

NOTICE OF LA MARQUE REGULAR CITY COUNCIL MEETING BY TELEPHONE CONFERENCE AND IN-PERSON

In accordance with order of the Office of the Governor issued March 16, 2020, the La Marque City Council will conduct a Regular Meeting on Monday, March 14, 2022, beginning at 6:00 PM. In accordance with Section 551.127(b) of the Texas Government Code a quorum of the La Marque City Council and the Mayor intend to be and will be physically present at 1109-B Bayou Road, La Marque, Texas. This location will be open to the public and the meeting will be broadcast at this location and via YouTube.

This Notice, the meeting agenda, and the agenda packet can be found online at:

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

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

Kimberley Yancy - District A

Mayor Pro-Tem Joe Compian - District B

Councilmember Michael Carlson - District C

Councilmember Casey McAuliffe - District D

ORDINANCE NO. O-2022-0003

RESOLUTION NO. R-2022-0006

**CITY OF LA MARQUE
CITY COUNCIL
REGULAR MEETING
of
MARCH 14, 2022**

Notice is hereby given that the City Council of the City of La Marque, Texas will conduct a **Regular Meeting on March 14, 2022**, beginning at 6:00 PM **in the Council Chambers at 1109-B Bayou Road, La Marque, Texas as well as via videoconference hosted through (ZOOM).** In accordance with Section 551.127(b) of the Texas Government Code a quorum of the La Marque City Council and the Mayor intend to be and will be physically present at 1109-B Bayou Road, La Marque, Texas. This location will be open to the public and the meeting will be broadcast at this location and via YouTube. The council will meet for the purpose of considering the following agenda:

- (1) CALL MEETING TO ORDER**
- (2) ROLL CALL**
- (3) INVOCATION AND PLEDGE OF ALLEGIANCE** - to be provided by the Ministerial Alliance
- (4) PRESENTATIONS/PROCLAMATION**
 - a. Gene Crow- 2021 Detective of the Year
 - b. Michael Turner- 2021 Officer of the Year
 - c. Sheila Maya- 2021 Civilian Employee of the Year
 - d. Proclamation- Stop the Violence Week
 - e. Proclamation- Abundant Life
 - f. Proclamation- Red Cross
 - g. Public Safety Building Update - Alec Luong
- (5) CITIZENS PARTICIPATION (Limited to three minutes per person)**

Comments from the public will be heard 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) should give the Mayor your name and the item you wish to speak about. 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. **Press *6 to mute or unmute if you are participating by telephone, press the unmute button if attending via zoom on a smartphone, tablet, or computer, or stand if attending in person, and the Mayor will call on you in turn.**

(6) CONSENT AGENDA

- a. Special City Council Minutes 01.24.2022
- b. Special City Council Minutes 02.17.2022
- c. Discussion/ possible action regarding adopting Resolution No. R-2022-0006, reappointing Georgia Meyer Barzilay to the Board of Directors of the Southeast Texas Housing Finance Corporation- City Clerk K. Nance
- d. Discussion/ possible action regarding accepting the quarterly investment reports for Fourth Quarter 2021- Finance Director S. Kou

(7) NEW BUSINESS

- a. Discussion/ Possible action regarding adopting Ordinance No. O-2022-0003, establishing a Public Safety Building Committee, providing an effective date, and making other provisions related to the subject- Legal G. Knebel
- b. Discussion/ possible action regarding authorizing certain officers of the City to sign and endorse agreements relating to Texas Global Opioid Settlements covered by the Texas Abatement Fund Council and Settlement Allocation Term Sheet- Legal G. Knebel
- c. Discussion/ possible action regarding the City of La Marque 5-year Strategic Plan- EDC Director A. Getty
- d. Discussion/ possible action regarding the interior remodel of 1130 1st Street- EDC Director A. Getty
- e. Discussion/ provide direction regarding updating city zoning maps- Mayor Pro Tem J. Compian
- f. Discussion/ possible action regarding AARP Community Challenge Grant (deadline March 22nd)- Mayor Pro Tem J. Compian
- g. Discussion / possible action regarding membership to Sister Cities International- Mayor Pro Tem J. Compian
- h. Discussion/ possible action regarding membership to National Civic League- Mayor Pro Tem J. Compian

(8) REPORTS

- a. Annual Racial Profiling Report- Police Chief R. Aragon/ Lieutenant G. Price
- b. State of Texas Broadband Public Hearing by the Texas Broadband Development Office- Mayor Pro Tem J. Compian

(9) APPOINTMENTS

- a. Discussion/possible action regarding appointments and/or reappointments to fill various positions of the Boards and Commissions - Mayor K. Bell

(10) EXECUTIVE SESSION

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

- a. Section 551.074 (Personnel Matters)- Discussion relating to City Manager Contract negotiations
- b. Section 551.071 (Consultation with Attorney) - Discussion relating to Cause No. 20-CV-0633 *La Marque Economic Development Corporation et. al. vs. Texas City Terminal Railway Company* in the 122nd District Court of Galveston County, Texas

(11) ACTION - EXECUTIVE SESSION

- a. Discussion/ possible action regarding City Manager Contract- Legal G. Knebel

(12) REQUESTS AND ANNOUNCEMENTS

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

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

(13) ADJOURNMENT

CERTIFICATION:

I hereby certify that the above notice of meeting was posted at 1109-B Bayou Road, La Marque, Texas on or before March 11, 2022, before 5:30 p.m.

Kierra K. Nance, TRMC
City Clerk

Office of the Mayor
for the City of La Marque

PROCLAMATION

WHEREAS, in the year 2021 The City of La Marque took a pledge to become one of the safest cities in Texas; and

WHEREAS, the city has implemented a Safe City Initiative that encompasses community policing, citizen participation, and measurable metrics to further advance the safety and security of the citizens and property in La Marque; and

WHEREAS, gun violence continues to rise across the country with nearly 100 Americans losing their lives to gun violence each day; and

WHEREAS, freshman Councilmember Kimberley Yancy of District A along with a host of community partners took this as a call to action and created "Stop The Violence Week", a week of motivation, education, spirituality, and community aimed at reducing gun violence within the City of La Marque by 10 percent within 12 months;

WHEREAS, we recognize Councilwoman Yancy, the residents of District A, and the community at large for taking a stand on an epidemic that disproportionately effects our community;

NOW, BE IT RESOLVED, that the community of La Marque appreciates and celebrates all individuals committed to this "Stop the Violence" initiative;

NOW, THEREFORE, we the Mayor and City Council by virtue of our authority vested by the City of La Marque, Texas do hereby proclaim February 19-26, 2022 as:

"STOP THE VIOLENCE WEEK"

in the City of La Marque and do hereby urge everyone in the community to participate in this week of awareness.

In testimony whereof, witness my hand and the Seal of the City of La Marque, this the 26th day of February 2022.

Keith Bell, Mayor

Office of the Mayor
for the City of La Marque

PROCLAMATION

WHEREAS, Pastor Walter and Cindy Hallam began their ministry with 10 members in their living room on March 6, 1985; and

WHEREAS, their ministry quickly and continuously began to grow, resulting in occupying multiple facilities over the years until their growth exceeded each facility's capacity until creating the Abundant Life Cristian Center that stands today, hosting several thousand members and the addition of two pastors; and

WHEREAS, Abundant Life Christian Center has had a significant impact on the community through their ministry, fellowship, educational system, and service; and

WHEREAS, Abundant Life Christian Center celebrates 37 years of growth and service to the City of La Marque and surrounding areas; and

NOW, BE IT RESOLVED, that the community of La Marque celebrates this momentous occasion alongside Pastors Walter and Cindy Hallam as well as the Abundant Life Christian Center Congregation; and

NOW, THEREFORE, we the Mayor and City Council by virtue of our authority vested by the City of La Marque, Texas do hereby proclaim today as:

"ABUNDANT LIFE CHRISTIAN CENTER DAY"

in the City of La Marque and do hereby urge everyone in the community to participate in this day of observance.

In testimony whereof, witness my hand and the Seal of the City of La Marque, this the 6th day of March 2022.

Keith Bell, Mayor

Office of the Mayor
for the City of La Marque

PROCLAMATION

WHEREAS, in times of crisis, people in the American Red Cross Galveston County Chapter come together to care for one another. This humanitarian spirit is part of the foundation of our community and is exemplified by American Red Cross volunteers and donors; and

WHEREAS, in 1881, Clara Barton founded the American Red Cross, turning her steadfast dedication to helping others into a bold mission of preventing and alleviating people's suffering. Today, more than 140 years later, we honor the kindness and generosity of Red Cross volunteers here in La Marque, who continue to carry out Clara's lifesaving legacy. They join the millions of people across the United States who volunteer, give blood, donate financially, or learn vital life-preserving skills through the Red Cross; and

WHEREAS, in La Marque, the contributions of local Red Cross volunteers give hope to the most vulnerable in their darkest hours, whether it's providing emergency shelter, food, and comfort for families devastated by local disasters like home fires, hurricanes, and tropical storms. Or donating essential blood for accident and burn victims, heart surgery and organ transplant patients, and those receiving leukemia, cancer, or sickle cell disease treatment. Another wonderful thing the Red Cross does is support service members and veterans, along with their families and caregivers, through the unique challenges of military life. The Red Cross also helps to save the lives of others with first aid, CPR, and other skills; and

WHEREAS, their work to prevent and alleviate human suffering is vital to strengthening our community's resilience. We dedicate this month of March to all those who continue to advance the noble legacy of American Red Cross founder Clara Barton, who lived by her words, "You must never think of anything except the need, and how to meet it." We ask others to join in this commitment to give back to our community; and

NOW, THEREFORE, we the Mayor and City Council, by virtue of our authority vested by the City of La Marque, Texas do hereby proclaim March 2022 as:

"RED CROSS MONTH"

in the City of La Marque and do hereby urge everyone in the community to reach out and support its humanitarian mission.

In testimony whereof, witness my hand and the Seal of the City of La Marque, this the 14th day of March 2022.

