WHEREAS, the City of La Marque expresses great sympathy and immense gratitude to the family of Richard Alexander Duroux for his life, contributions to this fine city, and contributions to the lives of so many around him; and

NOW THEREFORE, we the Mayor and City Council hereby proclaim March 16, 2021 as:

“RICHARD ALEXANDER DUROUX DAY”

in the City of La Marque and encourage all businesses and citizens to remember his family in their hearts and prayers in recognition of his life and his many years of service to our city.

In testimony whereof, witness my hand and the Seal of the City of La Marque, this 16th day of March 2021.

Keith Bell, Mayor

**Office of the Mayor
City of La Marque**
PROCLAMATION

WHEREAS, in February of 2021, La Marque, Texas along with the State of Texas were devastated by an Artic Freeze that led to the failure of the state power grid, causing the vast majority of residents to lose electricity and water; and

WHEREAS, the City of La Marque city officials including but certainly not limited to: first responders, leaders, and employees worked relentlessly around the clock to inform and aid citizens as well as prepare and protect infrastructure; and

WHEREAS, amid this natural disaster, La Marque residents saw their neighbors struggling and decided to reach out a helping hand to each other; and

WHEREAS, Joseph Lowry, Sarah Dougherty, family, friends, and all of the volunteers who helped offer free food to not just the city residents but anyone in need; and

WHEREAS, DNR Industrial Engines, Mac's Plumbing, and all of the local utility contractors who also worked tirelessly helping residents restore power, fix busted plumbing, and repair damages to homes and businesses; and

WHEREAS, Church's Chicken, Leo's, and all of the local restaurants went above and beyond working to keep residents fed; and

WHEREAS, all of the many, many residents who offered their homes, time, and money to provide shelter, water, electricity, and other necessities to neighbors; and

WHEREAS, moving forward the community has grown stronger and closer, setting the example for other cities of what truly being a neighbor and community means; and

NOW, THEREFORE, I, KEITH BELL, Mayor of the City of La Marque, Texas do hereby proclaim the week of February 15 through February 21 as:

“NEIGHBORS HELPING NEIGHBORS WEEK”

In La Marque and urge all citizens to observe the same.

Keith Bell, Mayor



**CITY OF LA MARQUE
CITY COUNCIL SPECIAL
MINUTES
of
JANUARY 25, 2021**

City Council Special Minutes of the City of La Marque City Council held on Monday, January 25, 2021, beginning at 6:00 p.m. at 1109-B Bayou Road with the following members present:

(1) CALL TO ORDER

Mayor Bell called the Special Meeting to order at 6:00 p.m.

(2) ROLL CALL

Keith Bell	Mayor
Joe Compian	Councilmember, District B
Robert Michetich	Councilmember, District C
Casey Mc Auliffe	Councilwoman, District D

OTHER OFFICIALS PRESENT:

Charles "Tink" Jackson	City Manager
Robin Eldridge	City Clerk
Derra Purnell	City Attorney

OTHERS PRESENT:

President Joshua Human of the current La Marque Police Association

(3) CITIZENS PARTICIPATION - There was none

(4) WORKSHOP

- a. Discussion relating to the current La Marque Police Department Collective Bargaining Agreement

City Manager Jackson said that the current Police Department Collective Bargaining Agreement (CBA) ends in September of this year. The workshop has been scheduled, not to be a negotiations meeting, but to answer questions about the existing CBA that Council may have relating to how different provisions are applied, and to understand the workings of the agreement or any specific items that are important to them in the CBA. Then he turned it over to City Council to discuss.

Some of the questions/ concerns discussed were as follows:

- Consistency at it relates to City Policy (section 5 page 17 - additional financial incentive-pay to employees who are residents of the City, and whether or not this was extended to all other employees outside of the Police Department) - clarification was that it pertains to Police and Fire only
- Payment for of training, certifications, recertifications to maintain current standings of the Police Officers, whether this is also covered for other city employees - clarification was yes, this does include other employees depending on job title and certification requirements
- Affirmative Action Program- is this in writing? - clarification - statement follows Federal laws and language (as it relates to sexual orientation)- will be, if not added in the Employee Handbook as well as this document, it will be updated as noted according to Federal laws
- Minorities- specific demographic referencing this? ("Minorities" not being descriptive enough)
- Vacation taken and accrued and value - **data was requested**
- Full cost for insurance for all employees - **data was requested**
- Sick leave pool- how it manifests- those who contribute an amount into the sick leave pool will be eligible after the committee reviews the request. Is sick leave taken reviewed? Is there a threshold? FMLA was briefly described, and the process of taking sick leave was discussed
- Police Cars being brought home that reside in the City and those who take vehicles home that do not live in the City - **data was requested**
- Explanation was given for the \$65.00 cost for ammunition and maintenance of uniforms/ replacement of boots, belts, etc. - ammunition is supplied for training purposes only
- City will reimburse up to \$500.00 for a firearm, otherwise each officer purchases his/her own firearm if cost is over
- Health and Safety Committee creation of a Physical Fitness Program - clarification as a quarterly assessment program and is volunteer and not mandatory, it is not required - it was asked how many officers are in the program, and what the program consists of- **data was requested**
- What it would look like to up the incentive - costs to \$500.00 if each officer were to be involved in the program - **data was requested**
- It was asked if a similar program existed within the Fire Department - clarification that this was in the process
- Expanding the physical and mental health portion of the CBA - page 44- (Chapter 143). It was asked that a more substantial support be offered to the Police Officers and all First Responders. **Data was requested** for costs associated of having counselors on-sight and available at any time and a better way to support them in this area
- A few areas that were suggested to be taken OUT of the CBA were (records retention, investigations, and disciplinary actions)

- Civilian oversight into the CBA – a suggestion was made to involve citizens to get involved and allow their input into the CBA negotiation process for more transparency
- It was asked that the union committee send any changes and or requests that they would like to be included in the negotiation process to the city Manager and he will get those out to the Council Members to begin reviewing
- It was asked why it was mentioned in the current CBA, how certain areas would supersede certain Chapters of 143, and 174 or any other Texas Statutes - Legal said that under the Charter, and has a Home Rule City, this CBA has the authority to pre-empt certain rules or sections, where the state has given a collective bargaining agreement the authority to trump certain places, that the current CBA has chosen to do so.
- Clarification was given on a section that authorizes the Police Chief to promote a Captain or an Assistant Chief outside of any promotional exam. Ultimately, City Council would still have to approve and fund this position.
- Clarification of Page 7, Section 5 had concerns of the wording of “at the discretion of management” to be able to revoke privileges that could also be applied to difference officers, it leaves room for favoritism. Is there a process and has it been reduced to a written policy? (example- taking a city vehicle home); it is said to be outlined in the Rules and Procedures of Investigation Policy.

Commented [RE1]: Ichael

Joshua Human, Patrol Sergeant and current the Union President- Page 9 Article 7 Section 3, the question of how any staff could “interfere” as it relates to this section? – **Mr. Human was asked to get back with the City Manager about what he finds out.**

- Overtime and how it was distributed was discussed. Availability based on whether the officer is off work, and or just got off duty is the method used to decide who works overtime. **Chief Jackson was asked to get back with Council on the possibility of certain officers receiving more opportunities for overtime then other officers. (Some type of list)**
- Seniority - for taking vacations - is there a system in place? It was said that there has never been a time where there have been any problems in this area.
- It was asked how vacation is accrued and carried over, and it was clarified that there will be one consistent process to deal with all aspects and be part of this CBA and will be included in the Personnel Manual. A “leave” Policy may be brought to City Council on its own then implemented into the Employee Personnel Manual that will have a maximum carry over.
- Every member of the Police Department is a member of the CBA

- Extra job – requirements to wear a uniform within the City while working extra jobs, this depends on the job and what that job requires, sometimes plain-clothes are required
- Article 33, Section 4, page 51- (Personnel files)- asked what a letter of counseling was – a written admonishment issued to an officer for a level of violation of a policy (that doesn't meet the level of a disciplinary action according to Civil Service) with-holding the letter from the file (if after investigations – proved be unfound); and after 6 mos. being able to ask that the letter be removed; (hearings and or third-party arbitration was explained by Chief Jackson.) Six months seemed like such a short time- as mentioned by a member of Council.
- Clarity was asked on records retention (types of violations that can be removed, and the amount of time lapsing before they can have them removed); Legal explained that there are a lot of overlaid laws tied into this (Civil Service Rules, Records Retention Laws, TCLOSE); Each document will have a different records retention requirement: (Disciplinary actions - suspension, demotion and termination) - Civil Service those are in the Employee Personnel File and are considered permanent
- Has a sworn notarized affidavit on a complaint always been required? (for Criminal misconduct, or specific violation of department rules) - under those categories, a sworn notarized affidavit complaint is required; are there any other avenues that a citizen can report their complaints to (yes, City Manager); Mr. Human explained the differences in the seriousness of kinds of complaints (official oppression, retaliation, rudeness, wrongful arrest); filing false complaints are an arrestable offenses. Citizens can go to any member of the Police Department, any Council Member or City Manager, and it was promised that all complaints regardless of where the complaints are turned into, will be investigated. Further discussion continued which included time frame for a complaint to be investigated, right to contact an attorney on both sides.

CLEAT Representative (John Kerr) was also on the call for any questions

- Time lapse from notice to the officer to be interviewed from a sworn complaint filed. "Reasonable" sounds vague but has defined legal standards. Mr. Kerr added that this is actually in the case of unreasonable situations, based on the time in which complaints are received. Is it situations, rather than reasonable situations. Is it reasonable for an officer to get legal representation at 2:00 in the morning?
- Holidays - rates and or compensatory pay was explained the accrual and/or taking time; options for compensatory/overtime (monetary ratio)

- Good control over this is important and make sure that this can be managed, to remain financial control. **How much overtime is a result of sick-leave- date was requested even if estimated.**
- There will be some written comments forthcoming from Councilmember Compian on the current CBA
- Military leave was clarified (not to exceed fifteen days per year); does this need to be increased? It was verified that this has never been an issue.
- Page 38-43 Safety and Equipment was clarified – officers are not allowed to take on extra jobs at establishments that receive more than 50% of their sales in alcohol, according to the Texas Association of Police Chiefs
- A question was asked was there not a zero tolerance to alcohol and alcohol abuse section in the CBA. (if found during random drug-testing, or involved in motor vehicular accident); it was said that there is zero tolerance in the Employee Personnel Manual

Councilmember Compian asked what the process was in the CBA negotiations. It was said to have this item on an upcoming agenda to form a negotiations committee to do this.

(5) REQUESTS AND ANNOUNCEMENTS

Mayor **Bell thanked all for participating in this productive workshop.**

(6) ADJOURNMENT

****** Councilwoman Mc Auliffe made a motion to adjourn the regular meeting at 8:09 p.m. Councilmember Compian seconded. **MEETING ADJOURNED**

Keith Bell, Mayor

ATTEST:

Robin Eldridge, TRMC
City Clerk



**CITY OF LA MARQUE
CITY COUNCIL WORKSHOP
MINUTES
of
FEBRUARY 8, 2021**

City Council Workshop Minutes of the City of La Marque City Council held on Monday, February 8, 2021, beginning at 6:00 p.m. via teleconference (ZOOM) with the following members present:

(1) CALL TO ORDER

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

(2) ROLL CALL

Keith Bell

Mayor

Joe Compian

Councilmember, District B

Robert Michetich

Councilmember, District C

Casey Mc Auliffe

Councilwoman, District D

OTHER OFFICIALS PRESENT:

Charles "Tink" Jackson

City Manager

Robin Eldridge

City Clerk

Derra Purnell

City Attorney

(3) CITIZENS PARTICIPATION

No one spoke

(4) NEW BUSINESS

- a. Discussion relating to adopting Resolution No. **R-2021-0004**, approving the aerial spraying of mosquitoes by Galveston County Mosquito Control District, as required on a yearly basis by the Federal Aviation Administration

After City Manager explained, it was clarified that the County has their own system and schedule of aerial spraying, then there was no other discussion

- b. Discussion relating to adopting Resolution No. **R-2021-0005**, designating members of the City Council as Representative and Official Alternate to the General Assembly of the Houston-Galveston Area Council for the year 2021

After City Manager explained, they discussed among themselves who would be willing to serve. No other discussion.

- c. Discussion relating to adopting Resolution No. **R-2021-0006**, authorizing the submission of a grant application for the First Responder Resiliency Program to the Office of the Governor, Criminal Justice Division

After explanation by the Assistant City Manager Jordan, he introduced Karen Mc Whorter, of the Family Services Center of Galveston who was available for any questions.

