

**NOTICE OF LA MARQUE
CITY COUNCIL
WORKSHOP
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 Workshop on **Monday, April 12, 2021 beginning 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
Councilmember Casey McAuliffe - District D**

Mayor Pro-Tem Joe Compian - District B

**ORDINANCE NO. O-2021-0007
RESOLUTION NO. R-2021-0009**

**CITY OF LA MARQUE
CITY COUNCIL
WORKSHOP AGENDA
of
APRIL 12, 2021**

Notice is hereby given that the City Council of the City of La Marque, Texas will conduct a Workshop via telephone/video conference hosted through Zoom as provided in the attached notice on Monday, April 12, 2021 beginning at 6:00 p.m. for the purpose of considering the following agenda:

(1) CALL MEETING TO ORDER

(2) ROLL CALL

(3) CITIZENS PARTICIPATION (Limited to three minutes per person)

Comments from the public (at this time, any person with city-related business who has signed up may speak to Council on a specific agenda item (limited to three (3) minutes.) In compliance with Texas Open Meeting Act, the City may not deliberate on comments. Personal attacks will not be allowed, and personnel matters should be addressed to the City Manager during normal business hours.

(4) PRESENTATIONS

- a. Discussion regarding ShotSpotter or similar gunshot detection technology – Police Chief K. Jackson

(5) UPDATES

- a. Discussion relating to TIRZ 2 status report - Finance Director S. Kou
- b. Update from City Manager
 - 1. Update on internal policy for speed bumps
 - 2. Update on transparency improvement measures
- c. Presentation of the Juvenile Curfew Ordinance report for calendar year 2020. This is presented in compliance with La Marque Code of Ordinances, Section 44-2, Curfew for Minors, Subsection (i), Reporting – Police Chief K. Jackson
- d. Stifel (Financial Advisor) – Quarterly Report/Update

(6) OLD BUSINESS

- a. Discussion relating to 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 Bell **THIS IS THE FIRST READING THIS ITEM WAS TABLED FROM THE MARCH 8, 2021 MEETING**

(7) NEW BUSINESS

- a. Discussion relating to adopting Ordinance No. **O-2021-0006**, changing the zoning district from (R-1) Single-Family Residential to (R-2) Two Family Residential Lots 13 & 14 Wentzel Addition, Abstract 150, located near the end of Briar Lane, La Marque, Texas - Development Services D. Purnell **THIS IS THE FIRST READING**
- b. Discussion relating to adopting Ordinance No. **O-2021-0007**, amending the fiscal year 2019-20 Budget for various funds' expenditures by decreasing various funds' fund balances and increasing certain expenditures to individual budget accounts in various funds and increasing certain revenues in various funds as set forth in Exhibit A - Finance Director S. Kou **THIS IS FIRST READING**
- c. Discussion relating to a request for sponsorship of Bigass Crawfish Bash for 2021 - Public Works Director C. Cary
- d. Discussion relating to ratifying the City Manager's approval of expenditures to Android Construction, LLC for costs involved in emergency distribution system (water) rehabilitation caused by Winter Storm Uri, in the amount of \$202,106.28 - Public Works Director C. Cary
- e. Discussion relating to the potential expansion of the SBA HUBZone in La Marque, Texas - Executive Director EDC A. Getty
- f. Discussion relating to adopting Resolution No. **R-2021-0009**, to deny Texas-New Mexico Power's electric rate increase request for the maximum period allowed by law - City Attorney D. Purnell

(8) ADJOURNMENT

CERTIFICATION:

I hereby certify that the above notice of meeting was posted at 1109-B Bayou Road, La Marque, Texas on or before April 9, 2021 before 5:30 p.m.

Robin Eldridge, TRMC
City Clerk



CITY COUNCIL AGENDA FORM

Meeting Date: April 12, 2021

Prepared by: Suzy Kou

Agenda item: 5a

Reviewed by: Charlene Warren/

Charles Jackson

Department: Finance

AGENDA ITEM DESCRIPTION: Discussion relating to TIRZ 2 status report



ATTACHMENTS FOR REFERENCE

STAFF BRIEFING:

- TIRZ 2 was set up beginning in 2019 and \$15,000 was provided by Council as start-up money for the TIRZ fund
- The last TIRZ 2 meeting of the TIRZ Board was held prior to the onset of COVID-19
- Taxes on the increment are due to the fund when taxes are received by the City from the assessor for tax year 2021
- TIRZ 2 cannot enter into contracts over the amount of \$15,000 at this point; but has the potential once taxes on the increment are received up to the amount of the TIRZ fund balance
- This is a status update post-March 8, 2021 Council meeting

HISTORY: N/A

TARGET IMPLEMENTATION: N/A

SIGNIFICANT ACTION DATES: N/A

ACTION:

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

Cost Details:

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

STAFF'S RECOMMENDATION: N/A

FISCAL IMPACT: N/A



CITY COUNCIL AGENDA FORM

Meeting Date: April 12, 2021

Prepared by: Chief Kirk Jackson

Agenda item: 5c

Reviewed by: Charlene Warren

Charles Jackson

Department: Police

AGENDA ITEM DESCRIPTION: Presentation of the Juvenile Curfew Ordinance report for calendar year 2020. This is presented in compliance with La Marque Code of Ordinances, Section 44-2, Curfew for Minors, Subsection (i), Reporting

X

ATTACHMENTS FOR REFERENCE

1. Juvenile Curfew Report, 2020
2. Motor Vehicle Crashes Involving Juveniles, 2020
3. 2020 Juvenile Victims Report
4. 2020 Juvenile Offenders Report
5. 2020 Juvenile Citations Report

STAFF BRIEFING:

- In July of 2019, the La Marque City Council passed Ordinance O-2019-005, amending Section 44-2
- At the February meeting each year, a report for the preceding calendar year shall be submitted to the Council outlining the number of interactions with minors, the number of crashes involving minors, and the number of crimes involving minors

HISTORY: N/A

TARGET IMPLEMENTATION: N/A; report only

SIGNIFICANT ACTION DATES: N/A

ACTION:

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

Cost Details:

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

STAFF'S RECOMMENDATION: Presentation only

FISCAL IMPACT: N/A

LA MARQUE POLICE DEPARTMENT

JUVENILE CURFEW REPORT - CALENDAR YEAR 2020

This report is presented in compliance with La Marque Code of Ordinances, Section 44-2 (i). This report documents the number of involvements with juveniles that the La Marque Police Department had during calendar year 2020.

Interactions with Minors (Juveniles)

The La Marque Police Department utilizes a Computer Aided Dispatch (CAD) system to record all calls for service. Both self-initiated and citizen generated calls are entered into the database. Each call for service in CAD has a "notes" section that can be used by officers and telecommunicators to record pertinent information for the call.

A search of calls for service between January 1, 2020 and December 31, 2020 involving juveniles revealed 131 calls for service. This count is inclusive of either the responding officer or the telecommunicator recording the word "juvenile" in the notes screen of the call for service.

Motor Vehicle Crashes

In calendar year 2020, the La Marque Police Department responded to eighty motor vehicle crashes in which a juvenile was either a vehicle driver or occupant. Those eighty crashes involved eighty-seven vehicles and one hundred and thirty-six vehicle occupants.

Between the hours of 11:00 PM and 6:00 AM, there were three vehicle crashes involving five juvenile vehicle passengers. The juveniles' ages were 1, 6, 10 and 12. In each of the reported crashes, the vehicle driver and occupants were in transit from one residence to another and none were suspected of any criminal behavior.

Between the hours of 9:00 AM and 3:00 PM, Monday through Friday, there were eleven vehicle crashes in which a juvenile was in the vehicle; all were vehicle passengers. Of those eleven juveniles, two were 16 years of age, one was 9 years of age, and eight ranged from 0 to 4 years of age. One of the 16-year-old passengers was with their parent and the other with their adult sibling. The 9-year-old passenger was with their parent.

Crimes Involving Juveniles

During calendar year 2020 the La Marque Police Department received eighty-three offense/incident reports that names a juvenile victim. This number includes 20 reports of a juvenile runaway or missing person. A juvenile runaway is not a violation of criminal law; however such an investigation does require law enforcement activity and follow-up investigation by detectives in certain situations.

There were fifty-five offense reports that named a juvenile offender. Those criminal offenses ranged from Misdemeanor Theft (Shoplifting) to Aggravated Assault. In many of the reports, more than one juvenile offender was named, resulting in sixty-eight juveniles named as offenders in those fifty-five reports.

Of those fifty-five offense reports, four of the criminal offenses occurred during the curfew hours of Midnight till 6:00 AM, and three occurred during the Monday through Friday 9:00 AM – 3:00 PM curfew restricted times. Considering the fact that the COVID-19 pandemic closed schools, compulsory school attendance may not have applied to any of the cases.

Citations Issued to Juveniles

During Calendar year 2020, there were thirty-three La Marque Municipal Court citations resulting in thirty-seven charges issued to juvenile defendants by La Marque Police Department. Some of those citations were inclusive of above referenced criminal offense reports naming juvenile offenders.

During calendar year 2020 there were no citations issued to juveniles for the offense of Curfew Violation. All juveniles detained for violations of a criminal statute were either released to a parent or other adult family member or were delivered to the Galveston County Juvenile Detention Center for processing.

Attachments for reference:

1. 2020 Juvenile Crash Involvements
2. 2020 Juvenile Victims
3. 2020 Juvenile Offenders
4. 2020 Juvenile Citations

All crash data available using this tool represents reportable data collected from Texas Peace Officer's Crash Reports (CR-3) received and processed by the Texas Department of Transportation (Department) as of 02/05/2021. The Department makes no warranty, representation or guaranty as to the content, accuracy, timeliness or completeness of any of the information provided as a result of your query. Any opinions and conclusions resulting from analysis performed on the crash data must be represented as your own and not those of the State of Texas or the Department.

Query Result Counts:

Your query returned a total of 80 Crashes containing 87 Units and 136 Persons

Query Filters:

Crash Year Is Equal To 2020

County Is Equal To GALVESTON

City Is Equal To LA MARQUE

Person Age Is Less Than Or Equal To 16

Crash ID	Crash Time Day of Week	Person Age	Person Not Person Type
17490492	1120 WEDNESDAY	3	1 2 - PASSENGER/OCCUPANT
17521966	635 TUESDAY	1	1 2 - PASSENGER/OCCUPANT
17521970	1301 SUNDAY	4	1 2 - PASSENGER/OCCUPANT
17521970	1301 SUNDAY	2	1 2 - PASSENGER/OCCUPANT
17520575	1618 SATURDAY	8	1 2 - PASSENGER/OCCUPANT
17533956	2005 SUNDAY	12	1 2 - PASSENGER/OCCUPANT
17561128	1550 MONDAY	5	1 2 - PASSENGER/OCCUPANT
17561128	1550 MONDAY	10	1 2 - PASSENGER/OCCUPANT
17561128	1550 MONDAY	8	1 2 - PASSENGER/OCCUPANT
17561128	1550 MONDAY	8	1 2 - PASSENGER/OCCUPANT
17561128	1550 MONDAY	8	1 2 - PASSENGER/OCCUPANT
17561128	1550 MONDAY	7	1 2 - PASSENGER/OCCUPANT
17561128	1550 MONDAY	8	1 2 - PASSENGER/OCCUPANT
17570139	1605 SATURDAY	3	0 2 - PASSENGER/OCCUPANT
17591430	1720 WEDNESDAY	13	0 2 - PASSENGER/OCCUPANT
17594618	1149 SATURDAY	9	1 2 - PASSENGER/OCCUPANT
17632301	1822 MONDAY	7	1 2 - PASSENGER/OCCUPANT
17632301	1822 MONDAY	5	1 2 - PASSENGER/OCCUPANT
17632301	1822 MONDAY	2	1 2 - PASSENGER/OCCUPANT
17632301	1822 MONDAY	1	1 2 - PASSENGER/OCCUPANT
17602187	812 TUESDAY	15	1 2 - PASSENGER/OCCUPANT
17606773	1936 TUESDAY	14	1 2 - PASSENGER/OCCUPANT
17617497	1556 WEDNESDAY	2	1 2 - PASSENGER/OCCUPANT
17632304	1848 SATURDAY	16	1 1 - DRIVER
17632304	1848 SATURDAY	14	1 2 - PASSENGER/OCCUPANT
17633462	1629 FRIDAY	14	1 1 - DRIVER
17626434	1227 SUNDAY	5	1 2 - PASSENGER/OCCUPANT
17650548	1156 THURSDAY	16	1 2 - PASSENGER/OCCUPANT
17664165	1249 SUNDAY	14	1 2 - PASSENGER/OCCUPANT

17664165	1249 SUNDAY	9	1 2 - PASSENGER/OCCUPANT
17662015	1535 THURSDAY	15	1 2 - PASSENGER/OCCUPANT
17685176	1827 SATURDAY	15	0 2 - PASSENGER/OCCUPANT
17676300	2054 SUNDAY	15	1 2 - PASSENGER/OCCUPANT
17686549	1243 MONDAY	4	1 2 - PASSENGER/OCCUPANT
17724827	1949 THURSDAY	10	1 2 - PASSENGER/OCCUPANT
17701595	1912 SATURDAY	9	1 2 - PASSENGER/OCCUPANT
17701595	1912 SATURDAY	12	1 2 - PASSENGER/OCCUPANT
17701595	1912 SATURDAY	10	1 2 - PASSENGER/OCCUPANT
17730079	143 SATURDAY	1	1 2 - PASSENGER/OCCUPANT
17720540	1555 SUNDAY	7	1 2 - PASSENGER/OCCUPANT
17720767	1711 SUNDAY	4	1 2 - PASSENGER/OCCUPANT
17720767	1711 SUNDAY	11	1 2 - PASSENGER/OCCUPANT
17720767	1711 SUNDAY	6	1 2 - PASSENGER/OCCUPANT
17718040	1809 MONDAY	16	1 2 - PASSENGER/OCCUPANT
17718039	2211 TUESDAY	7	1 2 - PASSENGER/OCCUPANT
17722777	1718 TUESDAY	2	1 2 - PASSENGER/OCCUPANT
17720666	1100 WEDNESD/	1	1 2 - PASSENGER/OCCUPANT
17725399	1227 FRIDAY	4	1 2 - PASSENGER/OCCUPANT
17745253	852 TUESDAY	4	1 2 - PASSENGER/OCCUPANT
17745253	852 TUESDAY	5	1 2 - PASSENGER/OCCUPANT
17747371	1543 TUESDAY	2	1 2 - PASSENGER/OCCUPANT
17756251	1813 FRIDAY	15	1 2 - PASSENGER/OCCUPANT
17766521	158 MONDAY	6	0 2 - PASSENGER/OCCUPANT
17766521	158 MONDAY	10	1 2 - PASSENGER/OCCUPANT
17766521	158 MONDAY	1	1 2 - PASSENGER/OCCUPANT
17766698	2014 SUNDAY	12	1 2 - PASSENGER/OCCUPANT
17766698	2014 SUNDAY	7	1 2 - PASSENGER/OCCUPANT
17771888	1200 SUNDAY	11	1 2 - PASSENGER/OCCUPANT
17771888	1200 SUNDAY	8	1 2 - PASSENGER/OCCUPANT
17770748	2025 TUESDAY	8	1 2 - PASSENGER/OCCUPANT
17770748	2025 TUESDAY	6	1 2 - PASSENGER/OCCUPANT
17770748	2025 TUESDAY	10	1 2 - PASSENGER/OCCUPANT
17770750	27 WEDNESD/	12	1 2 - PASSENGER/OCCUPANT
17775850	1726 SATURDAY	7	1 2 - PASSENGER/OCCUPANT
17784668	1727 MONDAY	0	1 2 - PASSENGER/OCCUPANT
17794940	1036 TUESDAY	16	1 2 - PASSENGER/OCCUPANT
17799270	1557 THURSDAY	12	0 2 - PASSENGER/OCCUPANT
17799270	1557 THURSDAY	12	1 2 - PASSENGER/OCCUPANT
17799270	1557 THURSDAY	16	1 2 - PASSENGER/OCCUPANT
17799270	1557 THURSDAY	12	1 2 - PASSENGER/OCCUPANT
17795842	1122 SATURDAY	2	1 2 - PASSENGER/OCCUPANT
17802816	1119 WEDNESD/	2	1 2 - PASSENGER/OCCUPANT
17810052	1613 WEDNESD/	3	1 2 - PASSENGER/OCCUPANT
17817179	937 SATURDAY	12	1 2 - PASSENGER/OCCUPANT
17827021	1632 SATURDAY	10	1 2 - PASSENGER/OCCUPANT
17837160	1233 MONDAY	4	1 2 - PASSENGER/OCCUPANT