Keith Bell, Mayor



**CITY OF LA MARQUE
CITY COUNCIL SPECIAL
MINUTES
of
JANUARY 24, 2022**

City Council Special Minutes of the City of La Marque City Council held on Tuesday, January 24, 2021, at 6:00 p.m. at 1109-B Bayou Road with the following members present:

(1) CALL TO ORDER

Mayor Bell called the Regular Meeting to order at 6:01 p.m.

(2) ROLL CALL

Keith Bell

Kimberley Yancy

Joe Compian

Michael Carlson

Casey Mc Auliffe

Mayor

Councilwoman, District A (11705 Oak Hollow
Atlanta, GA 30228)

Councilmember, District B

Councilmember, District C

Councilwoman, District D (1111 Bayou La
Marque, TX)

OTHER OFFICIALS PRESENT:

Randall Aragon

Kierra K. Nance

Gus Knebel

Interim City Manager

City Clerk

Consulting City Attorney

(3) INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Bell delivered the invocation and Mayor Pro-Tem Compian led the Pledge of Allegiance.

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

There was no citizens participation.

(5) PUBLIC HEARING

** Mayor Bell closed the meeting at 6:07 p.m. and opened the Public Hearing.

- a. Conduct Public Hearing to hear input regarding adopting Ordinance No. O-2021-0018, amending Section 8.8 of the City Code to allow for the keeping of hens; making various findings and providing for an effective date
- b. Conduct Public Hearing to hear input regarding adopting Ordinance No. O-2021-0020, amending the fiscal year 2020-21 budget for various funds' fund balances and increasing certain expenditures to individual budget accounts in various funds and increasing certain revenues
- c. Conduct Public Hearing to hear input regarding adopting Ordinance No. O-2021-0021, amending the city's zoning map and comprehensive plan by changing the zoning district for part of Block 25 (2500-8) Div. E Cook & Stewart Subdivision, located near Cedar Dr. and Lilac (Galveston County Property ID# 195743); providing a penalty in an amount not to exceed \$2000 for each violation; providing an effective date; and making other provisions related to the subject
- d. Conduct Public Hearing to hear input regarding adopting Ordinance No. O-2022-0001, authorizing the issuance and sale of the City of La Marque, Texas public property finance contractual obligations series 2022; levying a tax in payment thereof; and enacting other provisions relating thereto

There was no participation.

** Mayor Bell closed the Public Hearing and reconvened the Special Meeting at 6:08 p.m.

(6) OLD BUSINESS

- a. Discussion/possible action regarding adopting Ordinance No. O-2021-0018, amending Section 8.8 of the City Code to allow for the keeping of hens; making various findings and providing for an effective date **THIS IS THE SECOND AND FINAL READING**

** Michael Carlson made a motion to adopt Ordinance No. O-2021-0018. Mayor Pro-Tem Compian seconded the motion. **MOTION PASSED UNANIMOUSLY**

- b. Discussion/possible action regarding adopting Ordinance No. O-2021-0020, amending the fiscal year 2020-21 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 SECOND AND FINAL READING**

** Councilmember Carlson made a motion to adopt Ordinance No. O-2021-0020. Councilmember Yancy seconded the motion. **MOTION PASSED UNANIMOUSLY**.

- c. Discussion/ possible action regarding adopting Ordinance No. O-2021-0021, amending the city's zoning map and comprehensive plan by changing the zoning district for part of Block 25 (2500-8) Div. E Cook & Stewart Subdivision, located near Cedar Dr. and Lilac (Galveston County Property ID# 195743); providing a penalty in an amount not to exceed \$2000 for each violation; providing an effective date; and making other provisions related to the subject **THIS IS THE SECOND AND FINAL READING**

****** Councilmember Carlson made a motion to adopt Ordinance No. O-2021-0021. Mayor Pro Tem Compian seconded the motion. MOTION PASSED UNANIMOUSLY.

- d. Discussion/ provide direction regarding acquisition of a police substation

A brief discussion relating to pulling this item from the agenda ensued. Councilmember McAuliffe requested that at the next meeting that this is discussed more information is provided in advance to be better prepared to discuss.

****** Councilmember Carlson made a motion to table. Councilmember Yancy seconded the motion. MOTION PASSED UNANIMOUSLY.

- e. Discussion/ possible action regarding forming a Charter Review Committee

Councilwoman McAuliffe raised questions regarding how often the committee would meet and what the timeline would look like. Mayor Pro Tem Compian suggested appointing more than a single member and it was decided that a member and an alternate member would be appointed at the February City Council meeting.

****** No action was taken on this item.

- f. Discussion/ possible action regarding allocating funds received from American Rescue Plan Act

Mayor Pro Tem Compian gave the public a brief recap of the discussions with Grantworks that were held at the Special City Council Workshop held at 3 pm on January 24, 2022.

Mayor Bell announced the discussed process for prioritizing projects for American Rescue Plan Act funds, beginning with the Finance Department bringing forth the items that were named but unfunded in the budget cycles followed by recommendations from the department heads. Following those recommendations an online survey will be presented to the community to choose which items the community believes Council should move forward with allowing space for the community to add items that they believe are a priority in the event that they

are not already named. In March, these items will be brought to Council and a discussion will begin on how to move forward.

- ** Councilman Carlson made a motion to approve the process of allocating American Rescue Plan Act funds. Councilmember McAuliffe seconded the motion. MOTION PASSED UNANIMOUSLY.

(7) NEW BUSINESS

- a. Discussion/possible action regarding Resolution No. **R-2022-0001**, whereas the City desires to reimburse itself for the costs associated with the Financed Project from the proceeds of obligations to be issued subsequent to the date hereof

Finance Director briefly explained the purpose of the Resolution, the purpose is to allow a mechanism to reimburse the City for the purchase of equipment in the event that debt is issued.

Jonathan Frells, Bracewell explained that the Resolutions on the agenda are for Federal Income Tax purposes, allowing the City to make purchases with General Fund proceeds until the proceeds of tax exempt debt have been received and reimburse the General Fund with monies received at a later date.

Mayor Bell asked Mr. Frells to explain what would happen if the Council proceeded with approving the Resolution however, at a later date chose to utilize other funds to make said purchases. Mr. Frells clarified that passing the Resolutions presented did not obligate the City to any financial obligations.

Councilmember McAuliffe asked questions relating to the ability to use potential federal funding to reimburse this purchase. Mr. Frells stated that it is something that should be explored because while theoretically it could be true there are often restrictions.

- ** MPT made a motion to approve Resolution No. R-2022-0001. Councilmember McAuliffe seconded the Motion. MOTION PASSED WITH 4 AYES AND 1 NAY.

- b. Discussion/possible action regarding Resolution No. **R-2022-0002**, whereas the City reasonably expects to reimburse itself for costs of facilities assessment and the design, construction, acquisition, and equipment of a public safety building and the costs of professional services prior to issuance of future related debts

- ** Councilmember Carlson made a motion to adopt Resolution No. R-2022-0002. Councilmember McAuliffe seconded the motion. MOTION PASSED UNANIMOUSLY.

- c. Discussion/possible action regarding renewing contract with financial advisor ("Stifel") to assist the City with GO Bond Election and other various financing transactions
- Finance Director S. Kou

Councilmember Carlson made a motion to renew contract with financial advisor Stifel to assist the City with GO Bond Election and other various financing. Mayor Pro Tem Compian seconded the motion. MOTION PASSED UNANIMOUSLY

- d. Discussion/ possible action regarding adopting Ordinance No. O-2022-0001, authorizing the issuance and sale of the City of La Marque, Texas public property finance contractual obligations series 2022; levying a tax in payment thereof; and enacting other provisions relating thereto- Finance Director S. Kou THIS IS THE FIRST AND FINAL READING

David Webb, of Stifel Investment Services clarified the reasoning for the First and Final Reading.

Mayor Pro Tem Compian had questions relating to the payment amounts that were clarified by Finance Director Kou.

Mayor Bell asked Finance Director why this method of financing was chosen as opposed to another financing mechanism. Finance Director attributed the decision timing, market conditions allowing for competitive interest rates, and budget impact.

- ** Mayor Pro Tem Compian made a motion to approve Ordinance No. O-2022-0001. Councilmember McAuliffe seconded the motion. MOTION PASSED WITH 4 AYES AND 1 NAY.

Councilmember Carlson wanted to go on record saying he does agree to the need however has an issue with the timing of the request.

- e. Discussion/possible action regarding ratifying of a Capital expenditure to the Houston-Galveston Area Council for the cost of a new Gradall XL3300 All-Wheel Drive Excavator, in the amount of \$399,214.54

Public Works Director Rick Sailer spoke to the timeline of the purchase of this Gradall as well as the need and functionality of this piece of machinery. Ultimately this purchase will work towards improving the drainage in the City.

A brief discussion regarding the need for a new Gradall and current conditions of equipment already owned by the City.

- ** Mayor Pro Tem Compian made a motion to ratify a Capital expenditure to the Houston-Galveston Area Council for the cost of a new Gradall XL3300 All-Wheel Drive Excavator, in the amount of \$399,214.54. Councilmember McAuliffe seconded the motion. MOTION PASSED UNANIMOUSLY.

- f. Discussion/possible action regarding approving (12) new laptops for police department patrol cars

Councilmember Carlson made a motion to approve the purchase of (12) new laptops for police department patrol cars. Mayor Pro Tem seconded the motion. MOTION PASSED UNANIMOUSLY.

- g. Discussion/possible action regarding approving issuance of Unlimited Tax Refunding Bonds Series 2022 under Galveston County Municipal Utility District (MUD) 32 in the amount not to exceed \$1,900,000
Loren Morales, a financial advisor for the MUD 32 District spoke on their behalf, requesting Refunding Bonds to realize “pretty significant” debt savings by reissuing debt.