- the grant requires a 20% match from the City
 - resources include four full-time counselors (rotating) available 24-hours
 - begins October of 2022
 - Specifically for first Responders and Peace Officers
- d. Discussion relating to ratifying the City Manager's approval of expenditures to Texas Pride Utilities for costs involved in emergency sanitary sewer rehabilitation in the amount of \$53,735.00

After a brief explanation provided by Public Works Director Mr. Cary, (this had been an ongoing problem for quite some time at that location)- issues were related to a long standing problem with a grease traps at one of the businesses in that area and lack of maintenance through the years – briefly discussed was what types of warranties did the City have on projects and contracts, it was said that it depends on what types of repairs but could be up to a minimum of fifty years on certain materials. A question was asked what the City could do to prevent something like this to happen again in the future, if a certain business or subdivision is putting extra stress or pressure, what is the cities stance? (Ordinances are in place, and the Capital Improvement Fund to repair those already worn out infrastructure);

- e. Discussion relating to approving a plat for Walgreens La Marque near 1832 FM 1765 with conditions: 1) that a corrected final plat is submitted to the City that includes the building setback lines for the C-1 General Commercial and Thoroughfare Overlay District zoning districts; 2) that a subordination agreement is submitted to the City; and 3) that original tax certificates are submitted to the City prior to filing of the plat

After a brief explanation provided by Development Services Mrs. Purnell, there was no other discussion.

- f. Discussion relating to adopting Ordinance No. **O-2021-0002**, amending the Delany Cove Planned Development District ("Delany Cove PDD") established by Ordinance No. O-2019-0026 by adding Section 14; and making other provisions related to the subject **THIS IS THE FIRST READING**

After a brief explanation provided by Development Services Mrs. Purnell, Councilwoman Mc Auliffe would like to see the their plans for what kinds of trees they are going to plant.

- g. Discussion relating to adopting Ordinance No. **O-2021-0003**, amending the fiscal year 2020-21 Budget for 1764 Water Plant Pumps project by increasing various accounts expenditures and revenues as set forth in Exhibit A **THIS IS THE FIRST READING**

City Manager Mr. Jackson gave an overview of the problems associated with water pressure in the area around the 1764 Water Plant. The water plant was built around 1990. Several subdivisions and other large developments have been constructed since then, and that plant is no longer capable of meeting the demand of water supply needs. This item falls under the ability to fund this from Impact Fees. City Engineer Dinh Ho, added information about the pump improvements to the booster pumps (below)

- h. Discussion relating to approving Precision Pumps System's quote for pump improvements to the booster pumps at the 1764 Water Plant, not to exceed \$225,000.00, and authorizing the City Manager to execute contract documents and/or purchase orders necessary to complete this purchase under the City's interlocal agreement with BuyBoard

This item was also discussed in conjunction with the item for budget amendment for this project (above).

- i. Discussion relating to award of bid for the Westwood Subdivision Drainage Improvement Project No. 19100-14 to Aranda Brothers Construction Co. Inc. in the amount of \$122,197.00

City Manager Mr. Jackson gave a brief overview of this bid award (In the 2019-2020 budget \$85,000 was approved for this item); it was put off until this year and the rest would come from the left- over monies in the 2005 CO bond series (drainage improvements) a little over \$120,000.00 in this CO.

Further discussion included Mr. Ho explaining that this development was constructed during the late seventies - early eighties, curb and gutter with no storm sewer drainage. The issue after assessing (2018), water ponds in two -three inches with no movement. There has been some minor repairs to alleviate some of the drainage (pavement panels).

- j. Discussion relating to giving direction to staff regarding a potential redraft of Ordinance No. **O-2018-0019**, which established procedures and criteria for appointing members to the Boards and Commissions

After a thorough discussion the following were some changes that Council would like to see included in the amended ordinance:

- Ex-officio member to the EDC to be Mayoral position
- Boards and Commissions application to include an affidavit requiring a resident statement sworn statement included on the application
- Any question of residency to make a complaint to City Council then will direct City Manager to investigate then bring back findings to City Council
- Equal number of alternates on each of the Boards and Commissions
- Term limits (a discussion for the next meeting) Yes or No
- Non-residents (having a limit on) and a verification in the reappointment of those in the ex-officio positions
- More definition in the residence requirements

Keeping a master list of membership and member ongoing- will be done in-house. Staff is working on a handbook for all Boards and Commissions.

(5) ADJOURNMENT

It was the consensus of Council to adjourn the Workshop at 8:20 p.m.

CITY OF LA MARQUE, TEXAS

Keith Bell, Mayor

ATTEST:

Robin Eldridge, TRMC
City Clerk



**CITY OF LA MARQUE
CITY COUNCIL REGULAR
MINUTES
of
FEBRUARY 8, 2021**

City Council Regular Minutes of the City of La Marque City Council held on Monday, February 8, 2021, 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 Bell called the Regular Meeting to order at 8:20 p.m.

(2) ROLL CALL

Keith Bell

Joe Compian

Robert Michetich

Casey Mc Auliffe

Mayor

Councilmember, District B

Councilmember, District C

Councilwoman, District D

OTHER OFFICIALS PRESENT:

Charles "Tink" Jackson

Robin Eldridge

Derra Purnell

City Manager

City Clerk

City Attorney

(3) PROCLAMATIONS/PRESENTATIONS

a. Black History Month - February

Mayor Bell read the proclamation into the minutes of this meeting on the celebration of black history for the month of February

(4) APPROVAL OF MINUTES

a. Workshop Meeting Minutes of January 11, 2021

b. Regular Meeting Minutes of January 11, 2021

c. Special Meeting Minutes of January 19, 2021

** Councilmember Michetich made a motion to approve the minutes above with no changes.

** Councilmember Compian seconded. **MOTION CARRIED UNANIMOUSLY**

(5) CONSENT AGENDA

- a. Consider recommendation regarding adopting Resolution No. **R-2021-0004**, approving the aerial spraying of mosquitoes by Galveston County Mosquito Control District, as required on a yearly basis by the Federal Aviation Administration

** Councilmember Compian made a motion to adopt Resolution No. R-2021-0004.

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

(6) PUBLIC HEARING

- a. Conduct Public Hearing to hear public input regarding adopting Ordinance No. **O-2021-0001**, amending the fiscal year 2020-21 Budget by increasing various accounts expenditures and decreasing various fund balances as set forth in Exhibit

Mayor Bell closed the Regular Meeting and opened the Public Hearing at 8:25 p.m.

No one spoke.

Mayor Bell closed the Public Hearing and reconvened the Regular meeting at 8:25 p.m.

(7) OLD BUSINESS

- a. Discussion/possible action regarding adopting Ordinance No. **O-2021-0001**, amending the fiscal year 2020-21 Budget by increasing various accounts expenditures and decreasing various fund balances as set forth in Exhibit A **THIS IS THE SECOND AND FINAL READING**

** Councilmember Compian made a motion to adopt Ordinance No. O-2021-0001 on the Second and Final reading.

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

(8) NEW BUSINESS

- a. Discussion/possible action regarding adopting Resolution No. **R-2021-0005**, designating members of the City Council as Representative and Official Alternate to the General Assembly of the Houston-Galveston Area Council for the year 2021

** Councilmember Compian made a motion appointing Councilwoman Mc Auliffe as the Representative to the General Assembly of the HGAC for the year 2021, and appointed Councilmember Compian as the Alternate.

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

- b. Discussion/possible action regarding adopting Resolution No. **R-2021-0006**, authorizing the submission of a grant application for the First Responder Resiliency Program to the Office of the Governor, Criminal Justice Division

- ** Councilwoman Mc Auliffe made a motion to adopt Resolution No. R-2021-0006.
- ** Councilmember Compian seconded. **MOTION CARRIED UNANIMOUSLY**
- c. Discussion/possible action regarding ratifying the City Manager's approval of expenditures to Texas Pride Utilities for costs involved in emergency sanitary sewer rehabilitation in the amount of \$53,735.00
- ** Councilwoman Mc Auliffe made a motion to ratify the City Manager's approval of expenditures to Texas Pride Utilities for costs involved in emergency sanitary sewer rehabilitation in the amount of \$53,735.00
- ** Councilmember Compian seconded. **MOTION CARRIED UNANIMOUSLY**
- d. Discussion/possible action regarding approving a plat for Walgreens La Marque near 1832 FM 1765 with conditions: 1) that a corrected final plat is submitted to the City that includes the building setback lines for the C-1 General Commercial and Thoroughfare Overlay District zoning districts; 2) that a subordination agreement is submitted to the City; and 3) that original tax certificates are submitted to the City prior to filing of the plat
- ** Councilmember Compian made a motion to approve a plat for Walgreens La Marque near 1832 FM 1765 with conditions: 1) that a corrected final plat is submitted to the City that includes the building setback lines for the C-1 General Commercial and Thoroughfare Overlay District zoning districts; 2) that a subordination agreement is submitted to the City; and 3) that original tax certificates are submitted to the City prior to filing of the plat
- ** Councilwoman Mc Auliffe seconded. **MOTION CARRIED UNANIMOUSLY**
- e. Discussion/possible action regarding adopting Ordinance No. **O-2021-0002**, amending the Delany Cove Planned Development District ("Delany Cove PDD") established by Ordinance No. O-2019-0026 by adding Section 14; and making other provisions related to the subject
- ** Councilmember Compian made a motion to adopt Ordinance No. O-2021-0002, on the first reading.
- ** Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY**
- f. Discussion/possible action regarding adopting Ordinance No. **O-2021-0003**, amending the fiscal year 2020-21 for 1764 Water Plant Pumps project by increasing various accounts expenditures and revenues as set forth in Exhibit A **THIS IS THE FIRST READING**

** Councilmember Compian made a motion to adopt Ordinance No. O-2021-0003, on the first reading.

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

- g. Discussion/possible action regarding approving Precision Pumps System's quote for pump improvements to the booster pumps at the 1764 Water Plant, not to exceed \$225,000.00, and authorizing the City Manager to execute contract documents and/or purchase orders necessary to complete this purchase under the City's interlocal agreement with BuyBoard

** Councilmember Michetich made a motion to authorize the City Manager to execute contract documents and/or purchase orders necessary to complete this purchase under the City's interlocal agreement with BuyBoard

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

- h. Discussion/possible action regarding award of bid for the Westwood Subdivision Drainage Improvement Project No. 19100-14 to Aranda Brothers Construction Co. Inc. in the amount of \$122,197.00

** Councilwoman Mc Auliffe made a motion to award bid for the Westwood Subdivision Drainage Improvement Project No. 19100-14 to Aranda Brothers Construction Co. Inc. in the amount of \$122,197.00

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

Councilmember Compian thanked members of Council and Mayor for this support and for other future improvements in other districts.

- i. Discussion/provide direction to staff regarding a potential redraft of Ordinance No. O-2018-0019, which established procedures and criteria for appointing members to the Boards and Commissions

** Mayor Bell referred to the Workshop and gave direction to the City Manager to amend this ordinance and allow it to reflect what was mentioned in the Workshop, and the consensus of all of Council with the exception of the "term limits" to be voted on at the next Council meeting

- j. Discussion/possible action regarding appointments and/or reappointments to fill various positions of the Boards and Commissions

Councilmember Michetich did not want to appoint a member of a board member until after the May Election. It was mentioned that he would have only sixty days, until other members of council could make this appointment for him.

Mayor appointed Daniel Brown as an Alternate to the Building Standards Commission. It was the consensus of Council to accept the appointment.

(9) 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)

- a. Section 551.071 (Consultation with Attorney) of the Texas Government Code regarding pending litigation: *La Marque EDC v. Texas City Terminal Railway Co.*, Cause No. 20-CV-0633

Mayor Bell closed the Regular meeting and went into Executive Session at 8:41 p.m.

(10) ACTION TAKEN FROM EXECUTIVE SESSION

- a. Discussion/possible action regarding: *La Marque EDC v. Texas City Terminal Railway Co.*, Cause No. 20-CV-0633

Mayor Bell reconvened into the Regular meeting at 9:37 p.m.

No action was taken.

(11) REQUESTS AND ANNOUNCEMENTS

Councilwoman Mc Auliffe asked that juvenile curfew update reports be brought before City Council; vaccines for staff (incentives)

Councilmember Michetich asked for a report of the status of TIRZ District and current balances, and what's been allocated, where it's held, financial report and update; brought up history and education and the importance of teaching as far as black history is concerned.

Mayor Bell thanked Councilmember Michetich for his kind words and former councilmember Mr. Lane for his continued youth support in the community.

Reminded all of two special meetings in the near future (Safe City Initiative being one)

A date was discussed among Council for the next special meeting date. Monday 22, 2021; February 25, 2021 at 6:00 p.m. (reports and curfew update); it was agreed that Tuesday March 2, 2021 would be the final date for a Special Meeting date.

(12) ADJOURNMENT

Councilmember Compian made a motion to adjourn the meeting at 9:50 p.m. Councilmember Michetich seconded. MEETING ADJOURNED.