17837155	1154 TUESDAY	9	1 2 - PASSENGER/OCCUPANT
17837158	1552 FRIDAY	12	1 2 - PASSENGER/OCCUPANT
17837158	1552 FRIDAY	11	1 2 - PASSENGER/OCCUPANT
17847208	1704 FRIDAY	15	1 2 - PASSENGER/OCCUPANT
17847208	1704 FRIDAY	8	1 2 - PASSENGER/OCCUPANT
17855918	1656 FRIDAY	8	1 2 - PASSENGER/OCCUPANT
17855918	1656 FRIDAY	4	1 2 - PASSENGER/OCCUPANT
17855924	1345 SATURDAY	16	1 1 - DRIVER
17855924	1345 SATURDAY	14	1 2 - PASSENGER/OCCUPANT
17855924	1345 SATURDAY	12	1 2 - PASSENGER/OCCUPANT
17855924	1345 SATURDAY	14	1 2 - PASSENGER/OCCUPANT
17864658	1658 SATURDAY	8	1 2 - PASSENGER/OCCUPANT
17864658	1658 SATURDAY	7	1 2 - PASSENGER/OCCUPANT
17864658	1658 SATURDAY	10	1 2 - PASSENGER/OCCUPANT
17864662	1641 SATURDAY	5	1 2 - PASSENGER/OCCUPANT
17867920	1544 FRIDAY	16	1 1 - DRIVER
17868745	1856 FRIDAY	4	1 2 - PASSENGER/OCCUPANT
17868745	1856 FRIDAY	3	1 2 - PASSENGER/OCCUPANT
17868745	1856 FRIDAY	0	1 2 - PASSENGER/OCCUPANT
17873492	1303 SUNDAY	16	1 1 - DRIVER
17908093	1820 THURSDAY	2	1 2 - PASSENGER/OCCUPANT
17890588	1901 TUESDAY	8	1 2 - PASSENGER/OCCUPANT
17890588	1901 TUESDAY	4	1 2 - PASSENGER/OCCUPANT
17896940	2049 WEDNESD/	15	1 2 - PASSENGER/OCCUPANT
17896940	2049 WEDNESD/	12	1 2 - PASSENGER/OCCUPANT
17896940	2049 WEDNESD/	15	1 2 - PASSENGER/OCCUPANT
17896940	2049 WEDNESD/	2	1 2 - PASSENGER/OCCUPANT
17896940	2049 WEDNESD/	16	1 2 - PASSENGER/OCCUPANT
17902442	1632 WEDNESD/	16	1 1 - DRIVER
17900137	1252 SUNDAY	15	1 2 - PASSENGER/OCCUPANT
17900137	1252 SUNDAY	11	1 2 - PASSENGER/OCCUPANT
17902440	804 MONDAY	5	1 2 - PASSENGER/OCCUPANT
17902440	804 MONDAY	2	1 2 - PASSENGER/OCCUPANT
17903527	1956 SATURDAY	9	1 2 - PASSENGER/OCCUPANT
17903527	1956 SATURDAY	11	1 2 - PASSENGER/OCCUPANT
17918559	723 THURSDAY	5	1 2 - PASSENGER/OCCUPANT
17918559	723 THURSDAY	7	1 2 - PASSENGER/OCCUPANT
17918559	723 THURSDAY	8	0 2 - PASSENGER/OCCUPANT
17918950	1655 THURSDAY	1	1 2 - PASSENGER/OCCUPANT
17935316	1627 WEDNESD/	5	1 2 - PASSENGER/OCCUPANT
17935316	1627 WEDNESD/	6	1 2 - PASSENGER/OCCUPANT
17951339	1555 SUNDAY	11	0 2 - PASSENGER/OCCUPANT
17951339	1555 SUNDAY	8	0 2 - PASSENGER/OCCUPANT
17972749	708 TUESDAY	6	1 2 - PASSENGER/OCCUPANT
17972749	708 TUESDAY	9	1 2 - PASSENGER/OCCUPANT
17972749	708 TUESDAY	12	1 2 - PASSENGER/OCCUPANT
17986884	1209 FRIDAY	4	1 2 - PASSENGER/OCCUPANT

17996332	2109 THURSDAY	15	1 1 - DRIVER
17997363	1611 SUNDAY	8	1 2 - PASSENGER/OCCUPANT
17997363	1611 SUNDAY	10	1 2 - PASSENGER/OCCUPANT
17997363	1611 SUNDAY	7	1 2 - PASSENGER/OCCUPANT
17997363	1611 SUNDAY	10	1 2 - PASSENGER/OCCUPANT
17997374	1025 WEDNESD/	0	0 2 - PASSENGER/OCCUPANT
18017159	1900 THURSDAY	15	0 2 - PASSENGER/OCCUPANT
18027672	1416 SUNDAY	10	1 2 - PASSENGER/OCCUPANT
18027672	1416 SUNDAY	7	1 2 - PASSENGER/OCCUPANT
18027672	1416 SUNDAY	5	1 2 - PASSENGER/OCCUPANT
18031637	1152 SUNDAY	12	1 2 - PASSENGER/OCCUPANT
18046099	1931 MONDAY	14	1 2 - PASSENGER/OCCUPANT
18046099	1931 MONDAY	14	1 2 - PASSENGER/OCCUPANT

LA MARQUE POLICE DEPARTMENT

Inci Id	Agency	Offense
2000053	LMPD	RUNAWAY
2000055	LMPD	SEXUAL ASSAULT OF A CHILD (ATTEMPT) - FORCIBLE RAPE
2000102	LMPD	RUNAWAY
2000132	LMPD	INJURY TO A CHILD/ELDERLY INDIVIDUAL, OR DISABLED INDIVIDUAL
2000137	LMPD	RECOVERED MISSING PERSON JUVENILE
2000145	LMPD	RUNAWAY
2000195	LMPD	ASSAULT CAUSES BODILY INJURY- (FAMILY VIOLENCE)
2000211	LMPD	SEXUAL ASSAULT OF A CHILD - FORCIBLE RAPE
2000214	LMPD	DRIVING WHILE INTOXICATED W/CHILD UNDER 15 YOA
2000219	LMPD	TERRORISTIC THREAT
2000289	LMPD	ASSAULT CAUSES BODILY INJURY
2000310	LMPD	RUNAWAY
2000318	LMPD	ANIMAL BITE-DOG
2000321	LMPD	RUNAWAY
2000341	LMPD	INFORMATION REPORT
2000345	LMPD	THEFT
2000394	LMPD	SUICIDE - ATTEMPTED
2000410	LMPD	RUNAWAY
2000414	LMPD	RESISTING ARREST SEARCH OR TRANSPORTATION
2000454	LMPD	RUNAWAY
2000472	LMPD	INDECENCY WITH A CHILD - WITH CONTACT
2000478	LMPD	RUNAWAY
2000522	LMPD	ASSAULT W/ OTHER WEAPON-AGGRAVATED
2000525	LMPD	INJURY TO A CHILD/ELDERLY INDIVIDUAL, OR DISABLED INDIVIDUAL
2000526	LMPD	ASSAULT CAUSES BODILY INJURY
2000616	LMPD	RUNAWAY
2000653	LMPD	ASSAULT BY CONTACT F/M/O
2000704	LMPD	RUNAWAY
2000758	LMPD	ROBBERY WITH FIREARM
2000759	LMPD	ROBBERY WITH FIREARM
2000761	LMPD	SEXUAL ASSAULT OF A CHILD (ATTEMPT) - FORCIBLE RAPE
2000763	LMPD	RUNAWAY
2000788	LMPD	RUNAWAY
2000835	LMPD	ACCIDENT INVOLVING INJURY OR DEATH
2000865	LMPD	(NIBRS) ALL OTHER OFFENSES
2000928	LMPD	SEXUAL ASSAULT OF A CHILD - FORCIBLE RAPE
2000970	LMPD	INDECENCY WITH A CHILD - EXPOSURE
2000971	LMPD	INJURY TO A CHILD/ELDERLY INDIVIDUAL, OR DISABLED INDIVIDUAL
2001004	LMPD	TERRORISTIC THREAT
2001014	LMPD	SEXUAL ASSAULT OF A CHILD - FORCIBLE RAPE
2001205	LMPD	CRIMINAL MISCHIEF
2001331	LMPD	INFORMATION REPORT

Inci Id	Agency	Offense
2001333	LMPD	SEXUAL ASSAULT OF A CHILD - FORCIBLE RAPE
2001355	LMPD	ASSAULT BY CONTACT
2001511	LMPD	(NIBRS) ALL OTHER OFFENSES
2001515	LMPD	ASSAULT BY CONTACT
2001572	LMPD	RUNAWAY
2001588	LMPD	INFORMATION REPORT
2001692	LMPD	SEX OFFENSES - OTHER
2001753	LMPD	SEX OFFENSES - OTHER
2001782	LMPD	INFORMATION REPORT
2001915	LMPD	RUNAWAY
2001933	LMPD	(NIBRS) ALL OTHER OFFENSES
2002030	LMPD	DEATH INVESTIGATION
2002117	LMPD	SEXUAL PERFORMANCE BY A CHILD
2002175	LMPD	ANIMAL BITE-DOG
2002178	LMPD	(NIBRS) SIMPLE ASSAULT
2002182	LMPD	RUNAWAY
2002239	LMPD	RUNAWAY
2002258	LMPD	SEXUAL ASSAULT OF A CHILD - FORCIBLE RAPE
2002265	LMPD	SEXUAL ASSAULT OF A CHILD - FORCIBLE RAPE
2002268	LMPD	(NIBRS) THEFT FROM MOTOR VEHICLE
2002303	LMPD	INDECENCY WITH A CHILD - WITH CONTACT
2002354	LMPD	INDECENCY WITH A CHILD - WITH CONTACT
2002372	LMPD	INJURY TO A CHILD/ELDERLY INDIVIDUAL, OR DISABLED INDIVIDUAL
2002376	LMPD	SEXUAL ASSAULT OF A CHILD - FORCIBLE RAPE
2002476	LMPD	MISSING PERSON
2002479	LMPD	RUNAWAY
2002505	LMPD	INJURY TO A CHILD/ELDERLY INDIVIDUAL, OR DISABLED INDIVIDUAL
2002523	LMPD	ASSAULT BY CONTACT
2002535	LMPD	SUICIDE - ATTEMPTED
2002553	LMPD	RUNAWAY
2002651	LMPD	INFORMATION REPORT
2002657	LMPD	INDECENCY WITH A CHILD - EXPOSURE
2002671	LMPD	(NIBRS) AGGRAVATED ASSAULT
2002720	LMPD	(NIBRS) AGGRAVATED ASSAULT
2002753	LMPD	(NIBRS) STATUTORY RAPE
2002768	LMPD	(NIBRS) RAPE
2002781	LMPD	(NIBRS) FONDLING
2002784	LMPD	(NIBRS) ALL OTHER OFFENSES
2002799	LMPD	(NIBRS) ALL OTHER OFFENSES
2002837	LMPD	(NIBRS) SIMPLE ASSAULT
2002878	LMPD	(NIBRS) SIMPLE ASSAULT

LA MARQUE POLICE DEPARTMENT

Inci Id	Agency	Offense
2000034	LMPD	UNAUTHORIZED USE OF A VEHICLE (AUTO)
2000042	LMPD	ASSAULT CAUSES BODILY INJURY- (FAMILY VIOLENCE)
2000081	LMPD	INFORMATION REPORT
2000106	LMPD	RECOVERED STOLEN VEHICLE
2000195	LMPD	ASSAULT CAUSES BODILY INJURY- (FAMILY VIOLENCE)
2000220	LMPD	EVADING ARREST OR DETENTION
2000344	LMPD	POSSESSION OF SUBSTANCE IN PENALTY GROUP 2
2000411	LMPD	ASSAULT BY CONTACT F/VIO
2000462	LMPD	INFORMATION REPORT
2000472	LMPD	INDECENCY WITH A CHILD - WITH CONTACT
2000522	LMPD	ASSAULT W/ OTHER WEAPON-AGGRAVATED
2000532	LMPD	UNLAWFUL CARRYING WEAPONS
2000543	LMPD	THEFT - SHOPLIFTING
2000565	LMPD	BURGLARY OF HABITATION / FORCIBLE ENTRY
2000568	LMPD	THEFT - SHOPLIFTING
2000590	LMPD	THEFT
2000624	LMPD	UNAUTHORIZED USE OF A VEHICLE (AUTO)
2000665	LMPD	THEFT - SHOPLIFTING
2000711	LMPD	UNAUTHORIZED USE OF A VEHICLE (AUTO)
2000757	LMPD	THEFT - SHOPLIFTING
2000812	LMPD	CRIMINAL TRESPASS
2000861	LMPD	THEFT - SHOPLIFTING
2000955	LMPD	THEFT - SHOPLIFTING
2000978	LMPD	SEXUAL ASSAULT OF A CHILD - FORCIBLE RAPE
2001004	LMPD	TERRORISTIC THREAT
2001032	LMPD	INTERFERE WITH DUTIES OF PUBLIC SERVANT
2001121	LMPD	RECOVERY STOLEN (OTHER AGENCY)
2001205	LMPD	CRIMINAL MISCHIEF
2001321	LMPD	THEFT - SHOPLIFTING
2001337	LMPD	THEFT - SHOPLIFTING
2001341	LMPD	RECOVERY STOLEN (OTHER AGENCY)
2001410	LMPD	UNLAWFUL CARRYING WEAPONS
2001497	LMPD	THEFT - SHOPLIFTING
2001675	LMPD	THEFT - SHOPLIFTING
2001732	LMPD	(NIBRS) ARSON
2001864	LMPD	ASSAULT CAUSES BODILY INJURY- (FAMILY VIOLENCE)
2001867	LMPD	ASSAULT BY CONTACT F/VIO
2001905	LMPD	(FSGI) ACCIDENT INVOLVING DAMAGE TO VEHICLE- CLASS B
2001934	LMPD	(NIBRS) SHOPLIFTING
2001960	LMPD	ASSAULT BY CONTACT F/VIO
2002151	LMPD	ASSAULT BY THREAT
2002157	LMPD	THEFT - SHOPLIFTING