** Councilmember Carlson exited the room at 7:44 p.m. and returned at 7:48 p.m.

** Mayor Pro Tem made a motion to approve the issuance of Unlimited Tax Refunding Bonds Series 2022 under Galveston County Municipal District (MUD) 32 in the amount not to exceed \$1,900,000. Councilmember Carlson seconded the motion. MOTION PASSED UNANIMOUSLY.

- h. Discussion/ possible direction regarding creating a Vacant Registry Program
Development Service Director Kathleen Van Stavern introduced the idea of a Vacant Building Registration Program that would require a registration process for vacant commercial buildings incurring costs for buildings unoccupied for an extended point of time to clean up the city and assist with the Safe City Initiative.

Councilmember Yancy identified that this is a “blind spot” for our city, identifying that there are areas that have had vacancies for over 5 years and the buildings are run down but not yet substandard.

** Councilmember Carlson made a motion to table this item until the February City Council meeting. Councilmember Yancy seconded the motion. MOTION PASSED UNANIMOUSLY.

- i. Discussion/ possible action regarding scheduling interviews of initial candidates for the City Manager position
A brief discussion relating to solidifying dates for interviews. February 3rd was the date selected beginning at 5:00 p.m. Councilmember Carlson requested to be recused from the city manager proceedings.

** No action was taken on this item.

(8) EXECUTIVE SESSION

The City Council for the City of La Marque, Texas reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized the Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real

Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.086 (Economic Development)

There was no Executive Session.

(9) REQUESTS AND ANNOUNCEMENTS

Councilmember Yancy thanked everyone for their prayers as she has lost another family member and asked for continued prayers for everyone as many are still losing their lives to COVID as well as natural causes. She also thanked Council for allowing her this time to travel to be with her family.

Councilmember Carlson began by sending his thoughts and prayers to former Mayor Hocking and family as they lost former First Lady Hocking recently. He also apologized if he came across as hypercritical on staff it was not his intention. He acknowledges and appreciates all of the work that is done by staff for the city. He thanked all of the citizens that have been present and sharing their love for the city on social media recently, emphasizing that the city is moving forward.

Mayor Pro Tem shared his sympathies for both former Mayor Hocking, Councilwoman Yancy, and the families of the law enforcement officers who lost their lives also. He spoke to the need to look out for each other, and encourage all of those who need counselling, or mental health services to seek the help that is available to them. He closed by thanking everyone who attended and participated.

Mayor Bell echoed his condolences and shared his appreciation for former First Lady Hocking and shared how she will be missed. He stated that government notoriously moves slowly, sometimes does not feel like it is moving forward, and sometimes feels a little messy, but it works. He reminded the community that Council is not a group of experts, they are just people who have volunteered to navigate the processes the best way they know how, together; sometimes they will get it right and other times mistakes will be made, but they are simply trying to do what is best for the community. Mayor Bell announced the Tax Rollback Forum on Thursday, January 27, 2022, and urged the public to participate. He posed a question to the community asking how we went from wanting to better the community and make our town safer to attacking one another. He welcomes anyone who is willing to work to making La Marque a better place to speak with him, and although they may not agree, he will be willing to discuss and prove to them that their opinion matters. He also announced that January 31, 2022, that the Kickoff for the Lake Road North Community Policing Kickoff meeting will begin at 6:00 p.m. at McKinney United Methodist Church. Mayor Bell also gave kudos to Michael "Rock" Bock and Greg Cornett for receiving the Rising Star Award from the Texas City- La Marque Chamber of Commerce.

(10) ADJOURNMENT

Councilmember Carlson made a motion to adjourn the meeting at 8:31 p.m. Councilmember. Yancy seconded the motion. MOTION PASSED UNANIMOUSLY.

Keith Bell, Mayor

ATTEST:

Kierra K. Nance, TRMC
City Clerk



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

**CITY OF LA MARQUE
CITY COUNCIL
SPECIAL MEETING
of
FEBRUARY 17, 2022**

Minutes of a City Council Special Meeting held in the Council Chambers, 1109 Bayou Road, La Marque, Texas as well as via teleconference - ZOOM and via YouTube. The council will meet for the purpose of considering the following agenda:

(1) CALL MEETING TO ORDER

Mayor Bell called the meeting to order at 6:01 p.m.

(2) ROLL CALL

Keith Bell	Mayor
Kimberley Yancy	Councilmember District A
Joe Compian	Mayor-Pro-Tem District B
Michael Carlson	Councilmember District C
Casey Mc Auliffe	Councilmember District D (4101 Main St. La Marque, TX 77568)

STAFF:

Randall Aragon	Interim City Manager
Gus Knebel	Consulting City Attorney
Kierra Nance	City Clerk

(3) INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Bell led the invocation and Mayor Pro Tem Compian led the Pledge of Allegiance.

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

Comments from the public will be heard 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) should give the Mayor your name and the item you wish to speak about. 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. **Press *6 to mute or unmute if you are participating by telephone, press the unmute button if attending via zoom on a smartphone, tablet, or computer, or stand if attending in person, and the Mayor will call on you in turn.**

There was no citizens participation.

** Mayor Bell closed the Special meeting at 6:06 p.m.

(5) PUBLIC HEARING

- a. Conduct Public Hearing to hear input regarding adopting Ordinance No. O-2022-0002, calling a bond election to be held within the City of La Marque, making provisions for the conduct and the giving of notice of the election and containing other provisions relating thereto - Legal J. Frels

** Mayor Bell opened the Public Hearing at 6:07 p.m.

Laura Divine (1406 Merry Lane) she thanked Mayor and Council for the consideration of the Bond issue and recalled the difficult process of passing a bond at College of the Mainland. She spoke to how desperately a new Police Station is needed. However, she does not believe that the people of the City can get behind this bond. Fourteen (14) million dollars is a lot of money. Recommended getting the number down to possibly (8) million. She stated that she will do whatever she needs to do to help get this bond passed once a reasonable amount is assessed.

** Mayor Bell closed the Public Hearing at 6:11 p.m.

** Mayor Bell reconvened the Special Meeting at 6:12 p.m.

(6) NEW BUSINESS

- a. Discussion/ possible action regarding adopting Ordinance No. O-2022-0002, calling a bond election to be held within the City of La Marque, making provisions for the conduct and the giving of notice of the election and containing other provisions relating thereto - Legal J. Frels

** *This item was discussed after Executive Session*

Council addressed that this item needs more time and should include the department as well as the community in order to receive all of what is needed without causing overdue burden to the taxpayers.

Mayor and other members pledged their commitment to a new police station. Mayor announced that instead of utilizing a General Bond the City will be utilizing Certificates of Obligation, citing the flexibility of Certificate of Obligations as a driving factor.

Mayor stated that this year this Council will: immediately begin to study the options provided by Alec Luong and work with the finance department to better understand the financing details and name a Public Safety Building Committee. All of the aforementioned things will be achieved before the May 7, 2022, election date.

** No action was taken.

- b. Discussion relating to Managerial Audit - Legal G. Knebel
Consulting City Attorney Gus Knebel gave a brief summary of his findings after conducting a Managerial Audit as directed by former Interim City Manager Chaise Cary. There were (5) primary issues to be reviewed: succession planning, records management, City issued vehicles for elected officials, the 2021-2022 budget and staffing within the City Manager's office. City Attorney Knebel recalled that the top (6) employees all left within a two-week period on or shortly after July 1, 2021, those employees being Charles "Tink" Jackson (City Manager), Charlene Warren (Assistant City Manager), David Jordan (Assistant City Manager), Derra Purnell (City Attorney), Todd Weidman (Fire Chief), and Charles "Kirk" Jackson (Police Chief). The latter who had already announced his retirement but rescheduled his departure date to coincide with the exodus. The report stated that no evidence of criminal actions was discovered, but a culture of distrust between upper-level staff and City Council. City attorney went on to speak on the topics of communication channels, Police Association negotiations, the use of City vehicles by former elected officials, and staffing in the City Manager's Office.

After a lengthy discussion with City Council no action was taken.

(7) NEW BUSINESS

- a. Discussion/possible action regarding the City Manager position for the City of La Marque - Mayor K. Bell

Mayor Bell asked for representatives from both the Community panel which consisted of (4) chairpersons of City Boards and Commissions and also the panel of director level staff. They gave short reports of their observations during the process and thanked Council for the ability to participate in such an important process.

After some preliminary discussions and taking Staff and the Community leaders input into consideration it was determined that Cesar Garcia, Lionel Lyons, and Cynthia Northrop were top contenders.

Mayor Pro Tem Compian gave a compelling argument for Mr. Garcia, noting his ability to innovate, and comparing him to a former employee of a Greater Houston city that showed similar promise and went on to do amazing things.

Council member McAuliffe and Council member Yancy expressed discomfort with having this full discussion in public due to the nature of some of the discussions that needed to be had, both agreeing that personnel discussions are very sensitive, and a public meeting was not the forum to discuss some of the details.

****** Mayor Bell closed the Special meeting and moved into Executive Session under Section 551.074 (Personnel Matters) 7:49 p.m.

****** Mayor Bell closed the Executive Session and reconvened the Special meeting at 8:14 p.m.

Council member Yancy announced her top two candidates as Cesar Garcia and Lionel Lyons speaking to the fact that Mr. Garcia has management experience, professionalism, bilingual, is local and can begin quickly, and also received buy in from our community panel.

** Mayor Pro Tem Compian made a motion to extend an offer to Cesar Garcia for the City Manager position. Council member Yancy seconded the motion.

Mayor spoke to some heartburn over the nomination, not because he is a bad candidate, he sees a lot of potential but identifies that Ms. Northrop has a wealth of experience. He is not declining to work with Mr. Garcia in the event that he is chosen but he is unsettled at this time.

Council member McAuliffe also expressed the remarkable potential of Mr. Garcia; however, she too is unsettled.

After Mayor Bell asked the City Attorney Council member McAuliffe asked the Council to also consider Lionel Lyons.

Mayor Pro Tem Compian and Council member Yancy spoke to why Mr. Garcia is their top choice. Councilwoman McAuliffe acknowledged that her fellow councilmembers made good points.