Keith Bell, Mayor

ATTEST:

Robin Eldridge, TRMC
City Clerk

DRAFT



**CITY OF LA MARQUE
SPECIAL JOINT MEETING OF CITY COUNCIL AND LA MARQUE
ECONOMIC DEVELOPMENT CORPORATION
MINUTES
of
March 2, 2021**

Minutes of Special Joint Meeting of City Council and the La Marque Economic Development Corporation via telephone/video conference hosted through Zoom as provided in the attached notice on Tuesday, March 2, 2021 at 6:00 p.m. via teleconference (ZOOM), with the following members present:

(1) CALL MEETING TO ORDER

Mayor Bell called the Joint meeting to order at 6:02 p.m.

(2) ROLL CALL

Keith Bell	Mayor
Joe Compian	Mayor-Pro-Tem District B
Robert Michetich	Councilmember District C
Casey Mc Auliffe	Councilwoman District D

OTHER STAFF

Charles "Tink" Jackson	City Manager
Derra Purnell	City Attorney
Robin Eldridge	City Clerk

Economic Development Corporation Members Present:

Gene Smith	Board Member
Tracie Steans	Board Member
Cleveland Lane	Board Member
Bobby Hocking	Board Member
Alex Getty	Executive Director
Carlton Getty	Attorney

(3) EXECUTIVE SESSION

- a. Section 551.071 (Consultation with Attorney) of the Texas Government Code regarding pending litigation: *La Marque EDC v. Texas City Terminal Railway Co.*, Cause No. 20-CV-0633

Mayor Bell opened the Special Meeting and called the Executive Session at 6:05 p.m.

Mayor Bell reconvened into the Special Meeting at 7:37 p.m.

No action was taken from the Executive Session

(4) ADJOURNMENT

Mayor Pro-Tem Compian made a motion to adjourn the Special Joint meeting at 7:38 p.m. Councilwoman Mc Auliffe seconded. **MEETING ADJOURNED.**

Keith Bell, Mayor

Bobby Hocking, for Ron Crowder
Economic Development Corporation

ATTEST:

Robin Eldridge, TRMC
City Clerk



CITY COUNCIL AGENDA FORM

Meeting Date: March 8, 2021

Prepared by: Robin Eldridge

Agenda item: 5a

Reviewed by: Charlene Warren

Charles Jackson

Department: City Clerk

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding adopting Resolution No. **R-2021-0007**, ordering the General Election to be held May 1, 2021, to elect one (1) Mayor; (1) Councilmember for District "A"; and one (1) Councilmember for District "C", each for a three (3) year term

☒

ATTACHMENTS FOR REFERENCE

1. Resolution - including polling locations
2. Positions as they will appear on the ballot

STAFF BRIEFING:

- After the filing date for citizens wishing to be placed on the ballot in the next Municipal election, there were eight applications in all submitted

HISTORY:

- Members of City Council including Mayor are elected for a three-year term with no term limitations
- The positions of Mayor, Councilmember District "A" and Councilmember District "C" are on the ballot in the upcoming Municipal Election

TARGET IMPLEMENTATION: March 8, 2021

SIGNIFICANT ACTION DATES:

January 11, 2021 - Resolution adopted calling for the City of La Marque's General Election and to contract with Galveston County to conduct the General Election and Run-off (if needed)

February 12, 2021 - Last day for filing for a place on the ballot

February 19, 2021 - Last day for a candidate to withdraw from being placed on the ballot

February 19, 2021 - Drawing for a place on the ballot was held

April 19, 2021 - First day for Early Voting by personal appearance

April 27, 2021 - Last day for Early Voting by personal appearance

May 1, 2021 - Election Day



CITY COUNCIL AGENDA FORM

ACTION:

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

Cost Details:

Budgeted	\$25,500.00
Actual Bid	N/A
Estimated Expenditure	
Acct. Name(s)	Election Costs
Line Item #	01-4021-07-00
Other Funding	N/A

STAFF'S RECOMMENDATION: Motion to adopt Resolution No. **R-2021-0007**, ordering the General Election to be held May 1, 2021, to elect one (1) Mayor; one (1) Councilmember for District "A" and one (1) Councilmember for District "C", each for a three (3) year term

FISCAL IMPACT:

- This amount will depend on how many entities will be having an election, after the filing period ends
- Some entities may be able to cancel their elections
- The cost is split between the County and the entities that will be holding their elections

RESOLUTION NO. R-2021-0007

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, ORDERING THE GENERAL ELECTION TO BE HELD ON MAY 1, 2021 AND ADMINISTERED BY THE GALVESTON COUNTY ELECTIONS ADMINISTRATOR, FOR THE PURPOSE OF ELECTING THE POSITION OF ONE (1) MAYOR; ONE (1) COUNCILMEMBER (DISTRICT "A"); AND ONE (1) COUNCILMEMBER (DISTRICT "C"), TO THE LA MARQUE CITY COUNCIL FOR A THREE (3) YEAR TERM; ESTABLISHING POLLING LOCATIONS; ESTABLISHING A RUN-OFF ELECTION DATE, IF NECESSARY; ORDERING NOTICES OF ELECTION TO BE GIVEN AS PRESCRIBED BY LAW IN CONNECTION WITH SUCH ELECTION

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

Section 1. An election is hereby ordered to be held on May 1, 2021, for the purpose of electing one (1) Mayor; one (1) Councilmember from City Council District "A" and one (1) Councilmember from City Council District "C".

Section 2. EARLY VOTING by personal appearance will begin on Monday, April 19, 2021 through Friday, April 23, 2021, polls being open from 8:00 a.m. to 5:00 p.m. and continuing on Monday, April 26, 2021 and Tuesday, April 27, 2021.

Early Voting by mail shall be conducted by the Early Voting Clerk for Galveston County.

Applications for ballots by mail must be received no later than the close of business on Tuesday, April 20, 2021. Applications must be sent to:

Galveston County Elections Administration Office
Attn: Elections Coordinator (Early Voting Clerk)
P.O. Box 17253
Galveston, Texas 77552-4253

Dwight Sullivan, County Clerk Galveston County or his designee shall serve as the Presiding Judge of the Central Counting Station.

Section 3. EARLY VOTING polling places where qualified voters shall cast ballots in the 2021 General Municipal Election are as attached in Exhibit "A".

Section 4. ELECTION DAY polling places where qualified voters shall cast ballots in the 2021 General Municipal Election are as attached in Exhibit "B".

Section 5. The City Clerk is hereby authorized and directed to publish and/or post, in the time and manner prescribed by law, all notices required to be so published and/or posted in connection with the conduct of this election. Galveston County Election Officer shall designate the election judges for the election. The election, including

providing Notice of the Election, shall be conducted in accordance with the Texas Election Code and other applicable law, and all resident qualified and registered voters of the City shall be eligible to vote at the election.

Section 6. According to the City of La Marque Charter, elections are by “majority” vote. If no candidate receives a majority of all votes (50.1 %), a Runoff Election is required to be held between the two candidates with the highest number of votes in District “A”.

Section 7. According to our Election Contract with Galveston County, the date for the Run-Off Election, if necessary, shall be held on Saturday, June 19, 2021.

PASSED, APPROVED AND ADOPTED by City Council of the City of La Marque this the _____ day of March 2021.

CITY OF LA MARQUE, TEXAS

Keith Bell, Mayor

ATTEST:

Robin Eldridge, TRMC, City Clerk

APPROVED AS TO FORM:

Derra Leigh Purnell, City Attorney



CITY COUNCIL AGENDA FORM

Meeting Date: March 8, 2021

Agenda item: **5b**

Prepared by: Robin Eldridge

Reviewed by: *Charlene Warren*

Charles Jackson

Department: City Clerk

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding adoption of Resolution No. **R-2021-0008**, designating the official mailing address and e-mail address for public information requests

☒

ATTACHMENTS FOR REFERENCE

1. Resolution
2. Attorney General Public Information Request Form

STAFF BRIEFING:

- The City Clerk's office has seen a higher volume than usual of public information requests
- With the higher volume of requests, it is important that requests be received timely by the City Clerk to allow quick and thorough processing of these requests
- Designating an official mailing address and e-mail address for public information requests centralizes all requests and makes sure the City Clerk is notified timely of any request
- The City website will be updated to reflect the designations and to provide the public information request form created by the Attorney General for anyone that chooses to use the form
- The Attorney General's form may provide for potentially faster and more efficient processing of requests, but is not required to be used for a request to be submitted

HISTORY: N/A

TARGET IMPLEMENTATION: March 8, 2021

SIGNIFICANT ACTION DATES: N/A

ACTION:

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



CITY COUNCIL AGENDA FORM

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

Other Funding

N/A

STAFF'S RECOMMENDATION: Motion to adopt Resolution No. **R-2021-0008**, designating the official mailing address and e-mail address for public information requests

FISCAL IMPACT: N/A

RESOLUTION NO. R-2021-0008

A RESOLUTION OF THE CITY COUNCIL OF LA MARQUE, TEXAS, DESIGNATING THE OFFICIAL MAILING ADDRESS AND E-MAIL ADDRESS FOR PUBLIC INFORMATION REQUESTS

WHEREAS, the City of La Marque is governed by Chapter 552 of the Texas Government Code; and

WHEREAS, by enacting SB 944 (86th legislative regular session, 2019), the Texas Legislature enacted Section 552.234, Texas Government Code, which allows a governmental body to designate one electronic mail address and one mailing address for receiving written requests for public information; and

WHEREAS, the Attorney General created a public information request form that provides the requestor the option of excluding from a request information that the governmental body determines is confidential or subject to an exception to disclosure that the governmental body would assert if the information were subject to the request; and

WHEREAS, provided the governmental body allows requestors to use the form described above, the governmental body shall post the form on its website;

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

Section 1. Designation of Mailing Address: Any request for public information submitted by mail or hand delivered shall be submitted to:

City Clerk, City of La Marque
1111 Bayou Road
La Marque, Texas 77568

Section 2. Designation of E-Mail Address: Any request for public information submitted by electronic mail shall be submitted to: cityclerk@cityoflamarque.org.

Section 3. City website update: The City website shall be updated to reflect the designations made by this resolution, and to provide a link to the public information request form created by the Attorney General.

PASSED, APPROVED AND RESOLVED on this the ____ day of _____, 2021.

CITY OF LA MARQUE, TEXAS

Keith Bell, Mayor

ATTEST:

Robin Eldridge, City Clerk

APPROVED AS TO FORM:

Derra Leigh Purnell, City Attorney



CITY COUNCIL AGENDA FORM

Meeting Date: March 8, 2021

Prepared by: Derra Purnell

Agenda item: 7a

Reviewed by: Charlene Warren/

Charles Jackson

Department: Development Services

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding adopting Ordinance No. **O-2021-0002**, amending the Delany Cove Planned Development District ("Delany Cove PDD") established by Ordinance No. O-2019-0026 by adding Section 14; and making other provisions related to the subject **THIS IS THE SECOND AND FINAL READING**

☒

ATTACHMENTS FOR REFERENCE

1. Proposed Ordinance
2. Planning and Zoning Commission Report
3. Existing Delany Cove PDD Ordinance
4. GCAD map of parcels being added to the PDD

STAFF BRIEFING:

- The original PDD for Delany Cove was passed in 2019 covering Sections 11, 12, and 13 of Landing at Delany Cove subdivision
- The developer is requesting to add Section 14 to the Delany Cove PDD under the same development requirements as previous sections, except that the on-site pond will be improved with walking trails and landscaping in order to satisfy the open space requirement, resulting in 50% plus of open space for this section
- The original plan for this section was tentatively commercial development, though the developer had not yet requested that zone change, so the zoning is still R-1 Single-Family Residential

HISTORY:

- Zone change considered by Planning and Zoning Commission on 1/26/21

TARGET IMPLEMENTATION: Second Reading by Council

SIGNIFICANT ACTION DATES:

1/26/2021 - Recommended for approval by Planning and Zoning Commission

2/8/2021 - Council approved on First Reading



CITY COUNCIL AGENDA FORM

ACTION:

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

Cost Details:

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

STAFF'S RECOMMENDATION: Motion to adopt Ordinance No. **O-2021-0002**, amending the Delany Cove Planned Development District **THIS IS THE SECOND AND FINAL READING**

FISCAL IMPACT: N/A

ORDINANCE NO. O-2021-0002

AN ORDINANCE OF THE CITY OF LA MARQUE, TEXAS, AMENDING THE DELANY COVE PLANNED DEVELOPMENT DISTRICT (“DELANY COVE PDD”) ESTABLISHED BY ORDINANCE NO. O-2019-0026 BY EXTENDING THE BOUNDARIES OF THE PDD TO INCLUDE SECTION 14 OF LANDING AT DELANY COVE; AMENDING THE COMPREHENSIVE PLAN AND ZONING MAP TO REFLECT THIS AMENDMENT; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH VIOLATION; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of La Marque, Texas, (the “City”) heretofore adopted Ordinance No. 953, as amended, codified in Chapter 71, Zoning, of the City Code of La Marque Code of Ordinances (the “Zoning Ordinance”) that regulates and restricts the location and use of buildings, structures and land for trade, industry, residence and other purposes, and provides for the establishment of zoning districts of such number, shape and area as may be best suited to carry out these regulations; and

WHEREAS, Section 71-18 of the Zoning Ordinance provides for the creation of Planned Development Districts for, among other types of development, housing development on tracts of five acres or more; and

WHEREAS, Ordinance No. O-2019-0026 established the Delany Cove Planned Development District (“Delany Cove PDD”) approximately 40.7 acres of land comprised of Sections 11, 12 and 13 of Landing at Delany Cove; and

WHEREAS, Friendswood Development Company (the “Owner”) applied to have Delany Cove PDD amended by adding Section 14 of Landing at Delany Cove to the Delany Cove PDD; and

WHEREAS, the Planning and Zoning Commission recommended approval of this amendment to the Delany Cove PDD following a public hearing on January 26, 2021; and

WHEREAS, the City Council finds, following notice and public hearings as required by law, that the proposed amendment to the Delany Cove PDD is consistent with the City’s comprehensive plan, and that the comprehensive plan of the City should be amended to include the proposed amendment to the Delany Cove PDD;

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

Section 1.