Inci Id	Agency	Offense
2002451	LMPD	THEFT - SHOPLIFTING
2002471	LMPD	INFORMATION REPORT
2002605	LMPD	THEFT BICYCLE
2002627	LMPD	CRIMINAL MISCHIEF
2002647	LMPD	THEFT UNDER \$100
2002649	LMPD	THEFT UNDER \$100
2002671	LMPD	(NIBRS) AGGRAVATED ASSAULT
2002701	LMPD	(NIBRS) SHOPLIFTING
2002737	LMPD	(NIBRS) PORNOGRAPHY/OBSCENE MATERIAL
2002768	LMPD	(NIBRS) RAPE
2002837	LMPD	(NIBRS) SIMPLE ASSAULT

La Marque, TX PD

Jan 1, 2020 - Dec 31, 2020

Citation Audit (Juveniles)

Total Citations: 33

Citation No.	Date	Time	Result	Description	Officer (Badge)	Violator (Last, First)	Age
E0031845	Oct 3, 2020	16:10	CITATION	ASSAULT BY THREAT	Samuelson (515)	[REDACTED]	16
E0031862	Dec 6, 2020	22:41	CITATION	*Speeding - 10% Or Over	Santos (541)	[REDACTED]	16
E0032288	Feb 19, 2020	18:39	WARNING	Drove Without Lights-When Required	Reed (554)	[REDACTED]	16
E0032391	Sep 20, 2020	13:24	CITATION	No Driver's License	King (516)	[REDACTED]	16
E0032438	Dec 7, 2020	23:38	CITATION	Fighting - DOC	Ladd (545)	[REDACTED]	16
E0032598	May 17, 2020	17:23	CITATION	Theft Under \$100	Harp (552)	[REDACTED]	0
E0033126	Jan 8, 2020	19:38	CITATION	Possession Of Drug Paraphernalia	Cantu (518)	[REDACTED]	0
E0033224	Mar 11, 2020	02:02	CITATION	Minor In Possession Of Alcohol Beverage	Gonzales (539)	[REDACTED]	16
E0033225	Mar 11, 2020	03:13	CITATION	Minor In Consumption Of Alcohol Beverage	Gonzales (539)	[REDACTED]	16
	Mar 11, 2020	03:13	CITATION	Minor In Possession Of Alcohol Beverage	Gonzales (539)	[REDACTED]	16
E0033239	Mar 22, 2020	14:25	CITATION	Theft Under \$100	Harp (552)	[REDACTED]	16
E0033300	Jul 19, 2020	17:11	CITATION	Theft Under \$100	Gonzalez (530)	[REDACTED]	14
E0033383	Nov 26, 2020	21:47	CITATION	No Driver's License	Cantu (518)	[REDACTED]	15
E0033394	Dec 6, 2020	16:31	WARNING	Defective Tail Lamps	Hernandez (519)	[REDACTED]	16
	Dec 6, 2020	16:31	CITATION	*Speeding - 10% Or Over	Hernandez (519)	[REDACTED]	16
E0033628	Feb 7, 2020	13:55	CITATION	Criminal Mischief	Harp (552)	[REDACTED]	16
E0033684	Mar 8, 2020	19:35	CITATION	Minor In Possession Tobacco (1St Off)	Skaggs (533)	[REDACTED]	16

CONFIDENTIAL

La Marque, TX PD

Jan 1, 2020 - Dec 31, 2020

Citation Audit (Juveniles)

Total Citations: 33

Citation No.	Date	Time	Result	Description	Officer (Badge)	Violator (Last, First)	Age
E0033686	Mar 8, 2020	19:47	WARNING	*Speeding - 10% Or Over	Skaggs (533)	[REDACTED]	16
	Mar 8, 2020	19:47	WARNING	Fail To Drive Single Lane	Skaggs (533)	[REDACTED]	16
E0033704	Apr 23, 2020	08:40	CITATION	Theft Under \$100	Guzman (543)	[REDACTED]	16
E0033705	Apr 23, 2020	08:53	CITATION	Theft Under \$100	Guzman (543)	[REDACTED]	14
E0033733	Jun 29, 2020	13:51	CITATION	Theft Under \$100	Gonzalez (530)	[REDACTED]	16
E0033734	Jun 29, 2020	13:56	CITATION	Theft Under \$100	Gonzalez (530)	[REDACTED]	15
E0033735	Jun 29, 2020	14:00	CITATION	Theft Under \$100	Gonzalez (530)	[REDACTED]	15
E0033740	Jul 13, 2020	11:34	CITATION	DRUG PARAPHERNALIA-JUVENILE	Human (512)	[REDACTED]	16
E0033788	Oct 9, 2020	14:30	CITATION	Fail To Control Speed	Guzman (543)	[REDACTED]	16
	Oct 9, 2020	14:30	CITATION	FAIL TO MAINTAIN FINANCIAL RESPONSIBILITY	Guzman (543)	[REDACTED]	16
E0033794	Nov 7, 2020	15:07	CITATION	Theft Under \$100	Guzman (543)	[REDACTED]	16
E0034081	Feb 19, 2020	02:18	CITATION	Possession Of Drug Paraphernalia	Ladd (545)	[REDACTED]	16
E0034098	Aug 9, 2020	12:54	CITATION	Theft Under \$100	Harp (552)	[REDACTED]	14
E0034108	Oct 4, 2020	17:28	CITATION	Theft Under \$100	Hernandez (549)	[REDACTED]	16
E0034118	Nov 29, 2020	09:49	CITATION	Theft Under \$100	Gonzales (539)	[REDACTED]	16
E0034119	Nov 29, 2020	09:58	CITATION	Theft Under \$100	Gonzales (539)	[REDACTED]	14
E0034120	Nov 29, 2020	10:05	CITATION	Theft Under \$100	Gonzales (539)	[REDACTED]	12

CONFIDENTIAL

La Marque, TX PD

Jan 1, 2020 - Dec 31, 2020

Citation Audit (Juveniles)

Total Citations: **33**

Citation No.	Date	Time	Result	Description	Officer (Badge)	Violator (Last, First)	Age
E0034770	Sep 6, 2020	08:58	CITATION	No Driver's License	Gonzales (539)	[REDACTED]	16
E0034775	Sep 8, 2020	20:53	CITATION	Theft Under \$100	Santos (541)	[REDACTED]	0
E0035101	Feb 22, 2020	15:35	CITATION	No Driver's License	Anders (532)	[REDACTED]	16
	Feb 22, 2020	15:35	WARNING	*Speeding - 10% Or Over	Anders (532)	[REDACTED]	16

CONFIDENTIAL



CITY COUNCIL AGENDA FORM

Meeting Date: April 12, 2021

Agenda item: 6a

Prepared by: Derra Purnell

Reviewed by: Charlene Warren/

Charles Jackson

Department: City Council

AGENDA ITEM DESCRIPTION: Discussion relating to 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** **THIS ITEM WAS TABLED FROM THE MARCH 8, 2021 MEETING**

X

ATTACHMENTS FOR REFERENCE

1. Redlined 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
- Council discussed the draft, provided comments on the draft, and provided direction to staff regarding additional changes on March 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 for appointments to Boards and Commissions, and requirements for appointees
- 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



CITY COUNCIL AGENDA FORM

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

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

3/8/2021 – City Council provided comments on the draft and discussed additional revisions; Item was tabled to return at April 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

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 not have been convicted of a felony and 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 (requiring that

all Commission members "be residents and real property taxpayers of the City of La Marque, and none of whom shall hold any other position in the city government"). 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 "a person living at a full-time, permanent residential address located inside the City limits of La Marque." 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, (ii) copies of active utility accounts, (iii) vehicle registration, (iv) voter registration and/or (v) homestead exemption; 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. Council shall be the judge of the qualifications of committee members. 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 a non-voting member with unanimous approval of council. Committees may not have more than one non-resident non-voting member at a time. To be qualified as a non-resident non-voting member of a committee, the member must have at least 10 years of experience related to the business of that committee.

Deleted: Current n

Deleted:

Deleted: an ex-officio

(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 and having the absence "excused". The committee members present must approve the reason for it to be an "excused absence". 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. Six consecutive absences (whether excused or unexcused, or a combination) may be grounds for removal of the member upon recommendation by the committee chairperson to the City Council and approval of the City Council.

Deleted: legitimate

(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.* "Alternate" committee members shall be members appointed to serve as voting members of the committee in the absence of any regular member. Alternates may, and should, attend all meetings of the committee to which they are appointed and shall be allowed to vote when any regular member is absent.

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.

- (i) Ex-officio members. One Council member or the Mayor may be appointed by City Council to each committee as an ex-officio non-voting member for purposes of providing a liaison between Council and the committee. Ex-officio appointments are made by virtue of the Council member or Mayor's elected position and shall terminate automatically if any ex-officio ceases to hold an elected position."

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



CITY COUNCIL AGENDA FORM

Meeting Date: April 12, 2021

Prepared by: Derra Purnell

Agenda item: 7a

Reviewed by: Charlene Warren

Charles Jackson

Department: Development Services

AGENDA ITEM DESCRIPTION: Discussion relating to adopting Ordinance No. **O-2021-0006**, changing the zoning district from (R-1) Single-Family Residential to (R-2) Two Family Residential Lots 13 & 14 Wentzel Addition, Abstract 150, located near the end of Briar Lane, La Marque, Texas **THIS IS THE FIRST READING**

X

ATTACHMENTS FOR REFERENCE

1. Ordinance
2. Planning and Zoning Commission report
3. Zoning map excerpt, proposed site plan and other backup provided by the Owner

STAFF BRIEFING:

- Planning and Zoning Commission issued a final report and recommended approval of this zone change from (R-1) Single-Family Residential to (R-2) Two Family Residential
- This change is requested for two parcels
- The parcels are vacant currently
- A public hearing was held before the Commission following notice to the property owners within 200 feet (March 16, 2021)

HISTORY:

March 16, 2021 - Variance to minimum lot width grant by the Board of Adjustment

March 16, 2021 - Recommended for approval by Planning and Zoning Commission

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

SIGNIFICANT ACTION DATES: May Council meeting, if adopted on First Reading

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



CITY COUNCIL AGENDA FORM

ACTION:

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

Other Funding	
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STAFF'S RECOMMENDATION: Recommend to adopt Ordinance No. **O-2021-0006**
THIS IS THE FIRST READING

FISCAL IMPACT: N/A

ORDINANCE NO. O-2021-0006

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

WHEREAS, Mike Unbehagen (the "Owner") submitted an application for the City to amend the zoning district of Owners' property, Lots 13 & 14 Wentzel Addition, Abstract 150, located near the end of Briar Lane, La Marque, Texas, more specifically described as shown in Exhibit "A" (the "Property") and also identified by Galveston County Property Tax ID Nos. 200098 and 200099; and

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

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

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

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

Section 1. That the adopted zoning map of the City is amended by changing the zoning district applicable to the Property, as described in Exhibit A to this Ordinance, incorporated by reference for all purposes, from (R-1) Single-Family Residential to (R-2) Two Family Residential.

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

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

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

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

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

PASSED AND APPROVED by the City Council of the City of La Marque on First Reading this ____ day of _____ 2021; and

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

CITY OF LA MARQUE, TEXAS

Keith Bell, Mayor

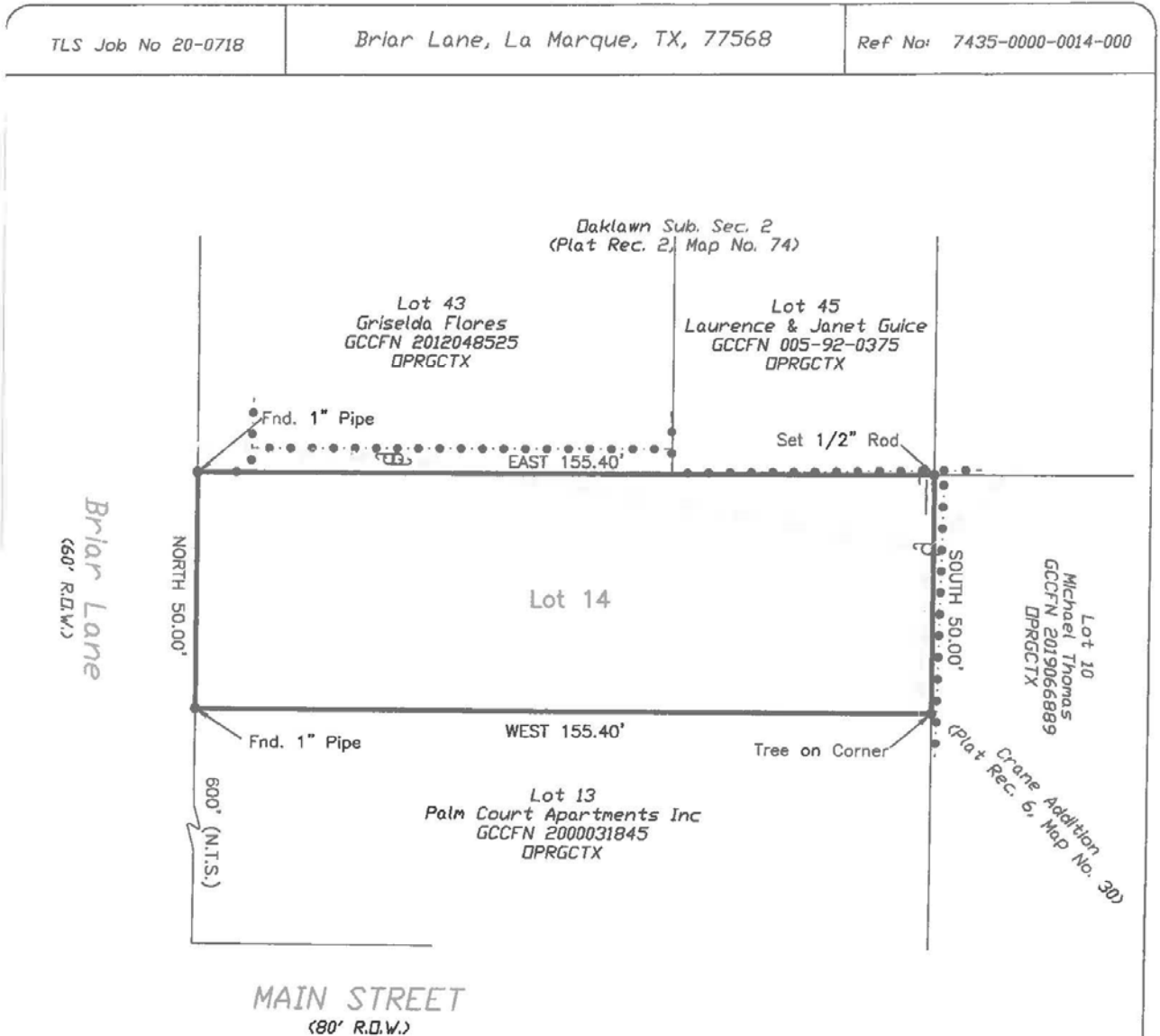
ATTEST:

Robin Eldridge, TRMC, City Clerk

APPROVED AS TO FORM:

Derra Leigh Purnell, City Attorney

Exhibit A - Survey of the Property

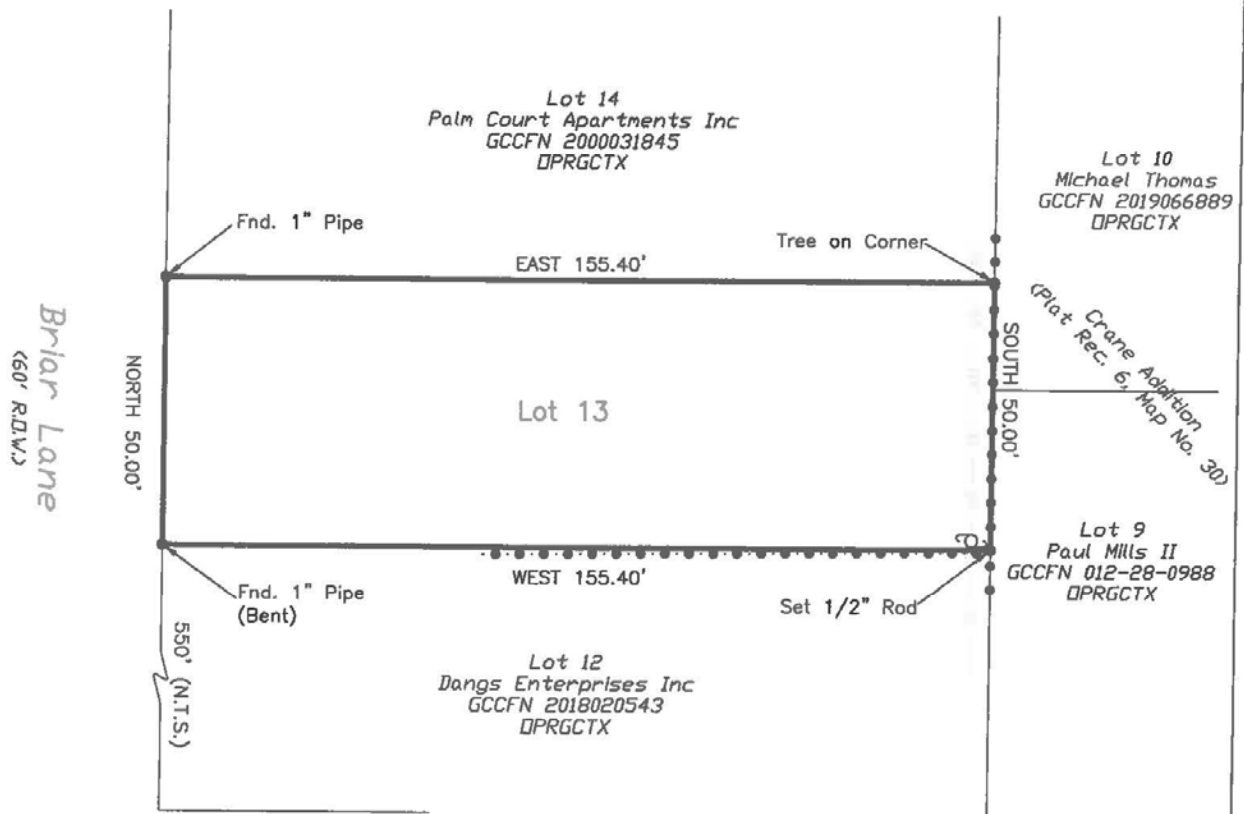


Survey of Lot Fourteen (14), of WENTZEL ADDITION, a subdivision of Galveston County, Texas, according to map or plat thereof recorded in Volume 254-A, Page 60, in the Office of the County Clerk of Galveston County, Texas.

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

Brene Addison
 Brene Addison
 Registered Professional
 Land Surveyor No. 6598





Survey of Lot Thirteen (13), of WENTZEL ADDITION, a subdivision of Galveston County, Texas, according to map or plat thereof recorded in Volume 254-A, Page 60, in the Office of the County Clerk of Galveston County, Texas.

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

Brene Addison
 Brene Addison
 Registered Professional
 Land Surveyor No. 6598

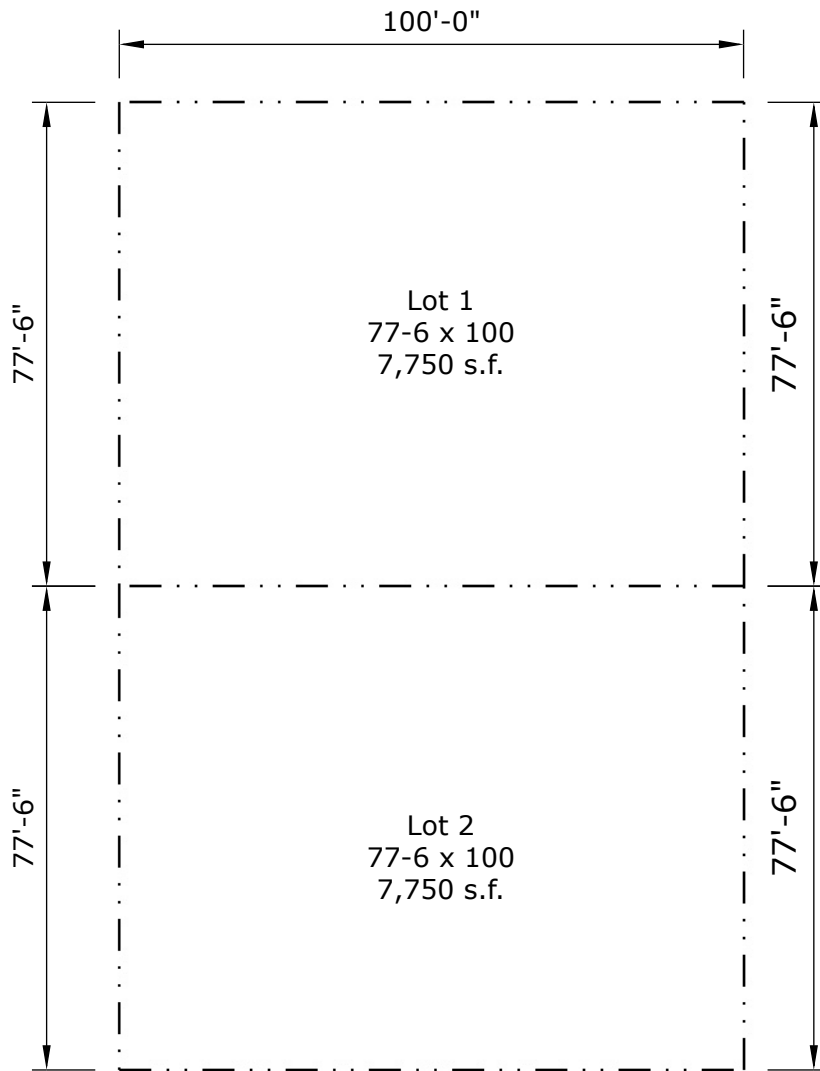




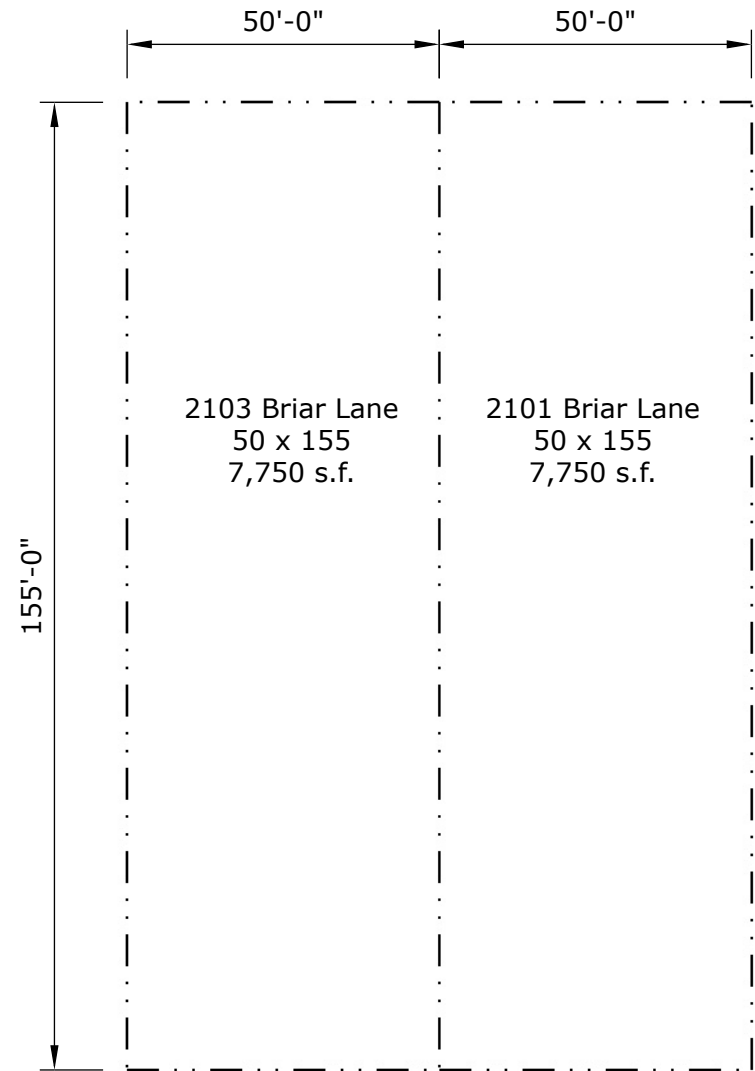
City of La Marque Planning & Zoning Commission

COMMISSION REPORT

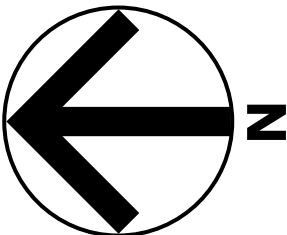
- Meeting Date:** Planning and Zoning Commission Meeting of March 16, 2021
(rescheduled from February 23, 2021 due to Winter Storm Uri)
- Agenda Item:** Discussion / possible action to issue a final report and provide a recommendation to City Council on a request to change the zoning district from (R-1) Single Family Residential to (R-2) Two Family Residential for Lots 13 & 14 Wentzel Addition, Abstract 150, located near the end of Briar Lane
- Item Type:** Zone change
- 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 Planning and Zoning Commission recommended approval of a zone change from (R-1) Single Family Residential to (R-2) Two Family Residential



Briar Lane

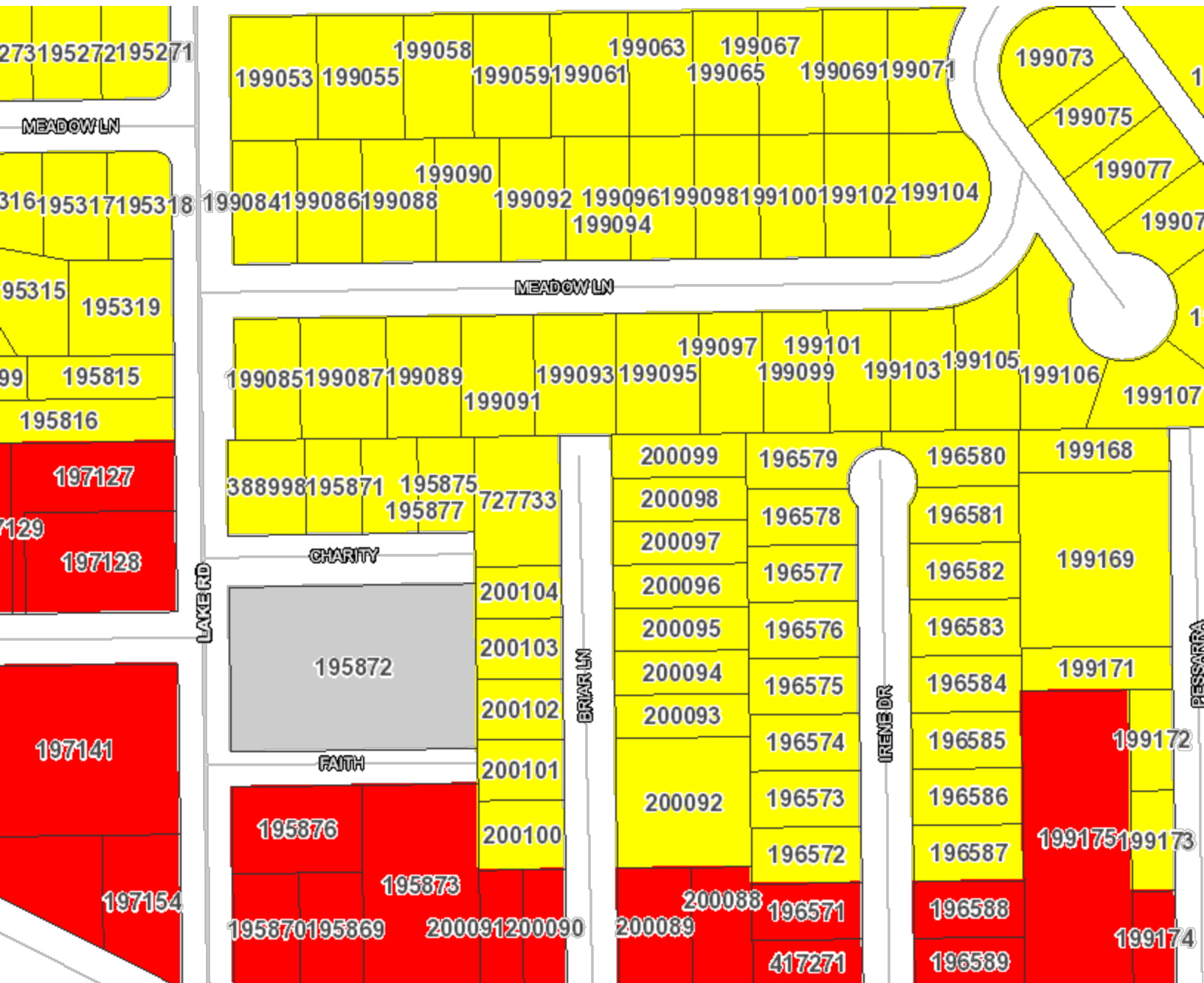


Briar Lane



Proposed Configuration

Existing Configuration



DEVELOPER'S VISION



Acquire vacant lots of land in the Galveston County area with a vision of developing All-New Quality Single Family homes to meet the shortage of housing demand. Mr. Callery has been actively involved in the Real Estate sector both Residential and Commercial in The Galveston and Harris County area for five years.