Mayor asked the community leaders and city staff if they would be comfortable working with Mr. Garcia, the overwhelming majority said yes. Development Services Director reassured Council that staff will work with whomever Council chooses, it would not be fair to ask staff who they like personally, staff is in full support of Council's decision. Mayor acknowledged that he nor Council is asking for staff to make a decision but is showing compassion and making sure that staff would be ok with the choice.

Executive to the City Manager Jennifer Earl spoke also identifying that in her opinion the City needs someone with experience and a sense of stability. She expressed the need for someone who is in it for the long haul and does not want someone to treat the City as a training ground.

Mr. Loftis spoke to the need for someone who is strong-willed with experience, he speaks to hiring Mr. Garcia simply because he is the best candidate, not on the strength of the fact that he lives here. Sometimes people from the outside can be a better option, other times not so much so. The community is asking that the Council makes the right choice, based on the qualifications that they have.

Mayor Pro Tem Compian made a point of clarification that all of the candidates are highly qualified and were vetted by one of the highest-ranking search firms in the nation.

Council member McAuliffe reminded Council that one of the initial criteria, for all of Council, was for candidates to have City Manager experience and

identified that as the reason that Mr. Lyons and Ms. Northrop were “edging out” Mr. Garcia.

****** After much deliberation the MOTION PASSED WITH 4 VOTES AND ONE ABSTENTION.

Council spoke to the need to revisit the standard contract that the City has provided to the former city managers. Mayor Bell requested that the 11-month severance not be offered as it has been traditionally simply due to the burden it places on the city’s reserve fund. Council member McAuliffe spoke to wanting to review best practices and also be cautious about this issue taking into consideration the events of last fiscal year.

Mayor asked that a contract be brought to Council at the next meeting before negotiations begin.

****** Mayor Bell closed the Special Meeting and retreated into Executive Session at 8:55 p.m.

(8) EXECUTIVE SESSION

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

- a. Consultation with attorney (section 551.071)- Discussion relating to Bond Election

****** Mayor closed the Executive Session and returned to the Special Meeting at 10:46 p.m.

(9) REQUESTS AND ANNOUNCEMENTS

Council member Yancy announced the Stop the Violence events that begin Saturday, February 19, 2022.

Mayor Pro Tem Compian announced the Garden Club’s Cleanup event that is also being held Saturday, February 19, 2022, beginning at the Central Fire Station at 9:30 a.m. as apart of the Keep Texas Beautiful Adopt a Road program. He also asked that soon we have a “good spirited” discussion about water bills in the near future.

Mayor announced the Texas Independent Trail Ride at Highland Bayou Park, also taking place on Saturday, February 19, 2022, and the first annual State of the Cities address at La Marque High School. This event will take place at 6:00 pm on February 24, 2022.

Council member Carlson notified the community of a new business called “Sweet Treats” near Barcenas owned by a La Marque High School graduate. He apologized to the Council for not participating in the City Manager decision.

(10) ADJOURNMENT

****** Meeting was adjourned at 11:03 p.m.

Keith Bell
Mayor

Kierra K. Nance, TRMC
City Clerk

APPROVED AS TO FORM:

Gus Knebel
City Attorney



CITY COUNCIL AGENDA FORM

Meeting Date: March 14, 2022

Prepared by: K. Nance

Department: City Council

Agenda item: 6c

Reviewed by: G. Galicia

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding adopting **Resolution No. R-2022-0006**, reappointing Georgia Meyer Barzilay to the Board of Directors of the Southeast Texas Housing Finance Corporation

ATTACHMENTS FOR REFERENCE (All reference items in the order of importance)

☒ X

1. Resolution No. R-2022-0006

STAFF BRIEFING:

- Gary Meyer served as a Director of the Southeast Texas Housing Finance Corporation representing the La Marque- Texas City area for over twenty five years
- In 2013 the City of La Marque appointed Mrs. Meyer Barzilay to the Southeast Texas Housing Finance Corporation

Has City authorized Engineer reviewed and approved?

N/A

Has City Attorney OR Special Legal Counsel reviewed and approved?

N/A

Have you discussed availability of funds/accounts with Finance Director?

Has Finance Director verified Purchasing Policy followed?

N/A

Have you presented your project to the Grants Administration Team and City Manager?

N/A

HISTORY: Use bullets, not paragraphs!!! for background and, if applicable, dates underline/bold

- Resolution No. R-2013-0023 passed December 9, 2013
- March 3, 2022 Southeast Texas Housing Finance Corporation requested reappointment

TARGET IMPLEMENTATION: March 15, 2022

SIGNIFICANT ACTION DATES:



CITY COUNCIL AGENDA FORM

ACTION:

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

Cost Details:

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

STAFF'S RECOMMENDATION: Motion to adopt **Resolution No. R-2022-0006**, reappointing Georgia Meyer Barzilay to the Board of Directors of the Southeast Texas Housing Finance Corporation.

FISCAL IMPACT: None

RESOLUTION NO. R-2022-0006

**A RESOLUTION OF THE CITY OF LA MARQUE APPOINTING A DIRECTOR OF THE
SOUTHEAST TEXAS HOUSING FINANCE CORPORATION**

WHEREAS, the City of La marque (the “Local Unit”) is a member of the Southeast Texas Housing Finance Corporation (the “Corporation”), and

WHEREAS, the term of Georgia Meyer Barzilay as a Director of the Corporation appointed by the Local Unit is about to expire or has expired; and

NOW, THEREFORE BE IT RESOLVED by the presiding body of the City of La Marque that Georgia Meyer Barzilay is appointed by the Local Unity as a Director of the Corporation for a term of six (6) years beginning 2022 and ending 2028.

PASSED, APPROVED AND ADOPTED by City Council of the City of La Marque on this the 14th day of **March 2022**.

CITY OF LA MARQUE, TEXAS

Keith Bell, Mayor
City of La Marque

ATTEST:

Kierra K. Nance, TRMC
City Clerk



CITY COUNCIL AGENDA FORM

Meeting Date: March 14, 2022

Agenda item: 6d

Prepared by: Suzy Kou

Reviewed by: G. Galicia

Department: Finance

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding accepting the quarterly investment reports for Fourth Quarter 2021

☒

1. Investment Reports-Fourth Quarter 2021

STAFF BRIEFING:

- Per Public Funds Investment Act, we are required to submit quarterly investment reports to Council for acknowledgment purposes.

HISTORY:

TARGET IMPLEMENTATION:

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 Items #	
Other Funding	

STAFF'S RECOMMENDATION: Motion to accept the quarterly investment reports for Fourth Quarter 2021