That the facts and matters set forth in the preamble of this Ordinance are found to be true and correct.

Section 2.

That the boundaries of the Delany Cove PDD established by Ordinance No. O-2019-0026, are hereby amended to also include Section 14 of Landing at Delay Cove, as shown in Exhibit A. The zoning regulations contained in Ordinance No. O-2019-0026 and this Ordinance shall be applicable to the Delany Cove PDD.

Section 3. Zoning Map

The official zoning map of the City of La Marque is hereby amended in accordance with this Ordinance.

Section 4. Comprehensive Plan

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

Section 5.

The development of the property (Delany Cove Sections 11, 12, 13 and 14) shown in Exhibit A shall conform to all requirements for the R-1 Single Family Residential Zoning District and any other requirements applicable to all zoning districts or uses within any zoning district, as prescribed by the Zoning Ordinance, except for the following modifications:

Lot size. A lot in this district shall not be less than six thousand (6,000) square feet in area and shall not be less than fifty feet (50') wide at the building line; however, a lot for a single-family dwelling in this district may be less than six thousand (6,000) square feet in area, provided that lot is not less than one hundred twenty feet (120') in depth and not less than fifty feet (50') at the building line.

General Open Space Requirements. The development of the property within the Delany Cove PDD shall include a minimum of 23% of open space to mitigate the higher density allowed in the Delany Cove PDD; provided, however, the development of Section 14 shall include a minimum of 50% open space which may be satisfied by the improvement with landscaping and walking trails of the on-site detention/retention pond. Open space may also include pocket parks, improved ponds, walking trails, fountain areas and nature preserves, in substantial compliance with the landscape and concept plan, attached as Exhibit B.

Section 6.

Nothing in this Ordinance waives or modifies any other City requirement, including but not limited to off-street parking requirements unless expressly referenced herein, subdivision regulations, and construction codes. Approval of this Application grants only the rights specifically addressed herein and does not constitute subdivision plat approval; provided, however, any previously approved General Plan for Landing at Delany Cove is hereby modified only to the extent that Section 14 is added to the General Plan. In the event of any conflict between this Ordinance or a previously approved General Plan, the most restrictive plan, or most expansive landscaping or improvements shown on either plan shall apply.

Section 7. Penalty

As provided in Section 71-5 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 thereof, or who shall erect or alter any building, or who shall commence to erect or alter any building in violation of any detailed statement of the plan submitted or approved thereunder, shall for each violation or noncompliance be deemed guilty of a misdemeanor, and upon conviction, shall be fined as provided in section 1-10 of the City Code.

Section 8. Effective Date and Publishing

This ordinance shall be effective immediately, except where a later date is expressly provided, upon adoption on second and/or final reading after publication and hearing, as provided in Sections 2.17-2.19 of the Charter of the City of La Marque, and publication in accordance with Section 52.013 of the Texas Local Government Code.

Section 9. Conflict and Repeal

This ordinance is intended to be cumulative and shall not repeal any previous ordinances except to the extent of an irreconcilable conflict.

Section 10. 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 shall not affect, impair, or invalidate this ordinance as a whole or any 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.

PASSED, APPROVED, AND ADOPTED by City Council of the City of La Marque on First Reading this **8th** day of **February** 2021;

PASSED, APPROVED, AND ADOPTED by City council of the City of La Marque on Second and Final Reading this ____ day of _____ 2021.

Keith Bell, Mayor

ATTEST:

Robin Eldridge, City Clerk TRMC

APPROVED AS TO FORM:

Derra Leigh Purnell, City Attorney

EXHIBIT "A" - Delany Cove PDD Boundaries and Land Use Plan

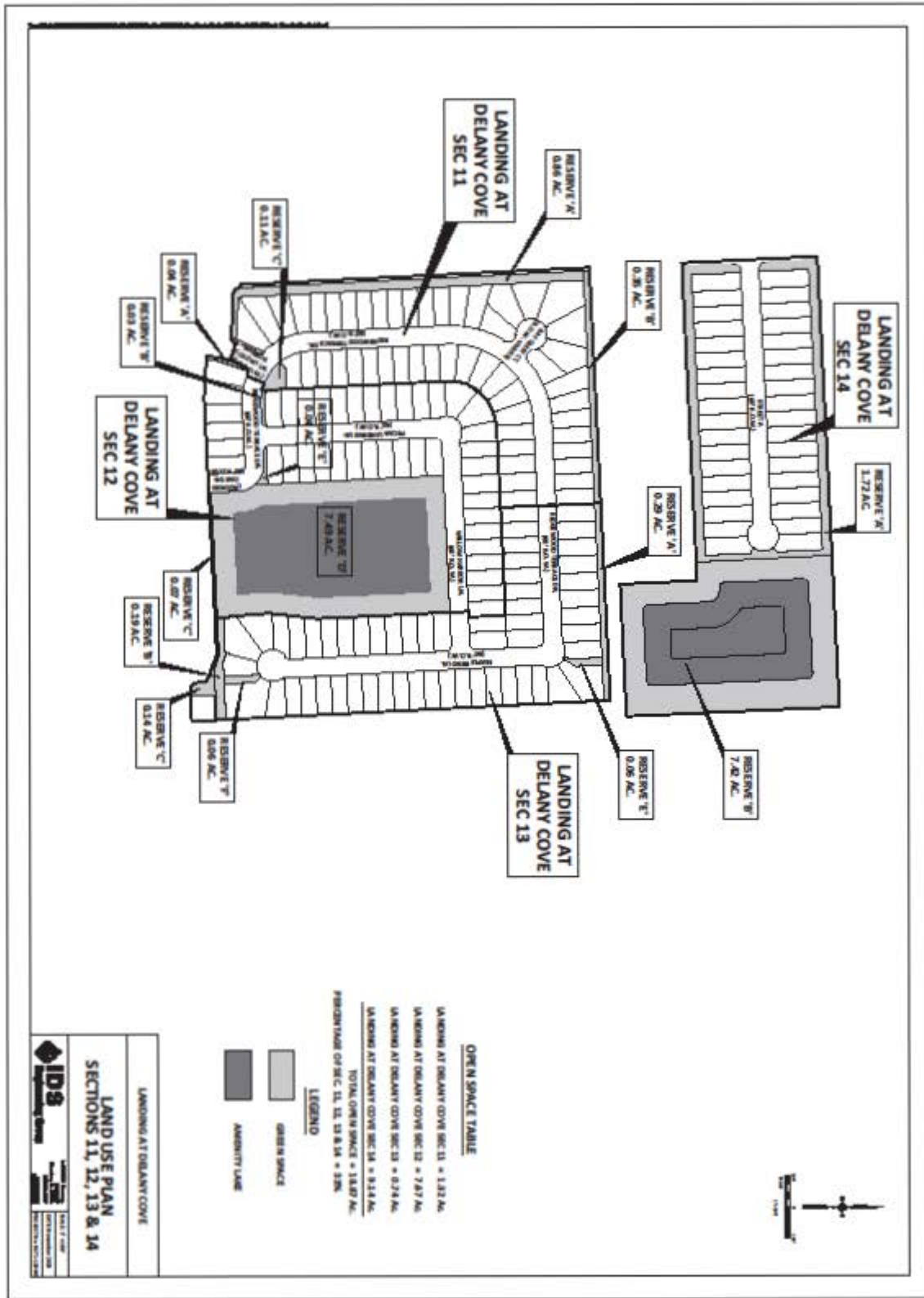
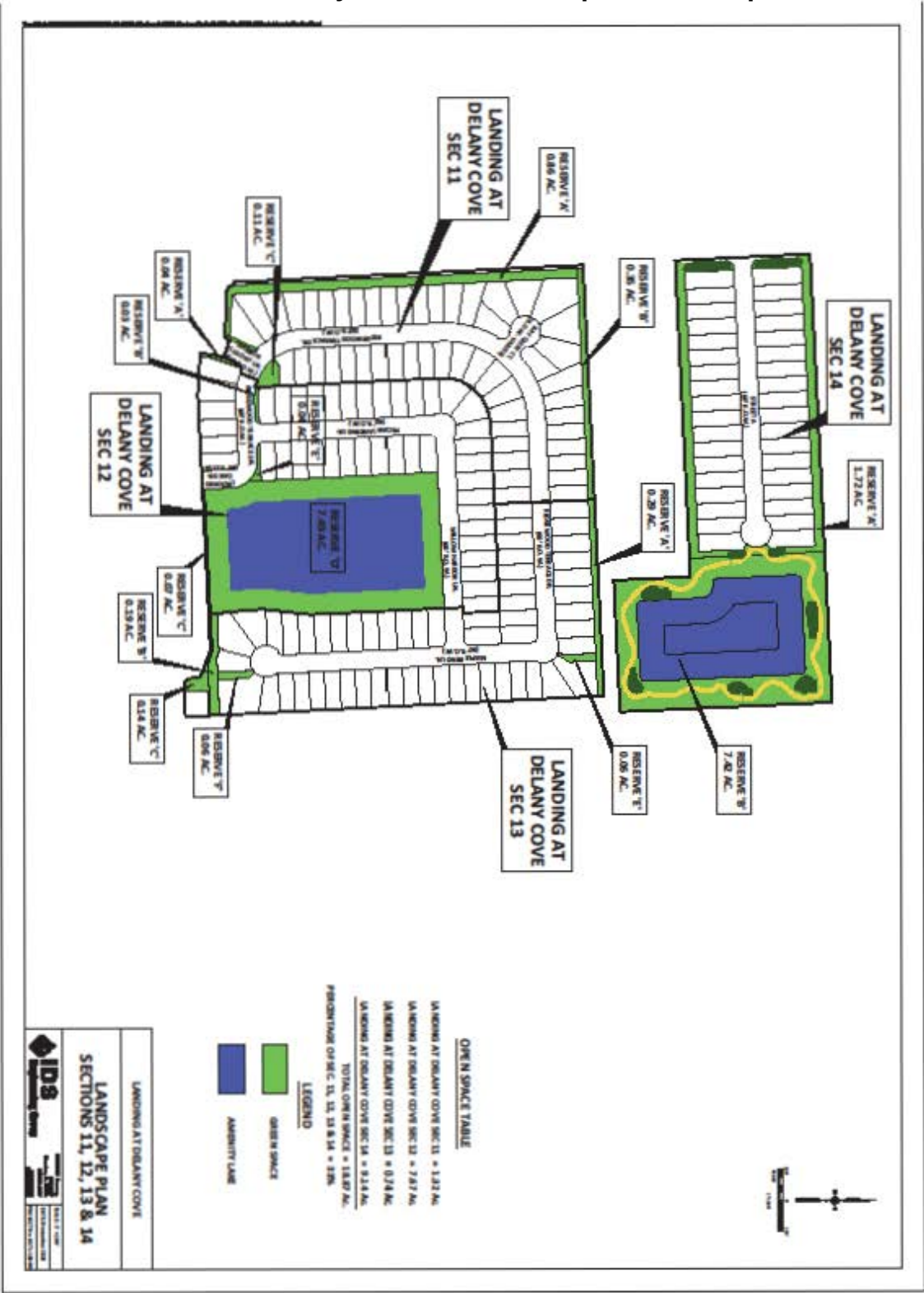


EXHIBIT "B" - Delany Cove PDD Landscape and Concept Plan





City of La Marque Planning & Zoning Commission

COMMISSION REPORT

Commission Meeting: January 26, 2021

Agenda Item: Discussion / possible action to issue a final report and provide a recommendation to City Council on a request to change the zoning district from (R-1) Single Family Residential to Delany Cove Planned Development District and to extend the boundaries of the existing Delany Cove Planned Development District established by La Marque Ordinance O-2019-0026 to include Landing at Delany Cove Section 14

Item Type: Zone change - adding territory to an existing PDD

History: None

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: None

Recommendation: The Commission voted to issue a final report and recommend approval of the zone change from (R-1) Single Family Residential to Delany Cove PDD.