NOTABLE PROJECTS:

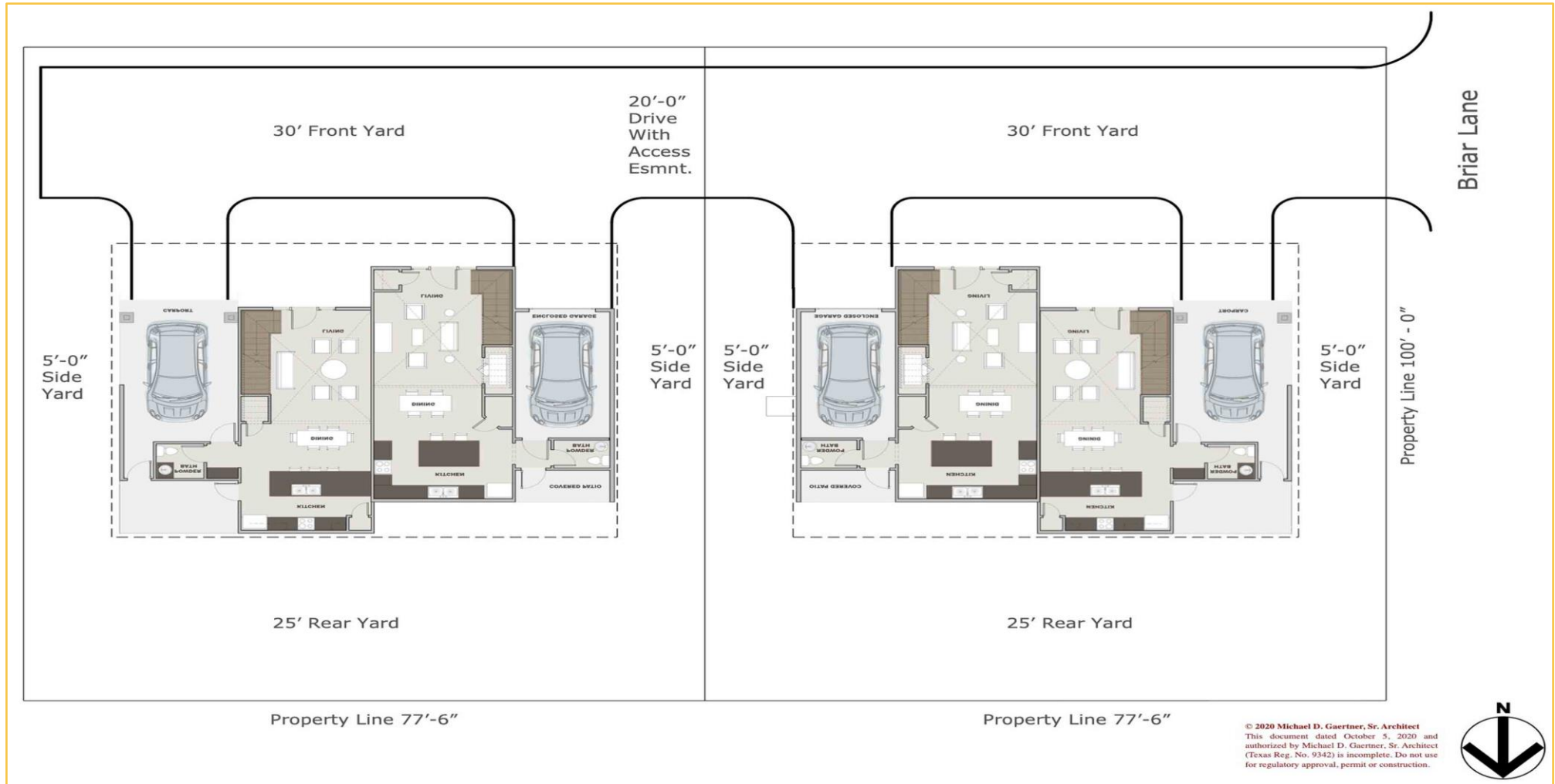
- The revitalization of 5105 Broadway, a distressed warehouse building (26,000SqFt) for many years transformed into a thriving outdoor patio furniture business, SunRay Patio.
- The Palms of Galveston Luxury Townhomes at 1013 10th St, Mr. Callery has set the market, securing new record high prices per square foot for rental properties within city limits, satisfying the taste of the luxury market .
- Mr. Callery has inspected **OVER TWO THOUSAND** homes since 2019 to ensure landlords meet and maintain HUD's housing quality standards for Affordable Housing Programs.



FRONT ELEVATION



SITE PLAN



NEIGHBORHOOD REPORT



Household Income Brackets

This chart shows annual household income levels within an area.

Data Source: U.S. Census

Update Frequency: Annually

■ 77568



58.5% of households in 77568 could qualify for this housing.

ORDINANCE O-2021-0007

AN ORDINANCE AMENDING THE CITY OF LA MARQUE 2019-2020 BUDGET FOR VARIOUS EXPENDITURES AT END OF FISCAL YEAR BY DECREASING VARIOUS FUNDS' FUND BALANCES AND INCREASING CERTAIN EXPENDITURES TO INDIVIDUAL BUDGET ACCOUNTS IN VARIOUS FUNDS AND INCREASING CERTAIN REVENUES IN VARIOUS FUNDS AS SET FORTH IN ATTACHED EXHIBIT "A" BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS;

Section 1. That the City La Marque 2019-2020 Fiscal Year Budget is hereby amended for various expenditures at end of fiscal year by decreasing various funds' fund balances and increasing certain expenditures to the individual budget accounts in various funds and increasing certain revenues in various funds as set forth in Exhibit "A" attached hereto and made a part hereof.

Section 2. 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*.

PASSED AND APPROVED by City Council of the City of La Marque, Texas, on this the first reading this the ____ day of ____, 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

EXHIBIT A

Fiscal Year 2019-20

Accounts		Expenditure	Revenue	Fund Balance	Reasons
25-4040-00-00	PID developers payments	614,655.00			PIDs payment to developers
25-2401-00-00	Fund Balance			-614,655.00	PIDs payment to developers
26-9001-00-00	Transfer In from General Fund		15,000.00		New Fund established per Ordinance
01-8026-00-00	Transfer Out to Fund 26 TIRZ Omega Bay	15,000.00			New Fund established per Ordinance
26-2401-00-00	Fund Balance			15,000.00	New Fund established per Ordinance
01-2401-00-00	Fund Balance			-15,000.00	New Fund established per Ordinance
63-6024-14-00	Sanitation expenditure	253,490.00			WM expenditure
63-6028-14-00	Sanitation expenditure	12,653.00			WM expenditure
63-6031-14-00	Sanitation expenditure	75,497.00			WM expenditure
63-2401-00-00	Sanitation Fund Balance			-341,640.00	WM expenditure
02-7114-24-00-HDWRKS-71	Headworks WWTP	1,406,721.00			2020 CO Projects
02-7114-24-00-HDWRKS-72	Headworks 6th St	684,000.00			2021 CO Projects
02-7114-24-00-LSPIMP	Lift Stations Pumps Improv	66,000.00			2022 CO Projects
02-7114-24-00-WWTPEX	WWTP Expansion	506,740.00			2023 CO Projects
65-2401-00-00	Fund Balance			-2,663,461.00	2024 CO Projects
70-2010-01-03	COVID expenditure	168,570.00			COVID expenditure
70-2401-00-00	Disaster Fund Fund Balance			-168,570.00	COVID expenditure
53-6000-00-00	Youth expenditure	40,991.00			Youth programs expenditure
53-2401-00-00	Fund Balance			-40,991.00	Youth programs expenditure
09-4071-00-00	Talent Associated Costs	20,390.00			Additional needed for budgeting purposes
09-4072-00-00	Administrative Costs	4,793.00			Additional needed for budgeting purposes
09-4076-00-00	PW Associated Costs	1,038.00			Additional needed for budgeting purposes
09-9010-00-00	Transfer In-HOT Fund		33,077.00		Additional needed for budgeting purposes
10-8009-00-00	Transfer Out-Bayou Fest Fund	33,077.00			Additional needed for budgeting purposes
09-2401-00-00	Fund Balance			6,856.00	Additional needed for budgeting purposes
10-2401-00-00	Fund Balance			-33,077.00	Additional needed for budgeting purposes
15-9005-00-00	Bond Issuance Cost	250,000.00			2020 CO Issuance
15-4350-00-00	Bond CO - Interest	112,557.00			2018 CO Interest
15-2401-00-00	Fund Balance			-362,557.00	
39-7100-22-00	CDBG capital projects	1,350.00			CDBG grant
39-3015-00-00	CDBG grant proceeds		-1,350.00		CDBG grant
12-4050-00-00	Special operations expense	32,125.00			Drug seizure expenditure
12-4040-00-00	Professional services	20,570.00			Drug seizure expenditure
12-2401-00-00	Fund Balance			-52,695.00	Drug seizure expenditure
47-7004-22-00	Utility Infrastructure Improv	263,545.00			Utility Infrastructure Improv
47-2401-00-00	Fund Balance			-263,545.00	Utility Infrastructure Improv
82-2017-04-00	Court technology expense	4,696.00			Computers for Court
82-2401-00-00	Fund balance			-4,696.00	Computers for Court
89-4050-00-00	Cemetery survey	60,687.00			Cemetery survey
01-2401-00-00	Fund balance			-60,687.00	Cemetery survey
01-8089-99-00	Transfer out to Cemetery	60,687.00			Cemetery survey
89-9001-00-00	Transfer In from General Fund		60,687.00		Cemetery survey



CITY COUNCIL AGENDA FORM

Meeting Date: April 12, 2021

Prepared by: Suzy Kou

Agenda item: 7b

Reviewed by: Charlene Warren/

Charles Jackson

Department: Finance

AGENDA ITEM DESCRIPTION: Discussion relating to adopting Ordinance No. **O-2021-0007**, amending the fiscal year 2019-20 Budget for various funds' expenditures by decreasing various funds' fund balances and increasing certain expenditures to individual budget accounts in various funds and increasing certain revenues in various funds as set forth in Exhibit A **THIS IS THE FIRST READING**

☒

ATTACHMENTS FOR REFERENCE

1. Ordinance
2. Exhibit A

STAFF BRIEFING:

- During the fiscal year, the City received and expended PID transactions which require appropriations before year end
- During the year, the City had a few unanticipated expenditures in special revenue funds which were not included in the original adopted budget at the beginning of the year
- Council approved issuance of 2020 CO bonds but individual projects need to be appropriated via budget amendment
- The ordinance is to amend the budget administratively and to match with actual approved expenditures
- All capital expenditures exceeding \$25,000 have been individually approved by Council during the fiscal year

HISTORY: N/A

TARGET IMPLEMENTATION: April 12, 2021

SIGNIFICANT ACTION DATES:

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	



CITY COUNCIL AGENDA FORM

STAFF'S RECOMMENDATION: Recommend to adopt Ordinance No. **O-2021-0007**, amending the 2019-20 budget **THIS IS THE FIRST READING**

FISCAL IMPACT: See Exhibit A



CITY COUNCIL AGENDA FORM

Meeting Date: April 12, 2021

Prepared by: Charlene Warren

Agenda item: 7c

Reviewed by: Charlene Warren

Charles Jackson

Department: Administration

AGENDA ITEM DESCRIPTION: Discussion relating to a request for sponsorship of Bigass Crawfish Bash for 2021

X

ATTACHMENTS FOR REFERENCE

1. Email requesting donation
2. Thank You letter
3. Invoice

STAFF BRIEFING:

- Quentin Severin, CEO of the Bigass Crawfish Bash Foundation (BACB), has requested that the City donate \$12,000 to sponsor the event, scheduled for May 15, 2021 at Highland Bayou Park
- The donation is requested to assist with contingency parking expenses in the case of rain
- The City has sponsored the BACB for the last three budget years - 2018, 2019, and 2020 at \$10,000
- Due to COVID-19, the BACB was canceled last year
- When the 2021 Budget was approved, donations for special events had been removed due to the uncertainty of COVID-19's impact
- If approved, a budget amendment will be required to appropriate the funds

HISTORY:

2018, 2019, 2020 - City sponsored the annual BACB at \$10,000 per event

TARGET IMPLEMENTATION: April 12, 2021

SIGNIFICANT ACTION DATES:

ACTION:

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

Cost Details:

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



CITY COUNCIL AGENDA FORM

STAFF'S RECOMMENDATION: Dependent upon Council decision

FISCAL IMPACT: If funded at level requested, \$12,000

Charlene Todaro

From: quentin@bigasscrawfishbash.com
Sent: Tuesday, April 6, 2021 1:21 PM
To: Charlene Todaro
Cc: rebecca@bigasscrawfishbash.com
Subject: RE: La Marque Sponsorship
Attachments: Thank You La Marque.docx; La Marque invoice 2021.xlsx

Follow Up Flag: Follow up
Flag Status: Flagged

From: quentin@bigasscrawfishbash.com <quentin@bigasscrawfishbash.com>
Sent: Tuesday, April 6, 2021 1:20 PM
To: 'Charlene Todaro' <c.warren@cityoflamarque.org>
Cc: 'rebecca@bigasscrawfishbash.com' <rebecca@bigasscrawfishbash.com>
Subject: RE: La Marque Sponsorship

Redo on both letter and invoice to Highland Bayou Park. Thanks Q

From: quentin@bigasscrawfishbash.com <quentin@bigasscrawfishbash.com>
Sent: Tuesday, April 6, 2021 12:39 PM
To: 'Charlene Todaro' <c.warren@cityoflamarque.org>
Cc: 'rebecca@bigasscrawfishbash.com' <rebecca@bigasscrawfishbash.com>
Subject: La Marque Sponsorship

Hey Charlene,

Crazy year and we are barely holding on. We have lost almost all sponsors and continue to raise money for our charities. This year we are spending over \$7000 for shuttle parking in case of rain. We also want to donate to the park \$5000 to help grade for the Bayou Fest and us next year. We are donating a \$1000 to Kid Fish before our event. Last year with donations.