FISCAL IMPACT: N/A



City of La Marque, Texas

Quarter Ended **12/31/2021**
Detailed Holdings

TexPool Rate: 0.0376
Logic Rate: 0.0737
DWS 0.0100

Fund	Fund Categories	Description	Type	CUSIP	Coupon	Settlement Date	Maturity Date	Par Value	Purch Price	Purch Cost	Book Value	Mkt Price	Mkt Value	Days to Mat	YTM
General Fund	General Fund	Logic	LGIP		0.0737			3,634,477.21	100.000	3,634,477.21	3,634,477.21	100.000	3,634,477.21	1	0.0737
General Fund	General Fund	TexPool	LGIP		0.0376			991,225.60	100.000	991,225.60	991,225.60	100.000	991,225.60	1	0.0376
General Fund	General Fund	DWS	MMKT		0.0100			511,763.51	101.000	511,763.51	511,763.51	100.000	511,763.51	1	0.0100
Utility Fund	Utility Fund	Logic	LGIP		0.0737			(489,382.41)	100.000	(489,382.41)	(489,382.41)	100.000	(489,382.41)	1	0.0737
Utility Fund	Utility Fund	TexPool	LGIP		0.0376			(133,468.54)	100.000	(133,468.54)	(133,468.54)	100.000	(133,468.54)	1	0.0376
Utility Fund	Utility Fund	DWS	MMKT		0.0100			(68,908.96)	100.000	(68,908.96)	(68,908.96)	100.000	(68,908.96)	1	0.0100
Utility Fund	Utility Fund (Restricted)	Logic	LGIP		0.0737			75,114.81	100.000	75,114.81	75,114.81	100.000	75,114.81	1	0.0737
Utility Fund	Utility Fund (Restricted)	TexPool	LGIP		0.0376			20,485.95	100.000	20,485.95	20,485.95	100.000	20,485.95	1	0.0376
Utility Fund	Utility Fund (Restricted)	DWS	MMKT		0.0100			10,576.77	100.000	10,576.77	10,576.77	100.000	10,576.77	1	0.0100
Replacement Fund	Replacement Fund	Logic	LGIP		0.0737			317,173.79	100.000	317,173.79	317,173.79	100.000	317,173.79	1	0.0737
Replacement Fund	Replacement Fund	TexPool	LGIP		0.0376			86,502.34	100.000	86,502.34	86,502.34	100.000	86,502.34	1	0.0376
Replacement Fund	Replacement Fund	DWS	MMKT		0.0100			44,660.61	100.000	44,660.61	44,660.61	100.000	44,660.61	1	0.0100
Hotel Motel Fund	Hotel Motel Fund	Logic	LGIP		0.0737			455,580.07	100.000	455,580.07	455,580.07	100.000	455,580.07	1	0.0737
Hotel Motel Fund	Hotel Motel Fund	TexPool	LGIP		0.0376			124,249.68	100.000	124,249.68	124,249.68	100.000	124,249.68	1	0.0376
Hotel Motel Fund	Hotel Motel Fund	DWS	MMKT		0.0100			64,149.32	100.000	64,149.32	64,149.32	100.000	64,149.32	1	0.0100
Debt Service	Debt Service Fund	Logic	LGIP		0.0737			32,176.41	100.000	32,176.41	32,176.41	100.000	32,176.41	1	0.0737
Debt Service	Debt Service Fund	TexPool	LGIP		0.0376			8,775.42	100.000	8,775.42	8,775.42	100.000	8,775.42	1	0.0376
Debt Service	Debt Service Fund	DWS	MMKT		0.0100			4,530.70	100.000	4,530.70	4,530.70	100.000	4,530.70	1	0.0100
LM EDC Operating	LM EDC	Logic	LGIP		0.0737			5,106,669.90	100.000	5,106,669.90	5,106,669.90	100.000	5,106,669.90	1	0.0737
LM EDC Operating	LM EDC	TexPool	LGIP		0.0376			1,241,454.84	100.000	1,241,454.84	1,241,454.84	100.000	1,241,454.84	1	0.0376
LM EDC Operating	LM EDC	DWS	MMKT		0.0100			653.36	100.000	653.36	653.36	100.000	653.36	1	0.0100
LM EDC Operating	LM EDC	Money Market	MMKT		0.1500			35,815.22	100.000	35,815.22	35,815.22	100.000	35,815.22	1	0.1500
LM EDC Operating	LM EDC	Texas First	CD	5177	0.3000	11/27/2021	11/27/2022	200,801.22	100.000	200,801.22	200,801.22	100.000	200,801.22	331	0.6000
LM EDC Operating	LM EDC	Amoco CD	CD		0.7000	8/30/2021	8/30/2022	105,734.85	100.000	105,734.85	105,734.85	100.000	105,734.85	242	0.8000
LM EDC Operating	LM EDC	ACU CD	CD		0.6480	8/31/2021	8/31/2022	100,000.00	100.000	100,000.00	100,000.00	100.000	100,000.00	243	1.0000
1998 TWDB Sewer Rehab	Capital Projects Fund	DWS	MMKT		0.0100			163,912.68	100.000	163,912.68	163,912.68	100.000	163,912.68	1	0.0100
2005 CO	Capital Projects Fund	TexPool	LGIP		0.0376			124,805.93	100.000	124,805.93	124,805.93	100.000	124,805.93	1	0.0376
2007 CO	Capital Projects Fund	TexPool	LGIP		0.0376			391,436.95	100.000	391,436.95	391,436.95	100.000	391,436.95	1	0.0376
2016 CO	Capital Projects Fund	Logic	LGIP		0.0737			488,414.07	100.000	488,414.07	488,414.07	100.000	488,414.07	1	0.0737
2018 CO	Capital Projects Fund	Logic	LGIP		0.0737			2,424,327.79	100.000	2,424,327.79	2,424,327.79	100.000	2,424,327.79	1	0.0737
2020 CO	Capital Projects Fund	Logic	LGIP		0.0737			6,504,052.21	100.000	6,504,052.21	6,504,052.21	100.000	6,504,052.21	1	0.0737
Special Revenue Funds	Special Revenue Fund	DWS	MMKT		0.0100			37,627.34	100.000	37,627.34	37,627.34	100.000	37,627.34	1	0.0100
Special Revenue Funds	Special Revenue Fund	TexPool	LGIP		0.0376			72,879.71	100.000	72,879.71	72,879.71	100.000	72,879.71	1	0.0376
Special Revenue Funds	Special Revenue Fund	Logic	LGIP		0.0737			267,224.39	100.000	267,224.39	267,224.39	100.000	267,224.39	1	0.0737
Library Memorial	Fiduciary Fund	Logic	LGIP		0.0737			2,892.03	100.000	2,892.03	2,892.03	100.000	2,892.03	1	0.0737
Drug Seizure	Fiduciary Fund	Logic	LGIP		0.0737			7,832.51	100.000	7,832.51	7,832.51	100.000	7,832.51	1	0.0737
								22,966,217.28	22,966,217.28	22,966,217.28	22,966,217.28	22,966,217.28	22,966,217.28	6	0.0791

I certified that the Quarterly Investment Report represents the investment position of City of La Marque as of December 31, 2021 to the best of my knowledge and all investments under the City's control have been and are in compliance with the Texas Public Funds Investment Act and the City's Investment Policy as adopted by City Council.

Suzanne Kan

Investment Officer, CPFIM



City of La Marque, Texas

Quarter ended 12/31/2021

Summary Data

Type Breakdown:	Book Value	Percent	Wtd Avg Mat	Wtd Avg Yield
LGIP	21,754,900.67	94.73%	1	0.069
MMKT	804,780.54	3.50%	1	0.016
CD	406,536.07	1.77%	286	0.750
	22,966,217.28	100.00%	6	0.079

Issuer Breakdown:	Book Value	Percent	Wtd Avg Mat	Wtd Avg Yield
Texas First	200,801.22	0.87%	331	0.600
ACU CD	100,000.00	0.44%	243	1.000
Amoco CD	105,734.85	0.46%	242	0.800
Money Market	35,815.22	0.16%	1	0.150
DWS	768,965.32	3.35%	1	0.010
Logic	18,826,552.78	81.97%	1	0.074
TexPool	2,928,347.89	12.75%	1	0.038
	22,966,217.28	100.00%	6	0.079

Fund Breakdown:	Book Value	Percent	Wtd Avg Mat	Wtd Avg Yield
General Fund	5,137,466.33	22.37%	1	0.060
Utility Fund	(691,759.92)	-3.01%	1	0.060
Utility Fund (Restricted)	106,177.52	0.46%	1	0.060
Replacement Fund	448,336.74	1.95%	1	0.060
Capital Projects Fund	10,096,949.63	43.96%	1	0.071
Hotel Motel Fund	643,979.08	2.80%	1	0.060
Debt Service Fund	45,482.53	0.20%	1	0.060
LM EDC	6,791,129.39	29.57%	18	0.108
Special Revenue Fund	377,731.44	1.64%	1	0.060
Fiduciary Fund	10,724.54	0.05%	1	0.074
	22,966,217.28	100.00%	6	0.079

Maturity Breakdown:	Book Value	Percent
Less Than 90 Days	22,559,681.21	98.23%
90 to 180 Days	-	0.00%
181 to 365 Days	406,536.07	1.77%
More Than 365 Days	-	0.00%
	22,966,217.28	100.00%



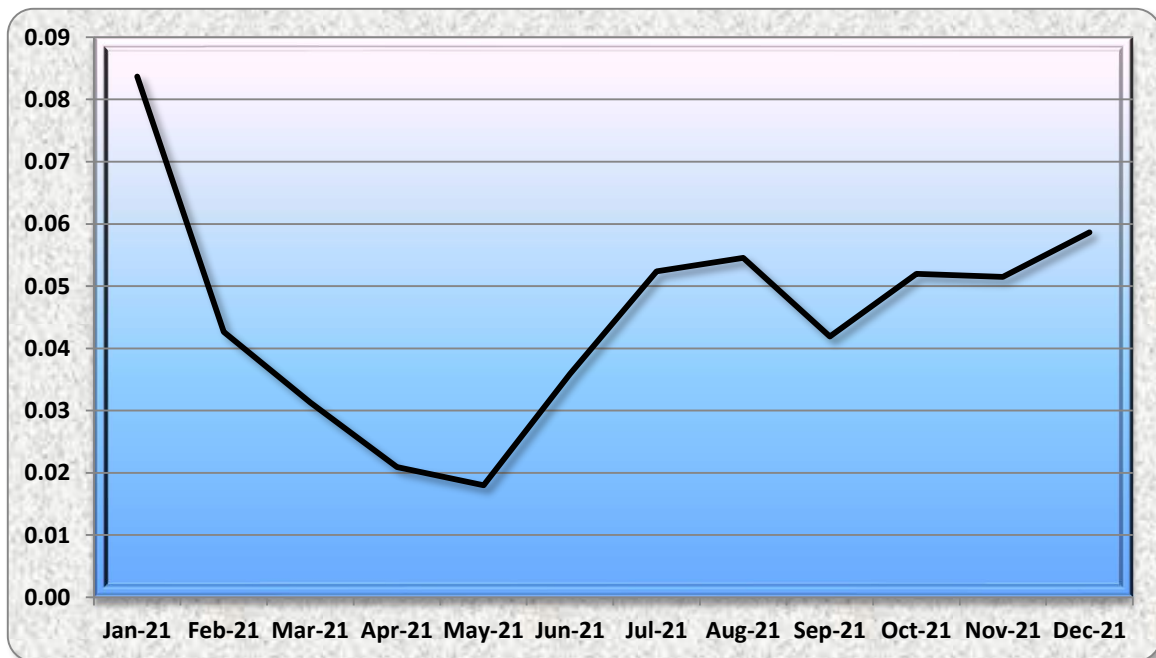
City of La Marque, Texas

Summary Investment Report For Period Ended 12/31/2021

Total Portfolio Summary			
	Current Quarter 12/31/2021	Prior Quarter 9/30/2021	Change From Prior
Book Value	22,966,217	24,527,424	-1,561,207
Market Value	22,966,217	24,527,424	-1,561,207
Market Value%	100.00%	100.00%	0.00%
Weighted Average Maturity - Days	6 days	4 days	2 days
Weighted Average Yield	0.08%	0.06%	0.02%

Portfolio Performance Summary	
Beginning Book Value	24,527,424
Beginning Market Value	24,527,424
Beginning WAM	4 days <i>Liquidity measurement</i>
Ending Book Value	22,966,217
Ending Market Value	22,966,217
Change in market value	-1,561,207 <i>Volatility measurement</i>
Ending WAM	6 days <i>Liquidity measurement</i>
Period Average Yield	0.08%
Period Average Benchmark	0.05%