EXISTING PDD

ORDINANCE NO. O-2019-0026

AN ORDINANCE OF THE CITY OF LA MARQUE, TEXAS, ESTABLISHING THE DELANY COVE PLANNED DEVELOPMENT DISTRICT (“DELANY COVE PDD”) AS A ZONING DISTRICT IN ACCORDANCE WITH CHAPTER 71, ZONING, OF THE CITY OF LA MARQUE CODE OF ORDINANCES; ADOPTING REGULATIONS APPLICABLE TO THE DELANY COVE PDD; AMENDING THE COMPREHENSIVE PLAN TO REFLECT THIS AMENDMENT; AND PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH VIOLATION.

WHEREAS, Section 71-18 of the City of La Marque Code of Ordinances (“City Code”) provides for the creation of Planned Development Districts for, among other types of development, housing development on tracts of five acres or more; and

WHEREAS, Friendswood Development Company (the “Owner”) is the owner of approximately 40.7 acres of land comprised of Sections 11, 12 and 13 of Delany Cove, as shown on Exhibit A (the “Property”); and

WHEREAS, the Owner of the Property has presented an application for the City to establish the Delany Cove PDD in order to further construction, operation and use of a master planned community; and

WHEREAS, in accordance with Sections 211.006 and 211.007 of the Texas Local Government Code, notice was mailed to all property owners within 200 feet of the Property, and the school district in which the Property is located, prior to the public hearing before the Zoning Commission on October 8, 2019; and

WHEREAS, the Zoning Commission held a public hearing on its preliminary report and issued a final report on October 8, 2019 recommending that City Council establish the Delany Cove PDD and adopt zoning regulations applicable to the Delany Cove PDD as provided in this Ordinance; and

WHEREAS, the City Council finds, following newspaper publication and the required public hearings, that the proposed Delany Cove PDD is consistent with the City’s comprehensive plan, and that the comprehensive plan of the City should be amended to include the proposed Delany Cove PDD;

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

Section 1. That the facts and matters set forth in the preamble of this Ordinance are found to be true and correct.

Section 2. That the application to establish the Delany Cove PDD is hereby approved subject to the regulations, restrictions, terms and conditions set forth in this Ordinance, and shall include the Property, as shown in Exhibit A.

Section 3. That the City's comprehensive plan is amended in accordance with this Ordinance.

Section 4. That the following regulations, including the regulations applicable to the R-1 Single Family Zoning District and any other zoning regulations applicable to all zoning districts or uses in any zoning district, shall apply to uses in the Delany Cove PDD (zoning district):

Delany Cove Planned Development District (Delany Cove PDD). The development of the Property (Delany Cove Sections 11, 12 and 13) shown in Exhibit A shall conform to all requirements, including the authorized uses, for the R-1 Single Family Residential District and any other requirements applicable to all zoning districts or uses within any zoning district, as prescribed by Chapter 71, Zoning, of the City Code, except for the following modifications:

Lot Size. A lot in this district shall not be less than six thousand (6,000) square feet in area and shall not be less than fifty feet (50') wide at the building line; however, a lot for a single-family dwelling in this district may be less than six thousand (6,000) square feet in area, provided that lot is not less than one hundred twenty feet (120') in depth and not less than fifty feet (50') at the building line.

General Open Space Requirements. The development of the Property shall include a minimum of 23% of open space to mitigate the higher density allowed in the Delany Cove PDD. This open space may include pocket parks, ponds, walking trails, fountain areas and nature preserves, in substantial compliance with the land use and concept plan, attached as Exhibit B.

Section 5. Nothing in this Ordinance waives or modifies any other City Code requirement, including but not limited to off-street parking requirements, subdivision regulations, and construction codes. Approval of this Application grants only the rights specifically addressed herein.

Section 6. 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 thereof, or who shall erect or alter any building, or who shall commence to erect or alter any building in violation of any detailed statement of plan submitted or approved thereunder, 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 7. Effective Date and Publishing. This ordinance shall be effective immediately, except where a later date is expressly provided, upon adoption on second and/or final reading after publication and hearing, as provided in Sections 2.17-2.19 of the Charter of the City of La Marque, and publication of this ordinance or a caption that summarizes the purpose of this ordinance and the penalty for violating this ordinance in every issue of the official newspaper for two days, or one issue of the newspaper if the official newspaper is a weekly paper, in accordance with Chapter 52 of the Texas Local Government Code.

Section 8. Conflict and Repeal. This ordinance is intended to be cumulative and shall not repeal any previous ordinances except to the extent of an irreconcilable conflict.

Section 9. 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 shall not affect, impair, or invalidate this ordinance as a whole or any 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.

PASSED, APPROVED, AND ADOPTED on First Reading this ____ day of _____ 2019;

PASSED, APPROVED, AND ADOPTED on Second and Final Reading this ____ day of _____ 2019.

CITY OF LA MARQUE, TEXAS

Bobby Hocking, Mayor

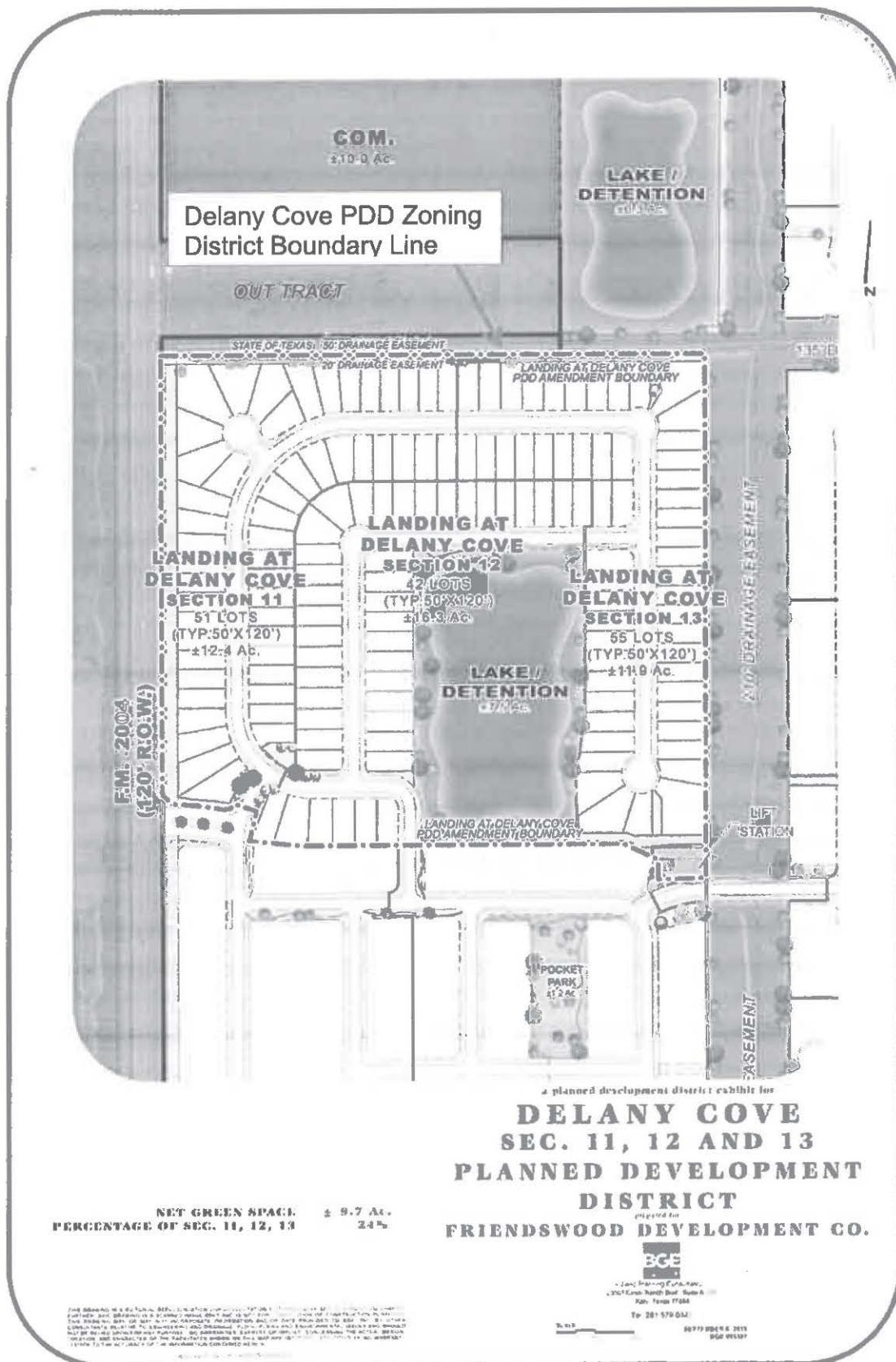
ATTEST:

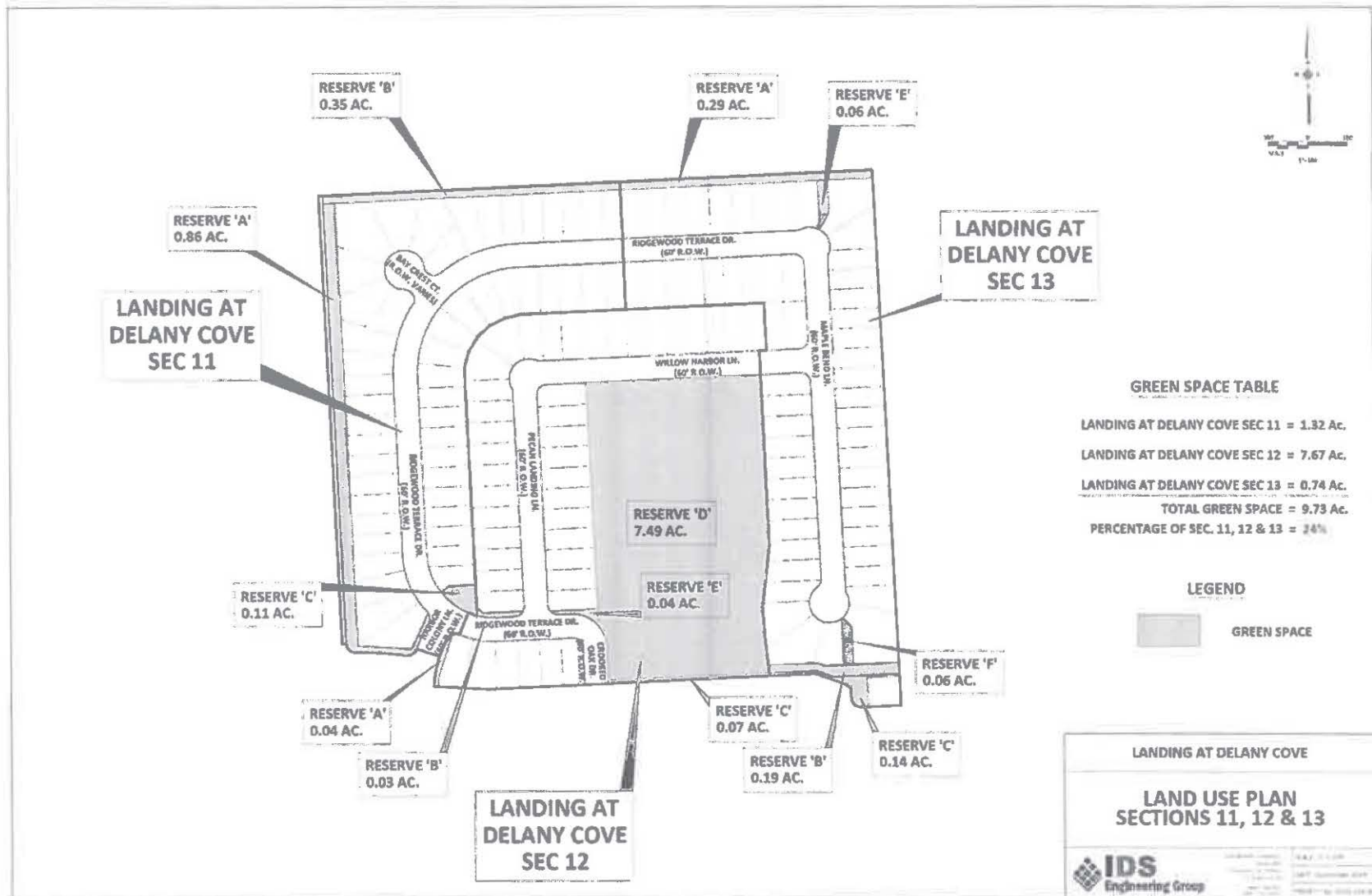
Robin Eldridge, City Clerk

APPROVED AS TO FORM:

City Attorney

EXHIBIT "A"





This is a detailed plat map of a portion of Delany County, Nebraska. The map shows several land parcels, some of which are highlighted in green and outlined in pink. The parcels are labeled with owner names, acreage, and survey data.