We topped \$400,000 giving over \$13000 to Camp Home and Code of Vets. As you may know Camp hope was struggling and actually had sponsors ask for their money back. We were able to cover their cost until Mattress Mac came to the rescue in August with over a million.

We are very passion about giving to veterans and children. This year we are adding Operation Underground Railroad Rescue. It is an unbelievable act these heroes do to rescue children from child trafficking. It brings me to tears every time I think about. Thank you for always being there Charlene.

Have a Blessed day,

Quentin Severin



CEO Bigass Crawfish Bash
(713)302-7999



Bigass Crawfish Bash
9114 Sunset Ct.
Hitchcock, TX 7756
713-302-7999
www.bigasscrawfishbash.com

City of La Marque,

We at the Bigass Crawfish Bash would like to express our heartfelt gratitude to you for your donation of \$10,000 to help us make the Bash a success. This year will be our 6th year of putting on this event and it gets better every year! Yall have been generous benefactors since the beginning of our operation and we hope to maintain our partnership.

With your help we have donated over \$400,000 to several tremendous organizations. Last year those organizations included: Today's harbor for kids, local Education foundations, Camp Hope, C.E.R.T., Texas Adaptive Aquatics, Special Olympics, Boy Scouts of America, and United Spinal Association of Houston.

We will continue with our mission to better the lives of children, the disabled and veterans while bringing people from all walks of life together to enjoy great crawfish, awesome entertainment, and new friends.

Look forward to seeing you soon. If there is anything we can do for you, please let us know! I can advertise for you on Facebook, beyond just my normal posts. Let me know if you have something particular you want to advertise! We have been talking about doing wooden crawfish paddles and maybe changing up the cutting boards/trophies!!!

Sincerely,

BCBF, Inc. Team



Event Details



Highland Bayou Park La Marque Texas

May 15th 2021

11:00 to 11:00

ALL YOU CAN EAT CRAWFISH CHARITY EVENT

Live entertainment

50 Private teams

7 Restaurants

50 Vendors

10 Food Vendors

Kid Zone

Projected attendance:

9k

Beneficiaries: C.E.R.T., Camp Hope, Local Education Foundations, Boy scouts, , Special Olympics, Today's Harbor for Children, United Spinal Association Houston and Texas Adaptive Aquatics.

A letter from committee members,

We've accomplished alot as an organization: \$379,900 to multiple life changing charities, Guinness World Record, we've received multiple rewards from charities, a Night of Recovery for 2018 Santa Fe, High school with PTSD Camp Hope Veterans, entry in World Food Championships and won with Beau Smith , and met some wonderful people. We are extremely proud of what we've been able to do, but I'd be lying if I said that We are not faced by a nagging question at the height of stress that the bash brings. "Why?" It would be so easy to just throw our hands up and be done Sometimes, but it's this one memory from are CEO that keeps us going.

It was 2017 after our biggest most successful bash to date. We had just broke the record, and I was spent. My entire day consisted of me running back and forth trying to keep everyone happy and keep the machine running. I honestly didn't know how we were doing, because to me it just seemed like chaos. I feared that We fell short of the expectations we set for Guinness and that I failed my team. I finally found a moment to relax for a second, when an older gentleman approached me and said, "Son you don't know what you're doing." I said with a sarcastic smile. "You are absolutely right, I have no idea." He replied. "Look around, you've brought people from all walks of life white, black, old, young and phones in their back pocket. Just a good times, tell stories, and eating crawfish together no VIP, no worries. I couldn't tell you the last time I saw that."

To this day, that conversation is what keeps us going. In a time when our nation feels so divided we gave people an escape from all the noise while also supporting our military , disabled and our children. That ladies and gentlemen, is why we don't quit. That is why we are so passionate. That, IS The Big Ass Crawfish Bash. [Mark Crowder](#) [Rebecca Martinez](#) [Travis LeDoux](#) [Stephanie Martin](#) [Darren Wright](#) [Jason Long](#) [Shane Hamilton](#) [Eric Froeschner](#) [Silvia A Silva](#) [Timothy Horton](#) [Simon Martinez](#) [Katie Miller](#) [Mark Bearden](#) [Ted Blanchard](#) [Lanie Crowder](#) [Monica Blanchard](#) [Melanie McComb](#) [Naismith](#)

2104051

Bigass Crawfish Bash Foundation Inc.

9114 Sunset Ct. Hicthcock, TX 77563
(713) 302-7999

4/5/2021

BILL TO

City of La Marque
1111 Bayou Dr,
La Marque, Tx 77568
PHONE

FOR

Event at Highland Bayou Park
1991 Getty Rd.
La Marque, TX 77568

Details

AMOUNT

Sponsor donation to lease Gulf Greyhound Park. Parking Lot	\$12,000.00
--	-------------



SUBTOTAL	\$12,000.00
----------	-------------

TOTAL	\$12,000.00
-------	-------------

Make all checks payable to Bigass Crawfish Bash Foundation Inc.

If you have any questions concerning this invoice, use the following contact information:

Quentin Severin 7133027999 quentin@bigasscrawfishbash.com

THANK YOU FOR YOUR BUSINESS!



CITY COUNCIL AGENDA FORM

Meeting Date: April 12, 2021 Agenda item: 7d
Prepared by: Chaise Cary Reviewed by: Charlene Warren/
Charles Jackson
Department: Public Works

AGENDA ITEM DESCRIPTION: Discussion relating to ratifying the City Manager's approval of expenditures to Android Construction, LLC for costs involved in emergency distribution system (water) rehabilitation caused by Winter Storm Uri, in the amount of \$202,106.28

☒

ATTACHMENTS FOR REFERENCE:

1. Android Construction, LLC 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 arise at seemingly random locations throughout the community and in such a manner that time becomes of the essence
- Still, the emergency procurement procedures were followed, and three quotes were obtained
- The City utilized Android Construction, LLC based on availability and responsiveness
- Our distribution system (water lines, valves, hydrants, etc.) were damaged all over the City
- Finance Director/City Attorney have reviewed

HISTORY:

February 17, 2021 – City staff was notified that multiple distribution lines were damaged once the pipes thawed out, creating water pressure issues for many citizens. Director Cary and Supervisor Gamble checked every location. The water lines were no longer operational due to the pipes' failures, which lasted weeks after the winter storm. Director Cary received direction from City Manager Jackson to make necessary repairs with contractors.

February 18, 2021 – Emergency work commenced

March 15, 2021 – Emergency work complete

TARGET IMPLEMENTATION: April 12, 2021

SIGNIFICANT ACTION DATES: N/A



CITY COUNCIL AGENDA FORM

ACTION:

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

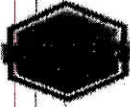
Cost Details:

Budgeted	
Actual Bid	\$202,106.28
Estimated Expenditure	\$202,106.28
Acct. Name(s)	Repair & Maintenance-Sewer
Line Item #	
Other Funding	

STAFF'S RECOMMENDATION: Recommend to ratify City Manager's approval of expenditures to Android Construction, LLC for costs involved in emergency distribution (water) system rehabilitation in the amount of \$202,106.28

FISCAL IMPACT: Unanticipated emergency project, \$202,106.28

Reg # 773



Android Construction Services, LLC

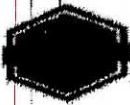
16195 S Hwy 288 B
Angleton Texas 77515

Date	Invoice
3/1/2021	21-0120

City of La Marque
1111 Bayou Road
La Marque Texas 77568
Attention: Chaise Cary

P.O. No.	Terms	Project
		Repairs

Description	Amount
2/23/2021	
Labor and equipment 2/23/2021	\$3,000.00
601 Orange Street repair 2 inch water main	
Material: 2X12 repair clamp	\$133.50
1701 Maple repair 6 inch water main	
Material: one 6 inch repair clamp	\$171.00
Holly and Elaine Street repair 2 inch water main	
Material: 2X12 repair clamp	\$133.50
Total 2/23/2021	\$3,438.00



Androld Construction Services, LLC

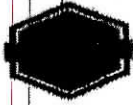
16195 S Hwy 288 B
Angleton Texas 77515

Date	Invoice
3/1/2021	21-0120

City of La Marque
1111 Bayou Road
La Marque Texas 77568
Attention: Chalse Cary

P.O. No.	Terms	Project
		Repairs

Description	Amount
2/24/2021	
Labor and equipment 2/24/2021	\$3,000.00
1015 Prune Street repair 2 inch water main	
Material: 2X12 repair clamp	\$133.50
2702 John Street replace 3/4 inch long service from main to meter	
Material: 60 linear feet of 3/4 inch poly @ 1.44 per foot	\$86.40
one 3/4 inch curb stop	\$78.00
Lake Road and Magnolia Street investigate water leak	
Total 2/24/2021	\$3,297.90



Android Construction Services, LLC

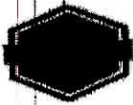
16195 S Hwy 288 B
Angleton Texas 77515

Date	Invoice
3/1/2021	21-0120

City of La Marque
1111 Bayour Road
La Marque Texas 77568
Attention: Chaise Cary

P.O. No.	Terms	Project
		Repairs

Description	Amount
2/26/2021	
Labor and equipment 2/26/2021	\$3,000.00
1411 Goliad repair 2 inch water main	
Material: 2X12 repair clamp	\$133.50
2708 Fairwood repair 6 inch water main	
Material: 6X12 repair clamp	\$178.50
Total 2/26/2012	\$3,312.00



Androld Construction Services, LLC

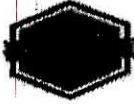
16195 S Hwy 288 B
Angleton Texas 77515

Date	Invoice
3/1/2021	21-0120

City of La Marque
1111 Bayou Road
La Marque Texas 77568
Attention: Chaise Cary

P.O. No.	Terms	Project

Description	Amount
3/1/2021	
Labor and equipment 3/01/2021	\$3,000.00
2708 Fairwood (#2)	
Material: one 6X12 repair clamp	\$178.50
1505 Goliad repair 2 inch water main	
Material: 2X7 repair clamp	\$106.80
Total 3/01/2021	\$3,285.30
Total	\$13,333.10



Android Construction Services, LLC

16195 S Hwy 288 B
Angleton Texas 77515

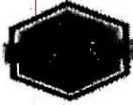
Date	Invoice
2/20/2021	21-0116

City of La Marque
1111 Bayou Road
La Marque Texas 77568
Attention: Chaise Cary

P.O. No.	Terms	Project
		319 Turquoise Trade Dr

Description	Amount
Emergency call to repair 1 inch water service	
Mobilization	\$1,500.00
Labor and equipment 2 hours @ \$1,000.00 per hour	\$2,000.00
Total	\$3,500.00

Req #813



Android Construction Services, LLC

16195 S Hwy 288 B
Angleton Texas 77515

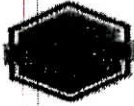
Date	Invoice
3/5/2021	21-0122

City of La Marque
1111 Bayou Road
La Marque Texas 77568
Attention: Chaise Cary

P.O. No.	Terms	Project
		Fairwood Street

Description	Amount
Labor, equipment and material to install approximately 850 feet of 6 inch C900 PVC	
Includes: two 6 inch gate valves, two 6 inch wet connects, one 2 inch wet connect and two house services	\$38,000.00
Add: one 6 inch line stop	\$7,000.00
Total	\$45,000.00

70 3010 22.00



Android Construction Services, LLC

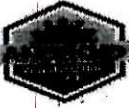
16195 S Hwy 288 B
Angleton Texas 77515

Date	Invoice
2/13/2021	21-0110

City of La Marque
1111 Bayou Road
La Marque Texas 77568
Attention: Chaise Cary

P.O. No.	Terms	Project
		Edgar Street

Description	Amount
Labor and equipment 14 hours @ \$1,000.00 per hour	\$16,000.00
Emergency water main repair on Edgar Street	
Mobilization	\$3,000.00
Labor and equipment 14 hours @ \$1,000.00 per hour	\$14,000.00
Material: two dresser couplings @ \$372.25 each	\$744.50
Total	\$33,744.50
8" water main 8 ft.	



Android Construction Services, LLC

16195 S Hwy 288 B
Angleton Texas 77515

Date	Invoice
2/19/2021	21-0115

City of La Marque
1111 Bayour Road
La Marque Texas 77568
Attention: Chaise Cary

P.O. No.	Terms	Project

Description	Amount
Repair 12 inch water main on FM 1764 by dog track Labor and equipment 7 1/2 hours @ \$1,000.00 per hour	\$7,500.00
Total	\$7,500.00



Android Construction Services, LLC

16195 S Hwy 288 B
Angleton Texas 77515

Date	Invoice
2/20/2021	21-0117

City of La Marque
1111 Bayou Road
La Marque Texas 77568
Attention: Chasie Cary

P.O. No.	Terms	Project
		2708 Camp Circle

Description	Amount
Emergency call out to repair 2 inch waterline at 2708 Camp Circle	
Mobilization	\$1,500.00
Labor and equipment 7 1/2 hours @ \$1,000.00 per hour	\$7,500.00
Materials: two 2 inch repair clamps @ \$81.50 each	\$163.00
3 linear feet of 2 inch PVC	\$5.94
Total	\$9,168.94



Android Construction Services, LLC

16195 S Hwy 288 B
Angleton Texas 77515

Date	Invoice
2/18/2021	21-0114

City of La Marque

1111 Bayou Road
La Marque Texas 77568
Attention: Chaise Cary

P.O. No.	Terms	Project
		Hwy 3 & 2nd Street

Description	Amount
Install one new 8 inch valve at Hwy 3 and Second Street	
Mobilization	\$3,000.00
Labor and equipment 12 hours @ \$1,000.00 per hour	\$12,000.00
Materials: two 8 inch mega lug @ 70.50 each	\$141.00
one 8 inch valve	\$977.50
two 8 inch Hi Max couplings @ \$372.25 each	\$744.50
4 linear feet of C900 pipe @ \$12.78 per foot	\$51.12
Install a single line stop at Laurel and 2nd Street	\$8,000.00
Materials: two 8 inch Hi Max couplings @ \$372.25 each	\$744.50
4 linear feet of C900 pipe @ \$12.78 per foot	\$51.12
Total:	\$25,709.74



Android Construction Services, LLC

16195 S Hwy 288 B
Angleton Texas 77515

Date	Invoice
3/10/2021	21-0128

City of La Marque
1111 Bayou Road
La Marque Texas 77568
Attention: Chaise Cary

P.O. No.	Terms	Project
		Lake Road and Rosalie

Description	Amount
Labor, equipment and material to install a double 6 inch line stop at Lake Road and Rosalie Street	\$14,000.00
Repair 6 inch water main labor and equipment 12 hours @ \$1,000.00 per hour	\$12,000.00
One 6 inch repair clamp	\$150.00
Total	\$26,150.00



Android Construction Services, LLC

16195 S Hwy 288 B
Angleton Texas 77515

Date	Invoice
3/1/2021	21-0120

City of La Marque
1111 Bayou Road
La Marque Texas 77568
Attention: Chaise Cary

P.O. No.	Terms	Project
		Maple Street

Description	Amount
2/23/2021 Emergency water main repair on Maple Labor and equipment 14 hours @ \$1,000.00 per hour 500 LF 6 inch C900 PVC	\$38,000.00
	\$38,000.00



CITY COUNCIL AGENDA FORM

Meeting Date: April 12, 2021

Prepared by: Alex Getty

Agenda item: 7e

Reviewed by: Charlene Warren/

Charles Jackson

Department: EDC

AGENDA ITEM DESCRIPTION: Discussion relating to the potential expansion of the SBA HUBZone in La Marque, Texas

☒

ATTACHMENTS FOR REFERENCE

1. SBA Direct Final Rule
2. La Marque proposed zone map with zone population and unemployment rate
3. La Marque HUBZone primer (provided by Deon Warner)
4. Regular EDC minutes of January 19, 2021 (draft)

STAFF BRIEFING:

- U.S. Small Business Administration issued a direct final rule allowing governors to petition the SBA's Administrator to designate HUBZone status
- Governors may only submit one petition per year for a covered area or areas
- An expanded SBA HUBZone will allow certified vendors to submit for federal set aside contracts
- Billions of dollars worth of set aside contracts are available each year
- Special Counsel is aware of expansion efforts

HISTORY: N/A

TARGET IMPLEMENTATION: If supported by Council, the goal is to submit the request by the end of April

SIGNIFICANT ACTION DATES: N/A

ACTION:

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

Cost Details:

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



CITY COUNCIL AGENDA FORM

STAFF'S RECOMMENDATION: Recommend to support a request to expand the SBA HUBZone in La Marque, Texas

FISCAL IMPACT: An expanded SBA HUBZone will create additional federal contract opportunities for certified HUBZone vendors within the expanded zone. The goal is to cultivate opportunities for businesses to grow in the zone and therefore create additional jobs, expand the tax base, and increase sales tax.