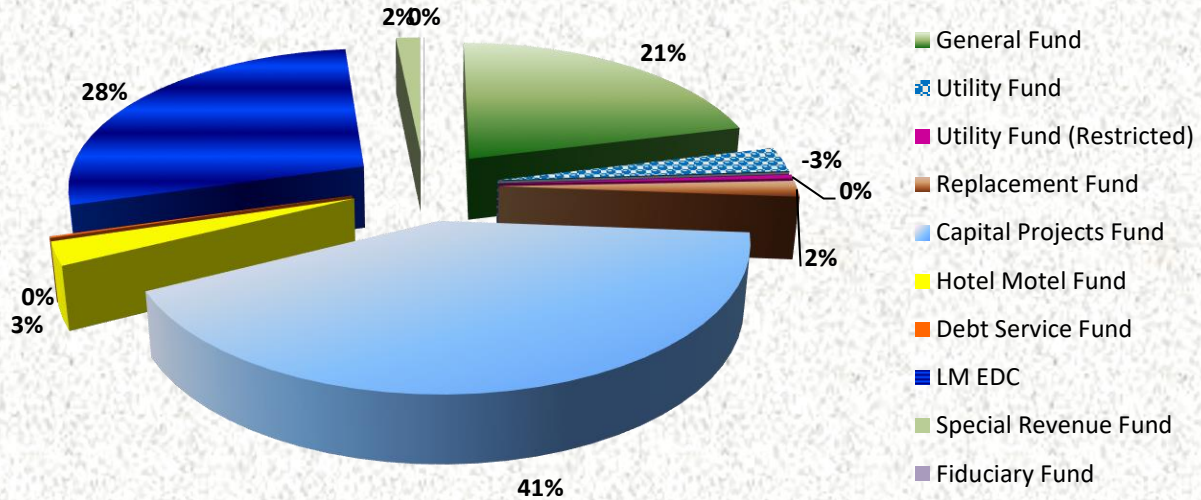
6-Month T-Bill Historical Trend





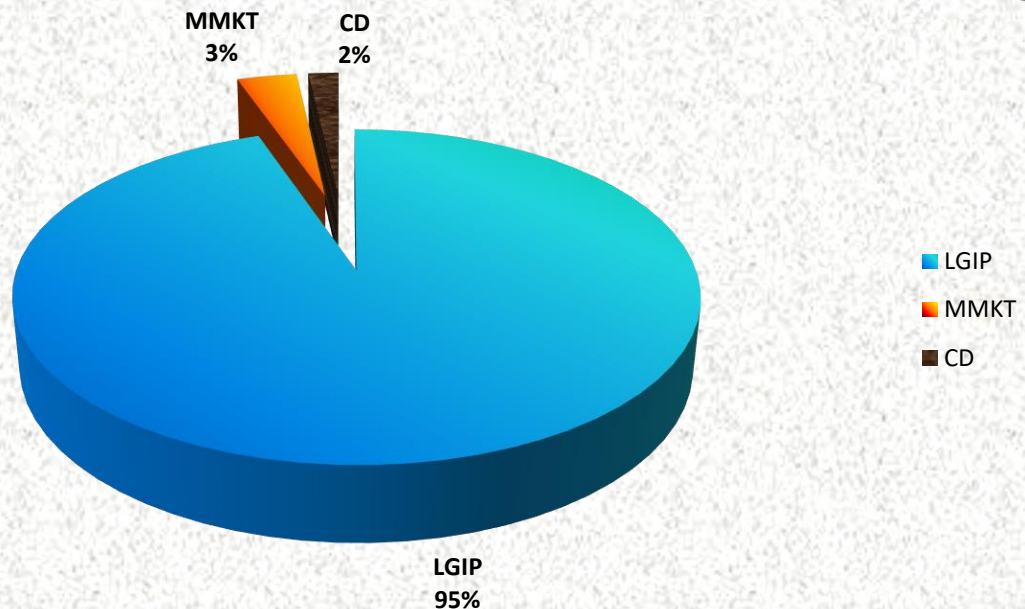
Investment Portfolio by Funds

As of 12/31/2021



Investment Portfolio by Types

As of 12/31/2021



ORDINANCE NO. O-2021-0003

AN ORDINANCE OF THE CITY OF LA MARQUE, TEXAS ESTABLISHING A PUBLIC SAFETY BUILDING COMMITTEE; PROVIDING AN EFFECTIVE DATE; AND MAKING OTHER PROVISIONS RELATED TO THE SUBJECT.

Whereas, on or about January 10, 2022, the City of La Marque, Texas, engaged the firm McLemore Luong Architects (MLA) to provide professional services necessary for the facility assessment and programming of the new Public Safety Building for the City of La Marque, Texas;

Whereas, the City is considering constructing a new Public Safety Building at a location to be determined in the City of La Marque, Texas; and

Whereas, the City Council of the City of La Marque, Texas, is authorized to create boards and commissions in accordance with the City Charter of La Marque, Texas.

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

Section 1. The findings and recitals set out in the preamble to this Ordinance are found to be true and correct and they are hereby adopted by the City Council and made a part hereof for all purposes.

Section 2. A Public Safety Building Committee, consisting of five members who must be citizens of the City of La Marque, Texas, is hereby established. Each Councilmember and the Mayor shall appoint one member to the Public Safety Building Committee. Each member of the Public Safety Building Committee shall serve a one-year term.

Section 3. At the first meeting of the Public Safety Building Committee, the Public Safety Building Committee shall elect a presiding officer of the Public Safety Building Committee to preside over the Public Safety Building Committee meetings and a vice presiding officer of the Public Safety Building Committee to preside over the Public Safety Building Committee meetings in the presiding officer's absence.

Section 4. The Public Safety Building Committee shall post its meetings in accordance with the Texas Open Meetings Act.

Section 5. The Public Safety Building Committee shall perform the following functions:

- a. To work with McLemore Luong Architects on the style of architecture as it relates to the continued development and revitalization of Downtown La Marque, Texas;
- b. To work with McLemore Luong Architects in establishing the public programmatic features of the building that directly impact the community, health, and wellness of the Citizens of the City of La Marque, Texas;
- c. To work with McLemore Luong Architects in establishing how the Public Safety Building encourages and engages the surrounding features; and
- d. To work with McLemore Luong Architects to establish a budget for recommendation to the City Council;

Section 6. The Public Safety Building Committee shall automatically expire and dissolve one year from final passage of this ordinance and all work shall be turned over to the City Clerk.

Section 7. 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 8. 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 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 9. Purpose. The purpose of passing this Ordinance is to provide community input on a new public safety building.

Section 10. Publication and Effective Date. This Ordinance shall be effective immediately upon City Council's final adoption of this Ordinance, a 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 _____, **2022**; and

PASSED, APPROVED AND ADOPTED by the City Council of the City of La Marque on Second and Final Reading this ____ day of _____, **2022**; and

CITY OF LA MARQUE, TEXAS

Keith Bell, Mayor

ATTEST:

Kierra K. Nance, TRMC, City Clerk

APPROVED AS TO FORM:

Gus Knebel
Consulting City Attorney

Exhibit A

**TEXAS SUBDIVISION AND SPECIAL DISTRICT
ELECTION AND RELEASE FORM**

This Election and Release Form for Texas Participating Subdivisions¹ resolves opioid-related Claims against Endo/Par under the terms and conditions set forth in the Endo/Par Texas State-Wide Opioid Settlement Agreement between Endo/Par, the State of Texas, and the Counties of Dallas, Bexar, Harris and Tarrant (the “Agreement”), the provisions of which are here incorporated by reference in their entirety. Upon executing this Election and Release Form, a Participating Subdivision agrees that, in exchange for the consideration described in the Agreement, the Participating Subdivision is bound by all the terms and conditions of the Agreement, including but not limited to the Release found in Section VII of the Agreement and the provisions concerning participation by Subdivisions or Special Districts in Section VIII, and the Participating Subdivision and its signatories expressly represent and warrant on behalf of themselves that they have, or will have obtained on or before the Effective Date or on or before the execution of this Election and Release Form if executed after the Effective Date, the authority to settle and release, to the maximum extent of the Subdivision’s and Special District’s power, all Released Claims related to Covered Conduct. If this Election and Release Form is executed on or before the Initial Participation Date, the Participating Subdivision shall dismiss Endo/Par and all other Released Entities with prejudice from all pending cases in which the Participating Subdivision has asserted Covered Claims against Endo/Par or a Released Entity no later than the Initial Participation Date. If this Election and Release Form is executed after the Initial Participation Date, the Participating Subdivision shall dismiss Endo/Par and all other Released

¹ The Agreement defines a “Participating Subdivision” as a Subdivision or Special District that signs this Election and Release Form and meets the requirements for becoming a Participating Subdivision under subsection VIII.A. of the Agreement.

Entities with prejudice from all pending cases in which the Participating Subdivision has asserted Covered Claims against Endo/Par or a Released Entity concurrently with the execution of this form. By executing this Election and Release Form, the Participating Subdivision submits to the jurisdiction of the Honorable Robert Schaffer, *In Re: Texas Opioid Litigation*, MDL No. 18-0358, Master File No. 2018-63587, in the 152nd Judicial District Court, Harris County, Texas.

Dated: _____

Texas Subdivision Name: _____

By: _____

[NAME]

[TITLE]

[ADDRESS]

[TELEPHONE]

[EMAIL ADDRESS]

Exhibit B

TEXAS SUBDIVISION AND SPECIAL DISTRICT ELECTION AND RELEASE FORM

This Election and Release Form for Texas Participating Subdivisions¹ resolves opioid-related Claims against Teva under the terms and conditions set forth in the Teva Texas State-Wide Opioid Settlement Agreement between Teva, the State of Texas, and the Counties of Dallas, Bexar, Harris and Tarrant (the “Agreement”), the provisions of which are here incorporated by reference in their entirety. Upon executing this Election and Release Form, a Participating Subdivision agrees that, in exchange for the consideration described in the Agreement, the Participating Subdivision is bound by all the terms and conditions of the Agreement, including but not limited to the Release found in Section VII of the Agreement and the provisions concerning participation by Subdivisions or Special Districts in Section VIII, and the Participating Subdivision and its signatories expressly represent and warrant on behalf of themselves that they have, or will have obtained on or before the Effective Date or on or before the execution of this Election and Release Form if executed after the Effective Date, the authority to settle and release, to the maximum extent of the Subdivision’s and Special District’s power, all Released Claims related to Covered Conduct. If this Election and Release Form is executed on or before the Initial Participation Date, the Participating Subdivision shall dismiss the Released Claims with prejudice and sever Teva and all other Released Entities from all pending cases in which the Participating Subdivision has asserted Covered Claims against Teva or a Released Entity no later than the Initial Participation Date. If this Election and Release Form is executed after the Initial Participation Date, the Participating Subdivision shall dismiss the

¹ The Agreement defines a “Participating Subdivision” as a Subdivision or Special District that signs this Election and Release Form and meets the requirements for becoming a Participating Subdivision under subsection VIII.A. of the Agreement.