Parcel 612337: 2-99-3, 0002-0099-0003-000, 18.231 AC.

Parcel 426949: 2-99-1, 0002-0099-0001-000, 25.214 AC.

Parcel 131351: 2-91, 0002-0091-0000-000, 34.359 AC.

Parcel 727614: 2-98-14, 0002-0098-0014-000, 10.083 AC.

Parcel 308982: 2-98-14, 0002-0098-0014-000, 10.083 AC.

Parcel 720147: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 720145: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 720134: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 720144: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 720143: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 720142: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 720141: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 720140: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 720139: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 720138: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 719813: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 719798: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 719812: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 719811: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 719810: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 719797: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 602762: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 614321: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel S-4554: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 614340: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727615: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727616: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727617: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727618: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727619: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727620: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727621: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727622: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727623: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727624: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727625: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727626: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727627: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727628: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727629: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727630: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727631: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727632: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727633: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727634: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727635: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727636: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727637: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727638: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727639: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727640: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727641: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727642: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727643: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727644: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727645: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727646: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727647: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727648: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727649: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727650: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727651: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727652: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727653: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727654: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727655: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727656: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727657: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727658: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727659: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Parcel 727660: 2-99-4, 0002-0099-0004-000, 10.061 AC.

Galveston Central Appraisal District





CITY COUNCIL AGENDA FORM

Meeting Date: March 8, 2021

Prepared by: Suzy Kou

Agenda item: 7b

Reviewed by: Charlene Warren

Charles Jackson

Department: Finance

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding adopting Ordinance No. **O-2021-0003**, amending the fiscal year 2020-21 Budget for 1764 Water Plant Pumps project by increasing various accounts expenditures and revenues as set forth in Exhibit A **THIS IS THE SECOND AND FINAL READING**

☒

ATTACHMENTS FOR REFERENCE

1. Ordinance
2. Exhibit A

STAFF BRIEFING:

- Funding source for this project would come from Impact Fees
- This project was not part of the adopted budget 2020-21

HISTORY: N/A

TARGET IMPLEMENTATION: Upon adoption

SIGNIFICANT ACTION DATES:

2/8/2021 - Council approved on First Reading

ACTION:

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

Cost Details:

Budgeted	-0-
Actual Bid	
Estimated Expenditure	See Exhibit A
Acct. Name(s)	See Exhibit A
Line Item #	See Exhibit A
Other Funding	

STAFF'S RECOMMENDATION: Motion to adopt Ordinance No. **O-2021-0003**, amending the fiscal year 2020-21 Budget for 1764 Water Plant Pumps project by increasing various accounts expenditures and revenues as set forth in Exhibit A **THIS IS THE SECOND AND FINAL READING**

FISCAL IMPACT: See Exhibit A

ORDINANCE O-2021-0003

AN ORDINANCE AMENDING THE CITY OF LA MARQUE 2020-21 BUDGET FOR 1764 WATER PLANT PUMPS PROJECT BY INCREASING VARIOUS BUDGET ACCOUNTS, EXPENDITURES AND REVENUES AS SET FORTH IN ATTACHED EXHIBIT “A” BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS; AND PROVIDING AN EFFECTIVE DATE

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

Section 1. That the City La Marque 2020-2021 Fiscal Year Budget is hereby amended for 1764 water plant pumps project by increasing various accounts’ expenditures and revenues as set forth in Exhibit “A” attached hereto and made a part hereof.

Section 2. City Council finds that the 1764 water plant pumps project is a facility expansion and/or capital improvement contained in the City’s adopted Capital Improvements Plan as a portion of the GCWA Water Supply Capacity Purchase to service 10 year growth due to the location of the take-point and necessity for the increased capacity of booster pumps in order to supply the purchased water to accommodate 10 year growth in accordance with Chapter 395 of the Texas Local Government Code.

Section 3. Open Meetings Act. It is hereby officially found and determined that the meeting at which this ordinance was passed was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, *Chapter 551, Tex. Gov’t Code*.

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.

Section 5. 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.

PASSED AND APPROVED by City Council of the City of La Marque, Texas, on this the first reading this the **8th** day of **February** 2021.

PASSED, APPROVED and ADOPTED by City Council of the City of La Marque, Texas, on this the second and final reading this the ____ day of _____, 2021.

CITY OF LA MARQUE, TEXAS:

Keith Bell, Mayor

ATTEST:

Robin Eldridge, TRMC, City Clerk

APPROVED AS TO FORM:

Derra Leigh Purnell, City Attorney

BUDGET AMENDMENT-1764 Water Plant Pumps Project

EXHIBIT A

Fiscal Year 2020-21

Accounts		Expenditure	Revenue	Fund Balance	Reason:
67-9002-00-00	Transfer out to Utility Fun	225,000.00			1764 Water Plant Pumps Project
02-9067-00-00	Transfer in from Impact Fees Func		225,000.00		1764 Water Plant Pumps Project
02-7111-22-00-PU1764	1764 Water Plant Pumps Project	225,000.00			1764 Water Plant Pumps Project
67-2401-00-00	Fund Balance			-225,000.00	1764 Water Plant Pumps Project



CITY COUNCIL AGENDA FORM

Meeting Date: March 8, 2021

Agenda item: **8a**

Prepared by: Robin Eldridge

Reviewed by: *Charlene Warren*

Charles Jackson

Department: Mayor K. Bell

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding adopting Ordinance No. **O-2021-0004**, amending City Code Section 2.9, "Establishing a Policy for Appointments to Boards, Commissions and Committees", and assigning the Mayor to the La Marque Economic Development Corporation Board as an ex-officio non-voting member **THIS IS THE FIRST READING**

X

ATTACHMENTS FOR REFERENCE

1. Redlined Ordinance
2. Clean Copy of Ordinance

STAFF BRIEFING:

- Resolution No. 1032 was adopted in 2006, to help Council establish criteria for appointing members to Boards and Commissions
- Each individual Board and Commission has an ordinance that created each Board or Commission
- Then-City Attorney Ortego made necessary changes to the draft Ordinance that was brought before City Council on November 12, 2018
- First reading with changes went before City Council on December 10, 2018, which Council passed, with a few more changes
- Mayor Bell requested this ordinance be returned for discussion
- Council provided direction to staff regarding a draft amendment on February 8, 2021

HISTORY:

- Historically, appointments were made in accordance with Resolution No. 1032
- Discussions led to the drafting of an ordinance that would establish more clearly defined guidelines
- Changes have been made to the first draft ordinance
- Then-City Attorney Ortego reviewed and made the changes as Council proposed

TARGET IMPLEMENTATION: Second and Final Reading

SIGNIFICANT ACTION DATES:

6/4/2018 - Proposed changes to the appointment process were briefly discussed at the Council Retreat

9/10/2018 - Then-City Attorney Ortego was asked to draw up an ordinance with the Council's input from the Workshop

11/12/2018 - City Council discussed a proposed Ordinance and asked for a few changes to be made and then brought back at the next City Council meeting

12/10/2018 - City Council passed the ordinance on the first reading, with a few more changes



CITY COUNCIL AGENDA FORM

1/14/2019 – City Council passed the ordinance on the second and final reading

2/8/2021 – City Council discussed possible revisions; to return at March 2021 regular meeting

ACTION

- | | |
|--|---|
| ☒ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☐ Other – Discussion only | |
| ☒ 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: None

FISCAL IMPACT: N/A

ORDINANCE NO. 0 -2021-0004

Deleted: ##

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, AMENDING SECTION 2.9, "ESTABLISHING A POLICY FOR APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES" OF THE CITY OF LA MARQUE CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. That Section 2.9, Establishing a policy for appointments to boards, commissions and committees," of Article I, "In General," of Chapter 2, "Administration", of the City of La Marque Code of Ordinances is hereby amended to read as follows:

"Sec. 2-9. - Establishing a policy for appointments to boards, commissions and committees.

- (a) *Scope of this policy.* Standing boards, commissions and committees addressed by this policy shall be referred to as "committees", in the interest of brevity. Those committees addressed by this policy are:

Building Standards Commission (See Sec. 14.280)

Keep La Marque Beautiful Commission (See Sec. 35-45)

La Marque Economic Development Corporation

Library Advisory Board (See Sec. 2.37)

Civil Service Commission (See Sec. 2.306)

La Marque Cemetery Board (See Sec. 2.312)

Parks Board (See Sec. 2.209)

Planning and Zoning Board (See Sec. 71.24)

Board of Adjustments (See Sec. 71.25)

- (b) *Initial assignments of positions and changes.*

- (1) Each member position on each of the itemized committees are hereby assigned to a council district or the mayor as indicated on "Attachment A" which is attached hereto and made a part hereof by reference. The "city council" as used herein shall also include the position of mayor.
- (2) The city council may amend the district assignments at any time by simple motion and approval at any called city council meeting where the subject is posted as a part of the agenda according to law. District assignments and future changes to those assignments shall be maintained by and kept in the office of the city clerk.

(c) *Nominations and appointments.*

- (1) *Notice.* Ninety days prior to the expiration of an appointed term, or immediately after being notified of a mid-term vacancy on any committee, the city clerk shall notify the council member whose district is assigned the position in question, that a vacancy will be or is open on that committee. Included with that notice will be any candidates for nomination that the committee itself may have recommended, any qualifications for the position that may be established by Charter or ordinance, and the meeting schedule of the relevant committee. A copy of the notice shall be provided to all members of the city council at the same time. Further, the City Clerk shall notify the current committee member ninety days prior to the expiration of their appointed term and request the member complete a new application if they desire to continue serving in the same capacity for an additional term. The City Clerk shall provide a copy of the committee member's application, response, or lack thereof, to the council member whose district is assigned the position in question within 30 days of making the request to the committee member.
 - (2) *Nominations.* A council member shall have 60 days from receiving the city clerk's notice of a vacancy or pending vacancy for a position assigned to that council member to provide the name of a nominee to the city clerk to be presented to the full city council for consideration of appointment at the next regular scheduled city council meeting following the 60 days. The nominating council member shall provide, along with the name, the address, telephone numbers and qualifications of any nominee or nominees. If the council member assigned to a vacant committee position, or a position scheduled to be vacant because of an expiring term of appointment, fails to provide the city clerk the name and required information within the 60 days following the date of the notice or, in the case of expiring terms, 60 days prior to the term expires, nominations from any council member may be submitted for consideration before or during the meeting which appointments are to be considered.
 - (3) *Appointments.* The city clerk shall place consideration of appointments to fill vacancies or pending vacancies for the relevant committees on the next regular city council meeting agenda, following the 30 days of notice to council members. Appointments are made with a majority vote of council attending a meeting.
 - (4) *Committee chair responsibilities.* It shall be the responsibility of the chairperson of each committee to guide the committee to enforce any attendance requirements for maintaining committee membership, to notify the city clerk of any mid-term vacancies and to provide the city clerk a record of attendance of the committee members.
- (d) *Residency requirement.* All newly appointed committee members must be a resident of the City of La Marque at the time of appointment and shall remain residents during their term; provided, however, Planning and Zoning Commissioners shall not be subject to this requirement, but shall comply with Section 71-24 of the City Code. Committee nominees shall submit an application prior to being

appointed or reappointed to a committee and shall certify they are a resident of the City of La Marque on their committee appointment application. "Resident" as used in this Section 2.9 shall mean "currently owning or leasing under a written contract a dwelling unit located within the City of La Marque city limits having active electricity and water utility service." The City Council, or the City Manager upon receipt of a written complaint, may require any committee member to provide proof of residency in the form of: (i) ownership or lease documents, and (ii) copies of active utility accounts; provided, however, no committee member shall be required to provide proof of residency more than three times during the same term, or twice per twelve-month period for any term longer than two years. Non-resident members as of January 14, 2019 may serve out their term and be reappointed to the same board for one additional term provided the member is in good standing with the city. A non-resident may be appointed to serve a one-year term as an ex-officio non-voting member with unanimous approval of council.