SBA Issues Direct Final Rule that Will Allow Governors to Seek HUBZone Designation for Certain Rural Areas

Release Date:

Monday, November 18, 2019

Release Number:

19-57

Contact:

Tiffani.Clements@sba.gov

WASHINGTON – The [U.S. Small Business Administration](https://www.sba.gov) today issued a direct final rule that will allow governors to petition the SBA's Administrator to designate HUBZone status to certain covered areas. A covered area is an area in a state that is located outside of an urbanized area, as determined by the Census Bureau, with a population of not more than 50,000, and for which the average unemployment rate is at least 120 percent of the average unemployment rate. The [rule](#) is published in the Federal Register and effective January 1, 2020, unless significant adverse comment is received by December 15, 2019.

"This expansion of HUBZone areas will provide a valuable resource to small businesses in underserved communities to foster economic development and job creation – creating a pathway to the middle class for the residents of distressed areas," said Acting [SBA Administrator Chris](#) Pilkerton. "We anticipate that governors may petition to include Opportunity Zones that do not otherwise qualify as HUBZones. The direct final rule is a step in the right direction because it will give governors additional tools to revitalize their communities."

The National Defense Authorization Act, which was enacted on December 12, 2017, authorized changes to the Small Business Act to include "Governor-designated covered areas" under the HUBZone program.

Under the rule, a governor may submit one petition per year for a covered area or areas.

In reviewing a request for designation included in the petition, the Administrator may consider:

- The potential for job creation and investment in the covered area;
- The demonstrated interest of small businesses in the covered area to be designated as a Governor-designated covered area;
- How state and local government officials have incorporated the covered area into an economic development strategy; and
- If the covered area was a HUBZone before becoming the subject of the petition, the impact on the covered area if the Administrator did not approve the petition.

For information about the HUBZone program, visit www.sba.gov/hubzone. For more information on Opportunity Zones and Opportunity Funds, see <https://www.irs.gov/newsroom/opportunity-zones-frequently-asked-questions>.

###

About Opportunity Zones

Opportunity Zones provide a tax break in which investors can use capital gains to support long-term economic development in more than 8,700 designated low-income communities across the country. An Opportunity Zone is an economically-distressed community where new investments, under certain conditions, may be eligible for preferential tax treatment. Localities qualify as Opportunity Zones if they have been nominated for that designation by the state and that nomination has been certified by the Secretary of the U.S. Treasury via his delegation of authority to the Internal Revenue Service.

About the U.S. Small Business Administration

The U.S. Small Business Administration makes the American dream of business ownership a reality.

As the only go-to resource and voice for small businesses backed by the strength of the federal government, the SBA empowers entrepreneurs and small business owners with the resources and support they need to start, grow or expand their businesses, or recover from a declared disaster.

It delivers services through an extensive network of SBA field offices and partnerships with public and private organizations. To learn more, visit www.sba.gov.



retail strategies

La Marque Potential Zone 1 Sitewise Online

Study Areas

La Marque Potential Zone 1

Lat: 29.36002, Long: -94.97380

Maps

[La Marque Potential Zone 1](#)

Profile Tables

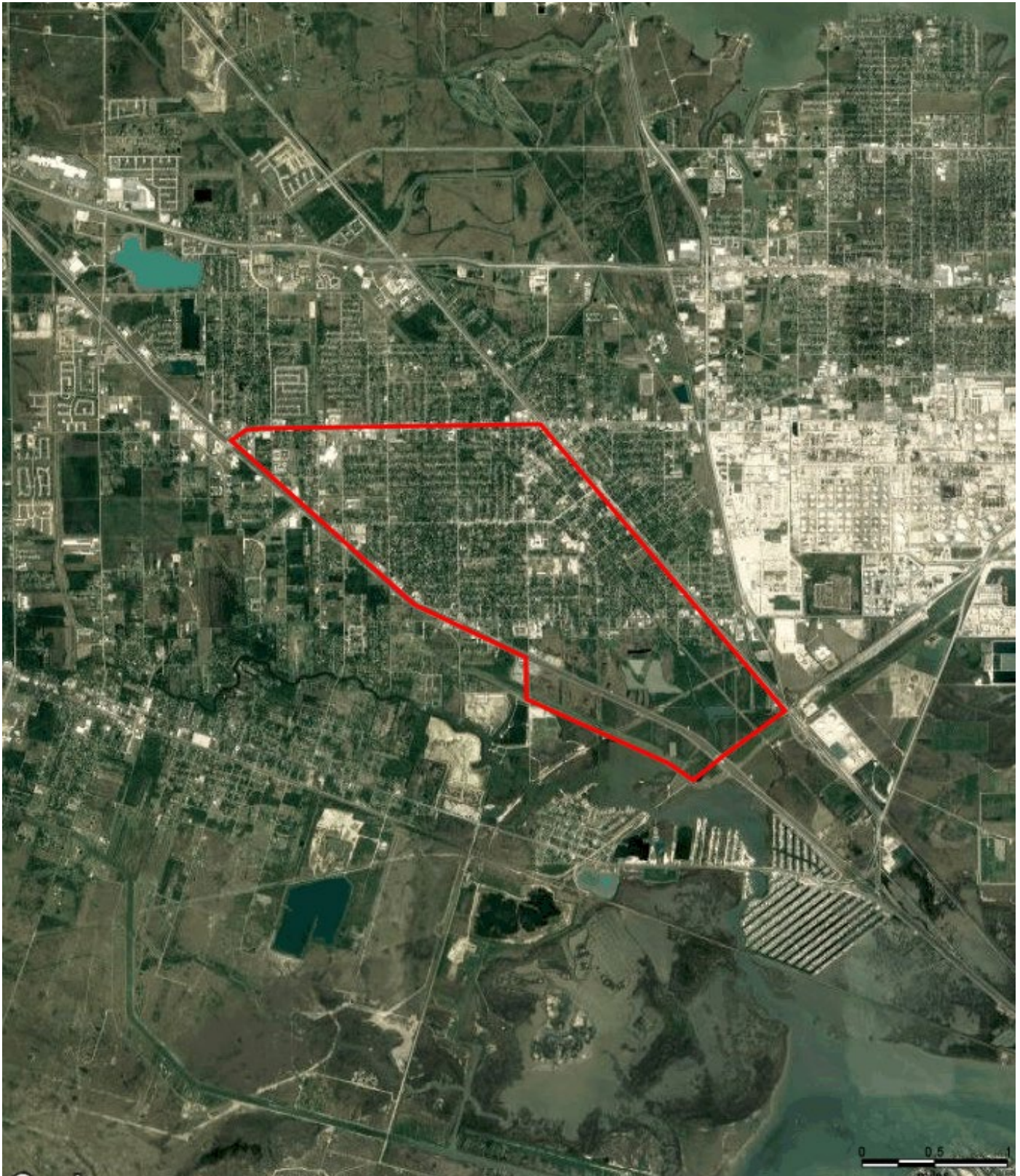
[Current Year Estimated Population by Labour Force](#)

[Current Year Estimated Households by Household Income](#)



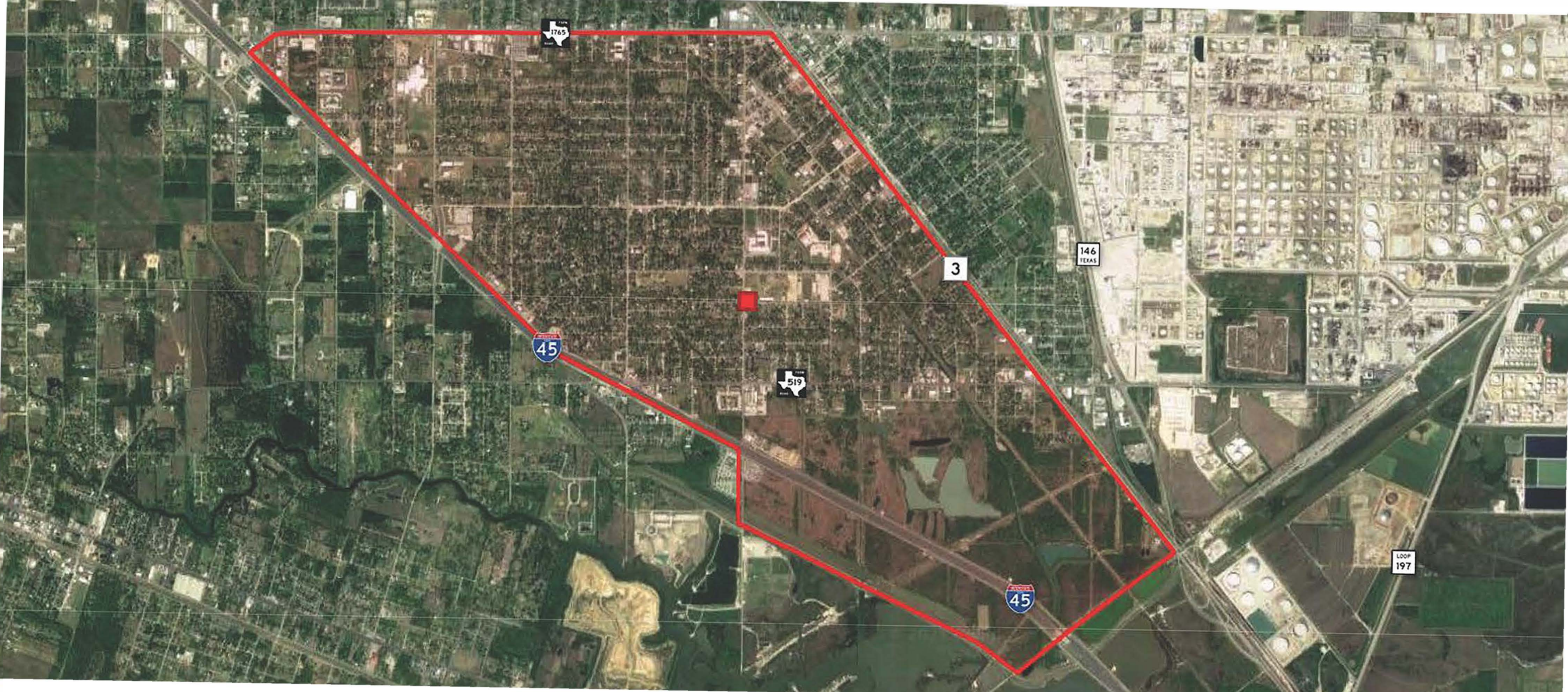
retail strategies

La Marque Potential Zone 1



Google

Landsat / Copernicus, Maxar Technologies, Texas General Land Office, U.S. Geological Survey, USDA Farm Service Agency





retail strategies

La Marque Potential Zone 1
Sitewise Online
Current Year Estimated Population by Labour Force

STI: PopStats Population Summary	La Marque Potential Zone 1	
		%
Population		
2020 Estimate	10,477	

Current Year Estimated Population by Labour Force		La Marque Potential	
			%
Current Year Estimated Population Age 16+ by Employment Status		8,190	
Labor Force		4,718	58%
In Armed Forces		0	0%
Civilian, Employed		3,762	46%
Civilian, Unemployed		956	12%
Not in Labor Force		3,472	42%
Unemployment Rate		20.3%	
State of Texas Unemployment Rate		7.2%	
Difference		13.10%	



retail strategies

La Marque Potential Zone 1
Sitewise Online
Current Year Estimated Households by Household Income

Current Year Estimated Households by Household Income		La Marque Potential Zone 1	
			%
Current Year Estimated Households by Household Income		4,041	
Less than \$10,000	355	9%	
\$10,000 to \$14,999	283	7%	
\$15,000 to \$19,999	319	8%	
\$20,000 to \$24,999	256	6%	
\$25,000 to \$29,999	306	8%	
\$30,000 to \$34,999	283	7%	
\$35,000 to \$39,999	278	7%	
\$40,000 to \$44,999	225	6%	
\$45,000 to \$49,999	228	6%	
\$50,000 to \$54,999	164	4%	
\$55,000 to \$59,999	122	3%	
\$60,000 to \$64,999	91	2%	
\$65,000 to \$69,999	107	3%	
\$70,000 to \$74,999	106	3%	
\$75,000 to \$79,999	99	2%	
\$80,000 to \$84,999	89	2%	
\$85,000 to \$89,999	72	2%	
\$90,000 to \$94,999	66	2%	
\$95,000 to \$99,999	58	1%	
\$100,000 to \$124,999	202	5%	
\$125,000 to \$149,999	139	3%	
\$150,000 to \$174,999	88	2%	
\$175,000 to \$199,999	45	1%	
\$200,000 to \$249,999	33	1%	
\$250,000 to \$499,999	13	0%	
\$500,000 or more	11	0%	
Median Household Income	\$ 38,916		
Average Household Income	\$ 54,693		

Primer – SBA HUB Zone Qualification:

1. First: Qualifying Census Tract:
 - A. Sec. 42(d)(5)(C)(i)(I) of the Internal Revenue Code of 1986)
 - a. Designated by HUD and
 - b. Either
 - i. 50% or more of households have an income less than 60% of area median gross income (AMI) in most recent year **[2020 \$47,280]** (See **Appendix A** attached hereto) or
 - ii. Which has a poverty rate of at least 25%;
 - B. Lands within the boundaries of federally recognized Indian reservations.
2. To Qualify:
 - A. 13 CFR Parts 126.100 to 126.900
 - a. 126.104 – how a Governor partitions for Designation of a governor designated covered area:
 - i. Petition to HUD requesting designation
 - b. Things to be considered by HUD
 - i. Potential for job creation and investment in the area;
 - ii. Demonstrated interest of small business concerns;
 - iii. How state and local government officials have incorporated the covered area in economic development strategy; and
 - iv. If the covered area was a HUBZone before becoming the subject of the petition, the impact on the covered area if the Administrator did not approve the petition.
 - c. Each calendar year, a Governor may submit not more than 1 petition described in this section. Such petition shall include all covered areas in a State for which the Governor seeks designation as a Governor-designated covered area, except that the total number of covered areas included in such petition may not exceed 10 percent of the total number of covered areas in the State.
 - d. If the Administrator grants a petition described in this section, the Governor of the Governor-designated covered area shall, not less frequently than annually, submit data to the Administrator certifying that each Governor-designated covered area continues to meet the requirements of paragraph (d)(1) of this section.