Released Claims with prejudice and sever Teva and all other Released Entities from all pending cases in which the Participating Subdivision has asserted Covered Claims against Teva or a Released Entity concurrently with the execution of this form. By executing this Election and Release Form, the Participating Subdivision submits to the jurisdiction of the Honorable Robert Schaffer, *In Re: Texas Opioid Litigation*, MDL No. 18-0358, Master File No. 2018-63587, in the 152nd Judicial District Court, Harris County, Texas.

Dated: _____

Texas Subdivision Name: _____

By: _____

[NAME]

[TITLE]

[ADDRESS]

[TELEPHONE]

[EMAIL ADDRESS]



CITY COUNCIL AGENDA FORM

Meeting Date: March 14, 2022

Prepared by: Jennifer Earl

Department: Administration

Agenda item: 7c

Reviewed by: G.Galicia

AGENDA ITEM DESCRIPTION: Discussion/provide direction regarding the City of La Marque 5-year Strategic Plan

☒

ATTACHMENTS FOR REFERENCE

1. Strategic Plan 2015-2022

STAFF BRIEFING:

- Renewal of 5-year strategic plan for EDC
- 2015-2022 cost-\$25,000 (EDC funds)
- 2015-2022 strategic plan was completed by Dr. Bix Rathburn

Has City authorized Engineer reviewed and approved?

No

Has City Attorney OR Special Legal Counsel reviewed and approved?

Yes

Have you discussed availability of funds/accounts with Finance Director?

Has Finance Director verified Purchasing Policy followed?

Yes

Have you presented your project to the Grants Administration Team and City Manager?

Not available

HISTORY:

- 5-14-14-Plan was approved by EDC

TARGET IMPLEMENTATION: Council discretion

SIGNIFICANT ACTION DATES: None



CITY COUNCIL AGENDA FORM

ACTION:

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

Cost Details:

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

STAFF'S RECOMMENDATION: Direct City Administration to provide a request to EDC for a 5 year strategic plan.

FISCAL IMPACT: No financial impact to the City's General Fund. Funds used will be from the EDC budget.



2015 - 2022

La Marque, Texas

**Strategic Economic and
Community Development Plan**

Presented August 10, 2015

Message from the La Marque Mayor and Chairman of the La Marque Economic Development Corporation

La Marque has a proud history of leadership, accomplishment and success. Recent difficult economic times and hurricane IKE recovery has impacted every community in Galveston County and especially La Marque, however the current economic strength of the county and the state provides a pathway for economic renewal. It is with this vision and commitment that the City of La Marque and the La Marque Economic Development Corporation began an open and honest review of our community's present conditions, assets and opportunities to serve as a foundation for a bold new Strategic Plan to guide our community to a brighter future.

Economic and community development is more than just infrastructure, jobs, and buildings. It is a pathway to self-sufficient neighborhoods and a fiscally sound City. As the economy continues to improve in the coming years, it is essential that La Marque is recognized for its location, assets and business friendly environment at city hall and across the community.

This Strategic Economic and Community Development Plan is the initial step in a strategy to accomplish this mission. Through the focused use of the City's human and capital resources the community will see planned and sustainable economic growth and the generation of revenues to address many of the infrastructures and support services needs of our community. The Plan's activities will result in decisions and investments that are intended to have a catalytic effect on La Marque's overall economy and City revenues. At the same time, the workforce development partnerships and the community events will help to ensure that economic growth is leveraged to create opportunities and lifestyle improvements for La Marque's residents, and to develop good-paying jobs available to a well-prepared and educated workforce.

Economic and community development is the responsibility of all of our city's paid staff and volunteer resources. To be successful every decision, action, plan and procedure engaged in by the City of La Marque and the various community organizations, communities and commissions must have as a prime consideration our city's future. Success is not measured just in revenues and investment but in the improvement of the quality of life and livelihood for all La Marque residents.

We look forward to working with all of our partners to make this plan a reality. Thank you for your support to this end.

Bobby Hocking
Mayor
City of La Marque

Ron Crowder
Chair
La Marque
Economic Development Corporation





2015 - 2022
La Marque, Texas
Strategic Economic and Community Development Plan
Executive Summary

The City Council of La Marque in cooperation with the La Marque Economic Development Corporation embarked on an open and honest assessment of their city's assets and liabilities with a desire to establish a roadmap to a stronger, more prosperous future. This process engaged over 100 local citizens in a series of interviews and focus groups culminating in a planning charrette clarifying the city's critical issues and agreeing on a series of priority goals. Participants throughout the process universally expressed their commitment to invest their time individually and collectively in accomplishing the agreed upon goals leading to a brighter future for La Marque and its citizens and organizations.

The following is a summary of the critical issues and associated goals identified through this process presented in priority order.

Critical Issues

- **Critical Issue 1: Blight Reduction**
- **Critical Issue 2: The Future of the La Marque Independent School District (LMISD) and quality public education opportunities in La Marque**
- **Critical Issue 3: Infrastructure Needs**
- **Critical Issue 4: Community Image**
- **Critical Issue 5: Economic Development**
- **Critical Issue 6: City's Human Resources**
- **Critical Issue 7: Communication**
- **Critical Issue 8: Youth Engagement**
- **Critical Issue 9: Volunteer Engagement and Development**
- **Critical Issue 10: Quality of Life Issues**
- **Critical Issue 11: New Leadership Development Efforts**
- **Critical Issue 12: Residential Plan**



Community Goals

1. Infrastructure Repair and Replacement Plan
2. Blight Reduction
3. Update and Enforce Code of Ordinances
4. Interstate 45 Plan
5. Communication Plan
6. Water/Sewer/Road Annual \$1 Million Investment
7. Community Center Plan
8. Consolidation of LMISD into TCISD
9. Blight Reduction Plan
10. Grocery Store Plan
11. Expanded Tax Base Strategy
12. Economic Development Plan (9 votes)
13. Compensation Improvement Plan (9 votes)
14. Expanded Youth Recreation Program (7 votes)
15. Lemonade Day Plan (6 votes)

The following provides a prioritized listing of the agreed upon community goals.

Priority 1: Infrastructure Improvement Plan

Goal I. A.

- Develop and approve by City Council a five year prioritized listing of infrastructure repair, replacement and expansion priorities of not less than \$1 million per year by December 31, 2015.
- This plan will include projected sales tax revenues for five years as a primary source of revenue for financing these expenditures.
- Evaluate the plan annually as a part of the city's budgeting process and reestablish priorities as needed.

Goal I. B.

- Implement the five year Infrastructure Improvement Plan by investing not less than \$1 million per year beginning with FY 2017 through FY 2021 in road, water and sewer major repairs, improvements and expansion.



Priority 2: Blight Reduction

Goal 2. A.

- Develop and approve by City Council a comprehensive, priority based, blight reduction plan for La Marque by December 31, 2015 through the active participation of the La Marque Clean City Commission.
- Evaluate the plan annually as a part of the city's budgeting process and reestablish priorities as needed.

Goal 2. B.

- Based on the priorities established in the approved blight reduction plan, demolish and remove not less than 20 vacant and dilapidated structures each year beginning in FY 2016 through FY 2021.
- Develop and implement a plan to maintain the vacant lots to appropriate standards.
- Develop and implement a plan to recoup the cost of the demolition/clean up from the respective property owners through assessments or sale of the property.

Goal 2. C.

- Complete a comprehensive review of all La Marque city codes and ordinances related to appearance and safety of facilities and grounds for both residential and commercial including both compliance and fines.
- Provide recommendations for City Council consideration for improving the codes and ordinances to strengthen and streamline the city's ability to address issues of blight.
- Complete the code and ordinance review process by June, 2016.

Goal 2. D.

- Develop, fund and implement a plan to enhance code enforcement of issues related to blight reduction in the City of La Marque beginning with the FY 2017 fiscal year.

Priority 3: Interstate 45 Plan

Goal 3. A.

- Develop for approval by Planning and Zoning Commission and City Council appropriate zoning and development guidelines to protect and enhance development along the La Marque Interstate 45 corridor by March 2016.
- Implement the revised guidelines by May 2016.



Priority 4: Communication Plan

Goal 4. A.

- Develop a comprehensive communication strategy including but not limited to web, social media, advertising and print (newsletters) to enhance the ability to communicate the positive news and opportunities available in La Marque.
- Complete the strategy development by November 2015
- Evaluate the implemented communication strategies annually.

Goal 4. B.

- Develop a community newsletter to be distributed not less than 3 times each year beginning with FY 2016.

Priority 5: Community Center Plan

Goal 5. A.

- Create a Community Center Exploration Task Force charged with the responsibility of exploring opportunities for the development of a La Marque community center no later than December 2015.
- Charge the task force with exploring issues related to the potential community center to include but not be restricted to:
 1. Purpose and uses by age group
 2. Recommended resources, amenities and capabilities in priority order
 3. Suggested models
 4. Estimated construction/renovation budget
 5. Estimated operational budget
 6. External grant and private funding opportunities
 7. Potential partnerships
 8. Potential sites or locations including vacant LMISD facilities
- The Community Center Exploration Task Force will report their findings and recommendations to the City Council by September 2016.