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(e) **Term limits.** All newly appointed committee members, except a member of the economic development board, may serve only three consecutive two-year terms. Newly appointed economic development board members are limited to two consecutive six-year terms. Current members may serve out their terms.

(f) **Absences.** Any committee member cannot miss three consecutive meetings without stating a reason in advance of the meeting. The committee members present must approve the reason for it to be legitimate. Three unexcused consecutive absences shall automatically remove the member. Four unexcused absences within a twelve-month period shall cause automatic removal of the Member, subject to appeal to city council.

(g) **Committee membership limits.** A person can serve on only one committee at a time but may also serve as an alternate member of another committee. Current members serving on multiple boards as of January 14, 2019 will be allowed to complete current terms for each board served. For appointments to preferred board, members must declare to city which multiple boards will be dropped upon completion of term.

(h) **Alternates.** Notwithstanding any other provision of this chapter to the contrary, each Council member may nominate one alternate committee member for each committee member position they are assigned; provided, however, alternates to the Planning and Zoning Commission and Board of Adjustment shall be appointed in accordance with Chapter 71 of the City Code, and alternates to the Building and Standards Commission shall be appointed in accordance with Chapter 14 of the City Code."

Deleted:

Section 2. Effective Date and Publishing. This ordinance shall be effective immediately, except where a later date is expressly provided, upon adoption on second and/or final reading after publication and hearing, as provided in Sections 2.17-2.19 of the Charter of the City of La Marque, and publication in accordance with Section 52.013 of the Texas Local Government Code.

Section 3. Conflict and Repeal. This ordinance is intended to be cumulative and shall not repeal any previous ordinances except to the extent of an irreconcilable conflict.

Section 4. 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 shall not affect, impair, or invalidate this ordinance as a whole or any 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.

PASSED, APPROVED, AND ADOPTED on First Reading this ____ day of _____ 2021; and PASSED, APPROVED, AND ADOPTED on Second and Final Reading this ____ day of _____ 2021.

CITY OF LA MARQUE, TEXAS:

Keith Bell, Mayor

ATTEST:

Robin Eldridge, TRMC, City Clerk

APPROVED AS TO FORM:

Derra Leigh Purnell, City Attorney

ORDINANCE NO. 0 -2021-00##

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, AMENDING SECTION 2.9, "ESTABLISHING A POLICY FOR APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES" OF THE CITY OF LA MARQUE CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. That Section 2.9, Establishing a policy for appointments to boards, commissions and committees," of Article I, "In General," of Chapter 2, "Administration", of the City of La Marque Code of Ordinances is hereby amended to read as follows:

"Sec. 2-9. - Establishing a policy for appointments to boards, commissions and committees.

(a) *Scope of this policy.* Standing boards, commissions and committees addressed by this policy shall be referred to as "committees", in the interest of brevity. Those committees addressed by this policy are:

Building Standards Commission (See Sec. 14.280)

Keep La Marque Beautiful Commission (See Sec. 35-45)

La Marque Economic Development Corporation

Library Advisory Board (See Sec. 2.37)

Civil Service Commission (See Sec. 2.306)

La Marque Cemetery Board (See Sec. 2.312)

Parks Board (See Sec. 2.209)

Planning and Zoning Board (See Sec. 71.24)

Board of Adjustments (See Sec. 71.25)

(b) *Initial assignments of positions and changes.*

(1) Each member position on each of the itemized committees are hereby assigned to a council district or the mayor as indicated on "Attachment A" which is attached hereto and made a part hereof by reference. The "city council" as used herein shall also include the position of mayor.

(2) The city council may amend the district assignments at any time by simple motion and approval at any called city council meeting where the subject is posted as a part of the agenda according to law. District assignments and future changes to those assignments shall be maintained by and kept in the office of the city clerk.

(c) *Nominations and appointments.*

- (1) *Notice.* Ninety days prior to the expiration of an appointed term, or immediately after being notified of a mid-term vacancy on any committee, the city clerk shall notify the council member whose district is assigned the position in question, that a vacancy will be or is open on that committee. Included with that notice will be any candidates for nomination that the committee itself may have recommended, any qualifications for the position that may be established by Charter or ordinance, and the meeting schedule of the relevant committee. A copy of the notice shall be provided to all members of the city council at the same time. Further, the City Clerk shall notify the current committee member ninety days prior to the expiration of their appointed term and request the member complete a new application if they desire to continue serving in the same capacity for an additional term. The City Clerk shall provide a copy of the committee member's application, response, or lack thereof, to the council member whose district is assigned the position in question within 30 days of making the request to the committee member.
 - (2) *Nominations.* A council member shall have 60 days from receiving the city clerk's notice of a vacancy or pending vacancy for a position assigned to that council member to provide the name of a nominee to the city clerk to be presented to the full city council for consideration of appointment at the next regular scheduled city council meeting following the 60 days. The nominating council member shall provide, along with the name, the address, telephone numbers and qualifications of any nominee or nominees. If the council member assigned to a vacant committee position, or a position scheduled to be vacant because of an expiring term of appointment, fails to provide the city clerk the name and required information within the 60 days following the date of the notice or, in the case of expiring terms, 60 days prior to the term expires, nominations from any council member may be submitted for consideration before or during the meeting which appointments are to be considered.
 - (3) *Appointments.* The city clerk shall place consideration of appointments to fill vacancies or pending vacancies for the relevant committees on the next regular city council meeting agenda, following the 30 days of notice to council members. Appointments are made with a majority vote of council attending a meeting.
 - (4) *Committee chair responsibilities.* It shall be the responsibility of the chairperson of each committee to guide the committee to enforce any attendance requirements for maintaining committee membership, to notify the city clerk of any mid-term vacancies and to provide the city clerk a record of attendance of the committee members.
- (d) *Residency requirement.* All newly appointed committee members must be a resident of the City of La Marque at the time of appointment and shall remain residents during their term; provided, however, Planning and Zoning Commissioners shall not be subject to this requirement, but shall comply with Section 71-24 of the City Code. Committee nominees shall submit an application prior to being

appointed or reappointed to a committee and shall certify they are a resident of the City of La Marque on their committee appointment application. "Resident" as used in this Section 2.9 shall mean "currently owning or leasing under a written contract a dwelling unit located within the City of La Marque city limits having active electricity and water utility service." The City Council, or the City Manager upon receipt of a written complaint, may require any committee member to provide proof of residency in the form of: (i) ownership or lease documents, and (ii) copies of active utility accounts; provided, however, no committee member shall be required to provide proof of residency more than three times during the same term, or twice per twelve-month period for any term longer than two years. Non-resident members as of January 14, 2019 may serve out their term and be reappointed to the same board for one additional term provided the member is in good standing with the city. A non-resident may be appointed to serve a one-year term as an ex-officio non-voting member with unanimous approval of council.

- (e) *Term limits.* All newly appointed committee members, except a member of the economic development board, may serve only three consecutive two-year terms. Newly appointed economic development board members are limited to two consecutive six-year terms. Current members may serve out their terms.
- (f) *Absences.* Any committee member cannot miss three consecutive meetings without stating a reason in advance of the meeting. The committee members present must approve the reason for it to be legitimate. Three unexcused consecutive absences shall automatically remove the member. Four unexcused absences within a twelve-month period shall cause automatic removal of the Member, subject to appeal to city council.
- (g) *Committee membership limits.* A person can serve on only one committee at a time but may also serve as an alternate member of another committee. Current members serving on multiple boards as of January 14, 2019 will be allowed to complete current terms for each board served. For appointments to preferred board, members must declare to city which multiple boards will be dropped upon completion of term.
- (h) *Alternates.* Notwithstanding any other provision of this chapter to the contrary, each Council member may nominate one alternate committee member for each committee member position they are assigned; provided, however, alternates to the Planning and Zoning Commission and Board of Adjustment shall be appointed in accordance with Chapter 71 of the City Code, and alternates to the Building and Standards Commission shall be appointed in accordance with Chapter 14 of the City Code."

Section 2. Effective Date and Publishing. This ordinance shall be effective immediately, except where a later date is expressly provided, upon adoption on second and/or final reading after publication and hearing, as provided in Sections 2.17-2.19 of the Charter of the City of La Marque, and publication in accordance with Section 52.013 of the Texas Local Government Code.

Section 3. Conflict and Repeal. This ordinance is intended to be cumulative and shall not repeal any previous ordinances except to the extent of an irreconcilable conflict.

Section 4. 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 shall not affect, impair, or invalidate this ordinance as a whole or any 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.

PASSED, APPROVED, AND ADOPTED on First Reading this ____ day of _____ 2021; and PASSED, APPROVED, AND ADOPTED on Second and Final Reading this ____ day of _____ 2021.

CITY OF LA MARQUE, TEXAS:

Keith Bell, Mayor

ATTEST:

Robin Eldridge, TRMC, City Clerk

APPROVED AS TO FORM:

Derra Leigh Purnell, City Attorney



CITY COUNCIL AGENDA FORM

Meeting Date: March 8, 2021

Agenda item: **8b**

Prepared by: Derra Purnell

Reviewed by: *Charlene Warren/*

Charles Jackson

Department: Development Services

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding adopting Ordinance No. **O-2021-0005**, prescribing the type of notice to be given for public hearings on large scale updates and corrections to the City's Zoning Map **THIS IS THE FIRST READING**

☒

ATTACHMENTS FOR REFERENCE

1. Proposed Ordinance

STAFF BRIEFING:

- Planning and Zoning Commission will be considering large-scale (meaning more than 200 notices would be required to property owners within 200 feet of affected parcels) updates and corrections to the zoning map in the near future
- The updates to the map being considered will not create any non-conforming uses and are intended to lessen the burden on property owners by updating the map and correcting zoning map errors
- In order to consider these updates in a public hearing, state law provides for, and City zoning regulations reference, adoption of alternative notice procedures for these kinds of updates
- The proposed ordinance provides for notice by publication and on the City website
- The updates to the zoning map will still be required to go through multiple public hearings and be considered by the Planning and Zoning Commission and City Council multiple times in open meetings over the next several months
- This is the first step needed to allow consideration and detailed discussion of any proposed large-scale zoning map changes

HISTORY: N/A

TARGET IMPLEMENTATION: April 12, 2021

SIGNIFICANT ACTION DATES:

3/16/21 - review and approval of ordinance by Planning and Zoning Commission

3/16/21 - tentative preliminary review and report on zoning map updates by Planning and Zoning Commission

4/12/21 - second reading of ordinance by Council, if adopted on first reading

4/20/21 - tentative public hearing before Planning and Zoning Commission on zoning map updates

5/10/21 - tentative first reading of ordinance updating zoning map by City Council, if recommended for approval by Planning and Zoning Commission



CITY COUNCIL AGENDA FORM

ACTION:

- | | |
|--|---|
| ☒ Ordinance | ☐ Resolution |
| ☐ Special Presentation | ☐ Proclamation |
| ☐ Finance Report | ☐ Public Hearing |
| ☐ Other – Discussion only | |
| ☒ 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 adopt Ordinance No. **O-2021-0005**, prescribing the type of notice to be given for public hearings on large scale updates and corrections to the City's Zoning Map **THIS IS THE FIRST READING**

FISCAL IMPACT: N/A

ORDINANCE NO. O-2021-0005

AN ORDINANCE OF THE CITY OF LA MARQUE, TEXAS, PRESCRIBING THE TYPE OF NOTICE TO BE GIVEN FOR PUBLIC HEARINGS ON LARGE SCALE UPDATES AND CORRECTIONS TO THE CITY'S ZONING MAP PURSUANT TO CITY CODE CHAPTER 71 AND TEXAS LOCAL GOVERNMENT CODE SECTION 211.006; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of La Marque, Texas, (the "City") previously adopted Ordinance No. 953, as amended, codified in Chapter 71, Zoning, of the City Code of La Marque Code of Ordinances (the "Zoning Ordinance") that regulates and restricts the location and use of buildings, structures and land for trade, industry, residence and other purposes, and provides for the establishment of zoning districts of such number, shape and area as may be best suited to carry out these regulations, pursuant to Chapter 211 of the Texas Local Government Code; and

WHEREAS, Section 211.006 of the Texas Local Government Code provides that, in addition to the publication notice required, a home-rule City may, by a two-thirds vote, prescribe the type of notice to be given of the time and place of the public hearing for changes to zoning regulations and maps; and

WHEREAS, Section 71-26(h) of the Zoning Ordinance provides that the City may from time to time, amend, supplement, or change by ordinance the boundaries of the districts or the regulations established by the Zoning Ordinance and that a public hearing on such amendment, supplemental, or change shall be held by the council following notice given by publication one time in the official newspaper of the city, stating the time and place of such hearing, which time shall not be earlier than ten days from the date of publication; and

WHEREAS, large-scale updates and corrections to the City's adopted zoning map may be necessary from time to time; and

WHEREAS, the Planning and Zoning Commission will consider such corrections and updates to the zoning map and is expected to issue a preliminary report on March 16, 2021 in an open meeting, then hold a public hearing on such report at the next Planning and Zoning Commission meeting prior to issuing a final report and recommendation to City Council;

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

Section 1.