Section 126.104(d)(1):

(d) In this section:

(1) The term “covered area” means an area in a State -

- (i) That is located outside of an urbanized area, as determined by the Bureau of the Census;
- (ii) With a population of not more than 50,000; and
- (iii) For which the average unemployment rate is not less than 120 percent of the average unemployment rate of the United States or of the State in which the covered area is located, whichever is less, based on the most recent data available from the American Community Survey conducted by the Bureau of the Census.

3. Benefits of Designation:

- a. The HUBZone program is designed to help small businesses to gain access to federal procurement opportunities.
- b. Provides federal contracting assistance to all firms in designated HUBZones to:
 - i. Increase employment opportunities;
 - ii. Stimulate capital investment; and
 - iii. Empower communities through economic leveraging.
- c. Encourages employment growth and economic opportunities in the area.

APPENDIX A

AREA MEDIAN INCOME – GALVESTON COUNTY

	AMI	60% of AMI
HUD for La Marque	\$78,800	<u>\$47,280</u>
Zone Option 1	--	\$38,916
Zone Option 2	--	\$37,910

FY 2020 Income Limits Summary

Selecting any of the buttons labeled "Explanation" will display detailed calculation steps for each of the various parameters.

FY 2020 Income Limit Area	Median Family Income Explanation	FY 2020 Income Limit Category	Persons in Family							
			1	2	3	4	5	6	7	8
Houston-The Woodlands-Sugar Land, TX HUD Metro FMR Area	\$78,800	Very Low (50%) Income Limits (\$) Explanation	27,600	31,550	35,500	39,400	42,600	45,750	48,900	52,050
		Extremely Low Income Limits (\$)* Explanation	16,600	18,950	21,720	26,200	30,680	35,160	39,640	44,120
		Low (80%) Income Limits (\$) Explanation	44,150	50,450	56,750	63,050	68,100	73,150	78,200	83,250

NOTE: Galveston County is part of the **Houston-The Woodlands-Sugar Land, TX HUD Metro FMR Area**, so all information presented here applies to all of the **Houston-The Woodlands-Sugar Land, TX HUD Metro FMR Area**. HUD generally uses the Office of Management and Budget (OMB) area definitions in the calculation of income limit program parameters. However, to ensure that program parameters do not vary significantly due to area definition changes, HUD has used custom geographic definitions for the **Houston-The Woodlands-Sugar Land, TX HUD Metro FMR Area**.

The **Houston-The Woodlands-Sugar Land, TX HUD Metro FMR Area** contains the following areas: Chambers County, TX; Fort Bend County, TX; Galveston County, TX; Harris County, TX; Liberty County, TX; Montgomery County, TX; and Waller County, TX.

* The FY 2014 Consolidated Appropriations Act changed the definition of extremely low-income to be the greater of 30/50ths (60 percent) of the Section 8 very low-income limit or the poverty guideline as [established by the Department of Health and Human Services \(HHS\)](#), provided that this amount is not greater than the Section 8 50% very low-income limit. Consequently, the extremely low income limits may equal the very low (50%) income limits.



**LA MARQUE ECONOMIC DEVELOPMENT CORPORATION
REGULAR MEETING MINUTES
January 19, 2021**

IN ACCORDANCE WITH ORDER OF THE OFFICE OF THE GOVERNOR ISSUED MARCH 16, 2020, THE BOARD OF DIRECTORS OF THE LA MARQUE ECONOMIC DEVELOPMENT CORPORATION CONDUCTED THIS MEETING BY TELEPHONE CONFERENCE IN ORDER TO ADVANCE THE PUBLIC HEALTH GOAL OF LIMITING FACE-TO-FACE MEETINGS (ALSO CALLED "SOCIAL DISTANCING") TO SLOW THE SPREAD OF THE CORONAVIRUS (COVID-19). THERE WAS NO PUBLIC ACCESS TO THE LOCATION AND A TOLL-FREE DIAL-IN NUMBER TO PARTICIPATE IN THE TELEPHONIC MEETING WAS PROVIDED. THE PUBLIC WAS PERMITTED TO OFFER PUBLIC COMMENTS TELEPHONICALLY AS PROVIDED BY THE AGENDA AND AS PERMITTED BY THE PRESIDING OFFICER DURING THE MEETING.

AGENDA:

1. CALL TO ORDER

Chairman Crowder called the meeting to order at 10:05 a.m.

2. ROLL CALL

PRESENT:

Ron Crowder, Chairman
Gene Smith, Secretary
Tracie Steans
Cleveland Lane
Bobby Hocking

3. APPROVAL OF MINUTES

a. Regular meeting of December 15, 2020

Board member Smith made a motion to approve minutes. Board member Hocking seconded the motion. Motion passed unanimously.

4. FINANCIAL REPORT

a. Presentation of the monthly financial report

The report stood as submitted.

5. PRESENTATION

a. Will Andino; Benito's International Restaurant

Will Andino was not present at the meeting, however Executive Director Getty spoke on his behalf explaining the need for financial assistance.

6. NEW BUSINESS

- a. Discussion/possible action regarding the offer received from Cobb, Fendley and Associates, Inc. on behalf of Gulf Coast Water Authority to purchase EDC owned property described by the Galveston Central Appraisal District as ABST 150 J D Moore SUR LOTS 12, 13 & PT of LOTS 11 & 14 BLK 24 DIV N COOK & STEWART SUB

Board member Hocking made a motion to authorize the Executive Director to continue negotiations on this piece of property. Board member Smith seconded the motion. The motion passed unanimously.

- b. Discussion/possible action regarding a potential SBA HUB Zone designation request

Board member Hocking made a motion to authorize the Executive Director to move forward with the request, and present to City Council. Board member Lane seconded the motion. The motion passed unanimously.

- c. Discussion/possible action regarding the application for incentives received from Benito's International Restaurant

Board member Hocking made a motion to approve a grant up to \$25,000 for Benito's International Restaurant. Board member Lane seconded the motion. The motion passed unanimously.

7. OLD BUSINESS

There was no old business.

8. DISCUSSION

- a. Director's Report - report may include information regarding past, present or future projects

Executive Director Getty submitted a report.

- b. Public Relations Report - report to include an overview of efforts as it pertains to public relations

Public Relations Specialist submitted a report.

9. EXECUTIVE SESSION

- a. Section 551.072 of the Government Code - deliberations about real property - land acquisition and or sale
- b. Section 551.071 of the Government Code - consultation with attorney

There was no Executive Session.

10. ACTION TO BE TAKEN FROM EXECUTIVE SESSION

- a. Consider land acquisition and or sale
- b. Consider action to be taken regarding consultation with attorney

There was no action to be taken.

11. REQUESTS, ANNOUNCEMENTS AND COMMENTS

The Board welcomed Board member Tracie Steans and Mrs. Steans expressed gratitude for her appointment.

12. ADJOURNMENT

The meeting was adjourned at 10:24 a.m.

Ron Crowder, Chairman

Kierra K. Nance
Deputy City Clerk



CITY COUNCIL AGENDA FORM

Meeting Date: April 12, 2021

Prepared by: Derra Purnell

Agenda item: 7f

Reviewed by: Charlene Warren

Charles Jackson

Department: City Attorney

AGENDA ITEM DESCRIPTION: Discussion relating to adopting Resolution No. **R-2021-0009**, to deny Texas-New Mexico Power's electric rate increase request for the maximum period allowed by law

☒

ATTACHMENTS FOR REFERENCE

1. Resolution
2. Lloyd Gosselink Memo

STAFF BRIEFING:

- On April 6, 2021, Texas New-Mexico Power (TNMP) filed a Distribution Cost Recovery Factor ("DCRF") seeking to increase distribution rates by \$14 million annually
- The City is a member of a Coalition of Cities known alternatively as Cities served by TNMP (Texas-New Mexico Power), whose primary focus is to advocate for the public interest before the Public Utility Commission (PUC)
- Cities Served by TNMP is working together to review TNMP's application and, through legal counsel (Lloyd Gosselink), prepare a common response and negotiate with TNMP
- Adoption of the resolution allows time to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy, including settlement
- Resolution also authorizes the hiring of Lloyd Gosselink and consultants to represent the City in this matter, and to negotiate on our behalf in settlement discussions, etc.
- If the City fails to act before the effective date, TNMP's rate request is deemed approved
- TNMP will reimburse the cities for their reasonable rate case expenses

HISTORY:

TARGET IMPLEMENTATION: April 12, 2021

SIGNIFICANT ACTION DATES:

6.4.2021 – Due date for Resolution to be adopted



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 Item #	
Other Funding	

STAFF'S RECOMMENDATION: Recommend to adopt Resolution No. **R-2021-0009**, to deny Texas-New Mexico Power's electric rate increase request for the maximum review period allowed by law

FISCAL IMPACT: Dependent upon outcome

RESOLUTION NO. R-2021-0009

A RESOLUTION OF THE CITY OF LA MARQUE, TEXAS FINDING THAT TEXAS-NEW MEXICO POWER COMPANY'S APPLICATION FOR APPROVAL TO AMEND ITS DISTRIBUTION COST RECOVERY FACTOR TO INCREASE DISTRIBUTION RATES WITHIN THE CITY SHOULD BE DENIED; AUTHORIZING PARTICIPATION WITH TNMP CITIES; AUTHORIZING THE HIRING OF LEGAL COUNSEL AND CONSULTING SERVICES; FINDING THAT THE CITY'S REASONABLE RATE CASE EXPENSES SHALL BE REIMBURSED BY THE COMPANY; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND LEGAL COUNSEL.

WHEREAS, the City of La Marque, Texas ("City") is an electric utility customer of Texas-New Mexico Power Company ("TNMP" or "Company") with an interest in the rates and charges of TNMP; and

WHEREAS, the Cities served by Texas-New Mexico Power Company ("TNMP Cities") is a coalition of similarly situated cities served by TNMP that have joined together to efficiently and cost effectively review and respond to electric issues affecting rates charged in TNMP's service area in matters before the Public Utility Commission ("Commission") and the courts; and

WHEREAS, on or about April 5, 2021, TNMP filed with the Commission an Application for Approval to Amend its Distribution Cost Recovery Factor ("DCRF"), Commission Docket No. 51959, seeking to increase distribution rates by \$13,959,505 million annually; and

WHEREAS, the City of La Marque will cooperate with TNMP Cities in coordinating their review of TNMP's DCRF filing with designated attorneys and consultants, prepare a common response, negotiate with the Company, and direct any necessary litigation, to resolve issues in the Company's filing; and

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

WHEREAS, working with the TNMP Cities to review the rates charged by TNMP allows members to accomplish more collectively than each city could do acting alone; and

WHEREAS, TNMP Cities' members and attorneys recommend that members who have retained original jurisdiction over electric utility rates deny TNMP's DCRF.

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

SECTION 1. That the City is authorized to participate with TNMP Cities in Commission Docket No. 51959.

SECTION 2. That, subject to the right to terminate employment at any time, the City of La Marque hereby authorizes the hiring of the law firm of Lloyd Gosselink Rochelle & Townsend, P.C. and consultants to negotiate with the Company, make recommendations to the City regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal TNMP's DCRF application.

SECTION 3. That the rates proposed by TNMP to be recovered through its DCRF charged to customers located within the City limits should be denied.

SECTION 4. That the Company should continue to charge its existing rates to customers within the City.

SECTION 5. That the City's reasonable rate case expenses shall be reimbursed in full by TNMP within 30 days of the adoption of this Resolution, and within 30 days of presenting monthly bills to TNMP thereafter.

SECTION 6. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

SECTION 7. That a copy of this Resolution shall be sent to Scott Seamster, Associate General Counsel, Texas-New Mexico Power Company, 577 N. Garden Ridge Blvd., Lewisville, Texas 75067, and to Thomas Brocato, General Counsel to TNMP Cities, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, TX 78767-1725, or tbrocato@lglawfirm.com.

PASSED, APPROVED AND ADOPTED on this _____ day of _____, 2021.

Keith Bell, Mayor

ATTEST:

Robin Eldridge, TRMC, City Clerk

APPROVED AS TO FORM:

Derra Leigh Purnell, City Attorney

Mr. Brocato's Direct Line: (512) 322-5890
Email: tbrocato@lglawfirm.com

M E M O R A N D U M

TO: Cities Served by TNMP ("TNMP Cities")
FROM: Thomas Brocato
Jamie Mauldin
DATE: April 7, 2021
RE: TNMP– Distribution Cost Recovery Factor ("DCRF") filing

CONFIDENTIAL/ATTORNEY-CLIENT COMMUNICATION
CITY ACTION REQUIRED NO LATER THAN JUNE 4, 2021

On April 5, 2021, Texas-New Mexico Power Company ("TNMP" or "Company") filed an Application for Approval to Amend its Distribution Cost Recovery Factor. In the filing, the Company is seeking an increase in distribution revenues of \$13,959,505.

TNMP Cities has engaged the services of a consultant, Mr. Karl Nalepa, to review the Company's filing. Mr. Nalepa will review the filing and identify adjustments that should be made to the Company's request. We are recommending that Cities deny the requested relief.

The Public Utility Commission of Texas's rules allow cities 60 days to act on this application. That deadline is June 4, 2021. **Accordingly, we request that each city schedule the draft resolution attached to this memorandum for consideration at their next council meeting.**

If you have any concerns or question please do not hesitate to contact me at (512) 322-5857, or tbrocato@lglawfirm.com. We appreciate your continued support.