That the required notice for updates and corrections to the zoning map, including modifying the boundaries of the districts established by the Zoning Ordinance, that would require notice to 200 or more persons if notice was sent to every property owner within 200 feet of an affected parcel, shall be given by publication one time in the

official newspaper of the city, stating the time and place of such hearing, which time shall not be earlier than ten days from the date of publication and such notice shall be placed on the City's website for at least

Section 2. Effective Date and Publishing

This ordinance shall be effective immediately, except where a later date is expressly provided, upon adoption on second and/or final reading after publication and hearing, as provided in Sections 2.17-2.19 of the Charter of the City of La Marque, and publication in accordance with Section 52.013 of the Texas Local Government Code.

Section 3. Conflict and Repeal

This ordinance is intended to be cumulative and shall not repeal any previous ordinances except to the extent of an irreconcilable conflict.

PASSED, APPROVED, AND ADOPTED on First Reading this ____ day of _____ 2021; and PASSED, APPROVED, AND ADOPTED on Second and Final Reading this ____ day of _____ 2021.

Keith Bell, Mayor

ATTEST:

Robin Eldridge, City Clerk TRMC

APPROVED AS TO FORM:

Derra Leigh Purnell, City Attorney



CITY COUNCIL AGENDA FORM

Meeting Date: March 8, 2021 Agenda item: 8c
Prepared by: Chaise Cary Reviewed by: Charlene Warren/
Charles Jackson
Department: Public Works

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding ratifying the City Manager's approval of expenditures to Texas Pride Utilities for costs involved in emergency sanitary sewer rehabilitation caused by winter storm Uri, in the amount of \$253,321.25

X

ATTACHMENTS FOR REFERENCE:

1. Texas Pride Utilities Invoices

STAFF BRIEFING:

- Winter storm Uri landed in SE Texas on Monday, February 15, 2021, wreaking havoc on our city's infrastructure
- Numerous sewer and water lines were damaged, and in most cases, completely collapsed
- The City Manager provided authorization to proceed based on the immediate concerns for public health and safety
- There was insufficient time to put together a formal bid process as these issues arose at seemingly random locations throughout the community and in such a manner that time becomes of the essence
- The emergency procurement procedures were followed, and three quotes were obtained
- The City utilized Texas Pride Utilities based on availability and responsiveness
- As many cities were facing the same challenges, access to qualified contractors was limited
- Locations:
 - o Bayou Street (Scott St. to FM 519)
 - o Colonial Street (Bayou Rd. to End)
 - o Rosalee Street (Lake Rd to Albert St.)
 - o Laura Avenue (Bayou Rd to Yupon St.)
- Finance Director/City Attorney have reviewed

HISTORY:

February 17, 2021 – City staff was notified that multiple households were backing up with sewage. Director Cary and Supervisor Gamble checked every location and attempted to run the CC/TV (camera) in the sewer mains. The sewer pipes were no longer accessible or operational. Director received direction from City Manager Jackson to make necessary repairs with contractors.

February 18, 2021 – Emergency work commenced

February 25, 2021 – Emergency work completed

TARGET IMPLEMENTATION: N/A



CITY COUNCIL AGENDA FORM

SIGNIFICANT ACTION DATES: N/A

ACTION:

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

Cost Details:

Budgeted	
Actual Bid	\$253,321.25
Estimated Expenditure	\$253,321.25
Acct. Name(s)	Repair & Maintenance-Sewer
Line Item #	
Other Funding	

STAFF'S RECOMMENDATION: Motion to ratify City Manager's approval of expenditures to Texas Pride Utilities for costs involved in emergency sanitary sewer rehabilitation in the amount of \$253,321.25

FISCAL IMPACT: Unanticipated emergency project, \$253,321.25



Texas Pride Utilities

725 Carby Rd
Houston TX 77037

Invoice

Date	Invoice #
2/25/2021	45695

Bill To
City of La Marque 2021 Rosalee Pipebursting

P.O. No.	Terms
	Net 30

Item	Description	Unit Price	Bid Qty	Curr Qty	Prior Qty	Total %	Curr. Amount
1	MOBILIZATION	4,800.00	1.00	1.00	0.00	100.00%	4,800.00
2	PIPEBURSTING OF EXISTING 8" SANITARY SEWER MAIN COMPLETE IN PLACE	41.00	1,200.00	1,055.00	0.00	87.92%	43,255.00
3	SERVICE RECONNECTION SHORT	600.00	2.00	15.00	0.00	750.00%	9,000.00
4	SERVICE RECONNECTION LONG	850.00	2.00	11.00	0.00	550.00%	9,350.00
5	CCTV EXISTING SANITARY SEWER LINE	3.50	1,200.00	0.00	0.00	0.00%	0.00
6	CONNECTION TO MANHOLE	800.00	4.00	4.00	0.00	100.00%	3,200.00
7	POST CCTV	2.75	1,200.00	1,055.00	0.00	87.92%	2,901.25
8	RESTORATION AND TRAFFIC CONTROL	4,480.00	1.00	1.00	0.00	100.00%	4,480.00
9	REMOVE AND REPLACE SPHALT 2" (TYPE D) INCLUDING BASE PER PATCH	1,050.00	8.00	8.00	0.00	100.00%	8,400.00
10	MANHOLE INSTALLATINO COMPLETE IN PLACE INCLUDING ALL LABOR, TOOLS, EQUIPMENT AND MATERIALS NEEDED TO MAKE THE INSTALLATION	3,100.00	1.00	1.00	0.00	100.00%	3,100.00
11	RESTORATION	1,200.00	1.00	1.00	0.00	100.00%	1,200.00

Thank you for your business!!

Total Earned MTD \$89,686.25

Payments/Credits \$0.00

Balance Due \$89,686.25



Texas Pride Utilities

725 Carby Rd
Houston TX 77037

Invoice

Date	Invoice #
2/25/2021	45696

Bill To
City of La Marque 2021 Bayou Pipebursting

P.O. No.	Terms
	Net 30

Item	Description	Unit Price	Bid Qty	Curr Qty	Prior Qty	Total %	Curr. Amount
1	MOBILIZATION	4,800.00	1.00	1.00	0.00	100.00%	4,800.00
2	PIPEBURSTING OF EXISTING 10" SANITARY SEWER MAIN COMPLETE IN PLACE	43.50	1,400.00	1,400.00	0.00	100.00%	60,900.00
3	SERVICE RECONNECTION SHORT	600.00	6.00	6.00	0.00	100.00%	3,600.00
4	CCTV EXISTING SANITARY SEWER LINE	3.50	1,400.00	1,400.00	0.00	100.00%	4,900.00
5	CONNECTION TO MANHOLE	800.00	4.00	4.00	0.00	100.00%	3,200.00
6	POST CCTV	2.75	1,400.00	1,400.00	0.00	100.00%	3,850.00
7	RESTORATION AND TRAFFIC CONTROL	5,120.00	1.00	1.00	0.00	100.00%	5,120.00
8	REMOVE AND REPLACE SPHALT 2" (TYPE D) INCLUDING BASE PER PATCH	1,050.00	7.00	7.00	0.00	100.00%	7,350.00

Thank you for your business!!

Total Earned MTD \$93,720.00

Payments/Credits \$0.00

Balance Due \$93,720.00



Texas Pride Utilities

725 Carby Rd
Houston TX 77037

Invoice

Date	Invoice #
2/22/2021	45672

Bill To

City of La Marque 2021
Laura/Yupon
Pipebursting

P.O. No.

Terms

Net 30

Item	Description	Unit Price	Bid Qty	Curr Qty	Prior Qty	Total %	Curr. Amount
1	MOBILIZATION	3,800.00	1.00	1.00	0.00	100.00%	3,800.00
2	8" SANITARY SEWER MAIN REPLACEMENT BY PIPEBURSTING COMPLETE IN PLACE	58.00	430.00	430.00	0.00	100.00%	24,940.00
3	SERVICE RECONNECTION COMPLETE IN PLACE	650.00	6.00	6.00	0.00	100.00%	3,900.00
4	POST CCTV	1,800.00	1.00	1.00	0.00	100.00%	1,800.00
5	RESTORATION AND TRAFFIC CONTROL	2,400.00	1.00	1.00	0.00	100.00%	2,400.00
6	MANHOLE CONNECTIONS	800.00	2.00	2.00	0.00	100.00%	1,600.00
7	REMOVE AND REPLACE MANHOLE COMPLETE IN PLACE	4,200.00	1.00	1.00	0.00	100.00%	4,200.00

Thank you for your business!!

Total Earned MTD \$42,640.00

Payments/Credits \$0.00

Balance Due \$42,640.00



CITY COUNCIL AGENDA FORM

Meeting Date: March 8, 2021

Agenda item: 8d

Prepared by: Robin Eldridge

Reviewed by: Charlene Warren/
Charles Jackson

Department: Mayor & City
Council

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

X

ATTACHMENTS FOR REFERENCE

1. Vacant or expiring members Boards and Commissions
2. Current applications on file

STAFF BRIEFING:

- 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
- 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 - VACANT unexpired term District "A" and District "B" each have one appointment and District "C" has an alternate appointment
- **BUILDING STANDARDS COMMISSION** - Districts "B", "C" and "D" each have one appointment - Council can appoint any number of alternates, not exceeding eight
- **CEMETERY** - Mayor has one appointment, Districts "B" and "C" each have one appointment; District "D" has one appointment
- **CIVIL SERVICE COMMISSION** - City Manager has one appointment
- **KEEP LA MARQUE BEAUTIFUL COMMISSION** - District "B" has two appointments; District "C" has one appointment and District "D" has one appointment
- **PARKS BOARD** - Mayor has two appointments, and District "A" has one appointment; District "C" has one appointment; District "D" has one appointment
- **PLANNING & ZONING COMMISSION** - District "A" has an alternate position, "B", "C" and "D" have one appointment each



CITY COUNCIL AGENDA FORM

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:

Some 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. VACANT (U)		20	22	M
5. Lois M. Jones	2602 Meadow Lane	19	21	B
ALTERNATES				
1. Crystal Cooper	521 Waterside Ridge Lane	20	22	D
2. Vacant		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
Maggie Manuel (U)	1706 Crockett	20	21	C
Kaleb Smith	614 Benson St.	19	21	D
Diane Winston	1501 Colorado	19	21	B
Trina Phillips	1222 Kirsten	20	22	M
Billy Jefferson	89 Borondo Reach	20	22	A
ALTERNATES				
Delon Delafosse	222 Edgar	20	22	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

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

CIVIL SERVICE COMMISSION

<i>CIVIL SERVICE COMMISSION Local Govmt. Code & ORD. 821</i>				
		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	23	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.

KEEP LA MARQUE BEAUTIFUL COMMISSION

<i>KLMBC- 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. Richard Loftis (E)	309 Johnson	21	22	A
4. Terry Pettijohn	41 Borondo Pines	21	23	M
5. Kathy Herrin	56 Borondo Pines	19	21	B
6. Tracie Steans	2101 Jeridona	21	23	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 Smith	614 Benson	20	22	B
3. Michael Bock	106 Longridge	19	21	M
4. Bo Hunter	2613 Lake Park Drive	20	22	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	21	A
8. Tonia Griffin	2619 Bellview	20	22	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.

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	20	22	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	22	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: 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.

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 Etheredge 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: Friday, January 29, 2021 11:56 AM
To: Robin Eldridge
Subject: Online Form Submittal: CANDIDATE APPLICATION FORM FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS

Follow Up Flag: FollowUp
Flag Status: Flagged

CANDIDATE APPLICATION FORM FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS

Board Preference 1	Economic Development Corporation
Board Preference 2:	Keep La Marque Beautiful Commission
First Name	veverly
Last Name	sumlin
Address1	1712 Rosealee St
Address2	Field not completed.
City	LaMarque
State	tx
Zip	77568
Are you a resident of La Marque?	Yes
Phone Number	8326632950
Profession	accounting
Special Knowledge or Experience applicable to City Board/Commission function:	30 years of work experience in accounting able to lead with impartiality ,straightforwardness. I value the city of lamarque and will use discretion and confidentiality in a professional way. I will bring diversity to the board. I serve in my community and would love to expand my knowledge of government
Other Civic Activities:	M&D Social and Riding Club- Heroines of jericho-NAACP
Disclaimer	I understand and agree,

Disclaimer

I understand and agree.

Today's Date

1/29/2021 11:45 AM

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