Priority 6: Foster the Improvement of K-12 Educational Opportunities in La Marque

As this situation is in the hands of the State of Texas, the participants universally agreed to support the decision and plans that afford the best opportunity for the children of La Marque to receive an outstanding education and the taxpayers to receive the best educational outcomes for the tax dollar invested. No specific goals were presented.



Priority 7: Grocery Store Plan

Goal 7

- Develop and implement a communication campaign directed at decision makers who site new locations for small grocery stores.
- Utilize broad based community support, social media, direct communication and leadership intervention to share the desire to work with grocery store chains to select La Marque as a location for development
- Create a La Marque Grocery Store Team to plan and conduct this effort in conjunction with area civic groups and the chamber of commerce.
- Develop a plan for review by the La Marque EDC by December 2015 for implementation in 2016.

Priority 8: Expanded Tax Base Strategy

Goal 8

- Develop a plan with specific strategies designed to incent investment in La Marque's commercial and residential tax base.
- Identify and address barriers to now development and construction in La Marque

Priority 9: Economic Development Plan

Goal 9

- Develop and present for approval to the La Marque EDC a focused economic development plan including basic incentive guidelines for distribution to various site selectors, developers and project managers by December 2015.

Priority 10: Compensation Improvement Plan

Goal 10

- Develop and present for approval to City Council by June 2016 a revised compensation plan for the city employees along with a proposed multiyear compensation adjustment plan to bring current employees in alignment with the new compensation schedules



Priority 11: Expanded Youth Recreation Program

Goal 11

- Establish a La Marque Youth Recreation Task Force by October 2015 to develop strategies to enhance youth recreation programs and volunteerism to support this effort. Plan to be developed and presented to City Council and invited community leaders by May 2016 with implementation by August 2016.

Priority 12: Lemonade Day Plan for La Marque

Goal 12

- Develop a Lemonade Day program in cooperation with the chamber of commerce, local schools and local business to engage 200 elementary kids annually in this nationally recognized strategy to teach business and life skills by May 2016.

Conclusion

The elected officials, civic leaders and citizens of La Marque have many assets and opportunities upon which to build a vibrant and prosperous community. The participants in this study demonstrated great honesty and candor in recognizing and clarifying their weaknesses and challenges. The participants also demonstrated a deep love and commitment to do the work to build and rebuild the foundation and community of La Marque. As this commitment is sustained, La Marque will see the desired outcomes.



La Marque Community and Economic Development Strategic Plan

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1. Planning Process and Citizen Participation

A. Setting

La Marque is a community committed to engaging its citizens and leaders in charting a vibrant and prosperous future. The city of La Marque, Texas was founded as a premier residential community for citizens working in Galveston or the petrochemical complex in Texas City. These founding principles remain as strong today as they did during the peak expansion period of the 1960's and 1970's. Unfortunately a series of events including hurricanes and economic challenges coupled with the expansion of residential communities to the north and west in Galveston County have inhibited the continual growth and development of the city.

The La Marque Economic Development Corporation in conjunction with the La Marque City Council took the bold step in 2015 to undertake a comprehensive assessment of their community and the creation of a strategic plan to direct their future development and redevelopment efforts. This process was embraced by the city elected and informal leadership with great candor about the challenges they face as well as great optimism and commitment for a brighter future. The participation in this process through the focus group sessions, key informant interviews and the planning charrette was open, honest and energetic. The plan developed was embraced with great consensus and energy for action.

B. Citizen Participation Process

The participation in this planning process was exceptional engaging nearly 100 individuals through a series of eight focus groups, a number of individual interviews with key stakeholders and a 3 hour planning charrette engaging over 30 participants. In addition individuals, both group participants and other citizens, provided written feedback to a series of questions and assessment activities as a part of the citizen participation phase. All of this feedback was condensed into a report that was presented to the participants of the charrette process to serve as a foundation for the prioritization of the critical issues and the establishment of community goals. Please see the appendices for additional information on these processes.

C. Focus Group Meetings

The foundation of the community participation phase in this strategic planning process was the focus group process. The leadership of the City Council and the La Marque EDC engaged in an extensive process to identify a diverse group of community leaders from



every walk of life, political affiliation and setting to participate in one of the focus group sessions. Through these sessions critical input was received from:

- The business community
- The faith based community
- The nonprofit community
- The education community
- Long term residents
- Galveston County leadership
- Retirees
- And numerous other community segments

In addition, a focus group session was held with the City Manager and her direct reports to gain the prospective of the staff leadership of the city for this process. The participants represented great diversity along racial, social, economic and political lines and included both long term and short term residents.

Strict confidentiality of individual responses during the focus group sessions was pledged to the participants and maintained in the reporting of the findings. This confidentiality was critical to insuring that the participants felt comfortable to be “brutally honest” in their discussions and responses. Each session lasted two to three hours with additional feedback provided in response to the Focus Group Handout provided in advance the group participants (See appendix 1).

The focus group sessions were open discussions guided by an environmental assessment or **SWOT** analysis (Strengths, Weaknesses, Threats and Opportunities). Participants were asked to honestly and openly share their assessment of the city’s internal strengths and weaknesses either orally through the discussions or in writing on the form provided. In addition the participants were asked to identify the external opportunities or trends that the City could capitalize on for greater success as well as the external threats that must be addressed that could negatively impact success if the City and the plan.

In addition to the **SWOT** analysis, the focus group participants were asked to provide orally or in writing their responses to a series of key assessment questions detailed below.

1. What makes La Marque special?
2. Where **do you** see La Marque in five years?
3. Where **would you** like to see La Marque in five years?
4. What are the critical issues that the City needs to face over the next five years?



5. What do you see as the key priorities the City should establish in its strategic economic development plan?
6. What economic development issues are most important to you?

The feedback and responses from the eight focus group sessions and the associated written responses were aggregated into a presentation presented at the planning charrette (See Appendix 2).

D. Interview Process

A number of key informants and critical community leaders were engaged in this strategic planning process through individual interviews. The interview format was similar to the process used in the focus group sessions and the same guarantees of confidentiality were secured. The feedback received from the interviews were aggregated with the focus group responses and reported to the charrette participants.

E. Charrette

On May 19, 2015 a planning charrette was held in the workroom behind city council chambers in La Marque. Thirty one individuals representing a cross section of the city leadership including elected officials, city staff leadership, La Marque EDC representatives and key representatives from city boards and commissions participated in this process. These individuals were selected due to the fact that they will be responsible for implementing the goals and recommendations of the plan. Appendix 2 contains the report presented to the participants of the charrette.

The charrette process included a presentation and group discussion of the results from the focus groups and interviews and a brief review of the trend demographic data as a foundation for the subsequent group processes. Following the presentation the group was divided up into five sub groups to complete the following two assignments.

Assignment 1 Critical Issues: Each group was asked to identify the top four critical issues that they determine will have the most profound and sustainable impact on the future of La Marque from each of these perspectives.

- Community Development and Quality of Life Issues
- Community Infrastructure Issues
- Economic Development Issues

Each group was given 15 minutes to identify their four critical issues. Each sub group reported back to the larger group their responses and a consolidated listing of these critical issues was developed.



Assignment 2 Community Goals: Each sub group was asked to identify their top six goals that need to be accomplished over the next seven years addressing the identified critical issues. The groups were asked to focus their goals on strategies designed to create a stronger, healthier, economically prosperous La Marque.

The groups were asked to focus on goals that were:

1. **Attainable** with existing and predicted resources.
2. **Measurable** – providing measurement criteria to determine the success of the goal.
3. **Sustainable** - goals that will make the greatest impact long term.
4. **Comprehensive** – addressing the following perspectives
 - Community Development and Quality of Life Issues
 - Community Infrastructure Investment
 - Economic Development Priorities

Each group was given 15 minutes to identify their goals. Each sub group reported back to the larger groups their responses and a consolidated listing of these goals was developed.

Following the creation of the combined listing of critical issues and community goals each charrette participant was provided 20 colored dots to use in voting for the critical issues and goals that they personally felt were most important for the future of La Marque. Ten of the dots were to be used to express preference among the listing of critical issues with no more than four dots used to vote for any single issue. Ten of the dots were to be used to express preference among the listing of community goals with no more than four dots used to vote for any single goal. Following this voting process a priority listing of critical issues and community goals was developed.



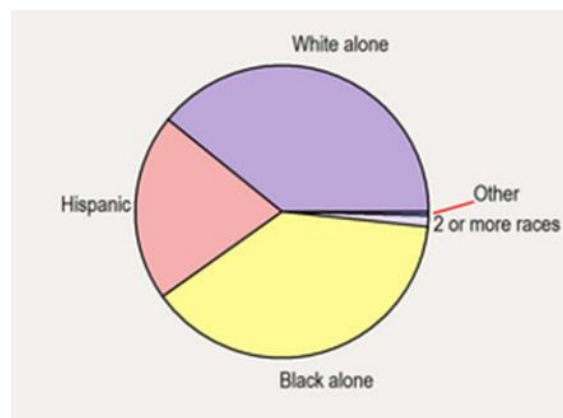
2. La Marque Summary Demographic Data Review

La Marque compared to Texas state averages

- Median house value below state average.
- Unemployed percentage below state average.
- Black race population percentage significantly above state average.
- Median age above state average.
- Foreign-born population percentage below state average.
- Length of stay since moving in above state average.
- House age above state average

A. Population in 2013: 15,154 (97% urban, 3% rural).

- Males: 7,465 (49.3%)
- Females: 7,689 (50.7%)
- Median resident age: 33.9 years
- Texas median age: 34.0 years
- Population density: 1,065 people per square mile
- For population 25 years and over in La Marque
 - Unemployed: 10.1%
 - Mean travel time to work (commute): 25.8 minutes
- 1,402 residents are foreign born (7.7% Latin America).
 - La Marque: 9.2%
 - Texas: 16.5%



B. Income and Employment

Estimated median household income in 2013: \$41,679

Compared to Texas statewide \$51,704

(Compared to \$34,841 in 2000)

Estimated per capita income in 2013: \$20,050

(Compared to \$17,518 in 2000)

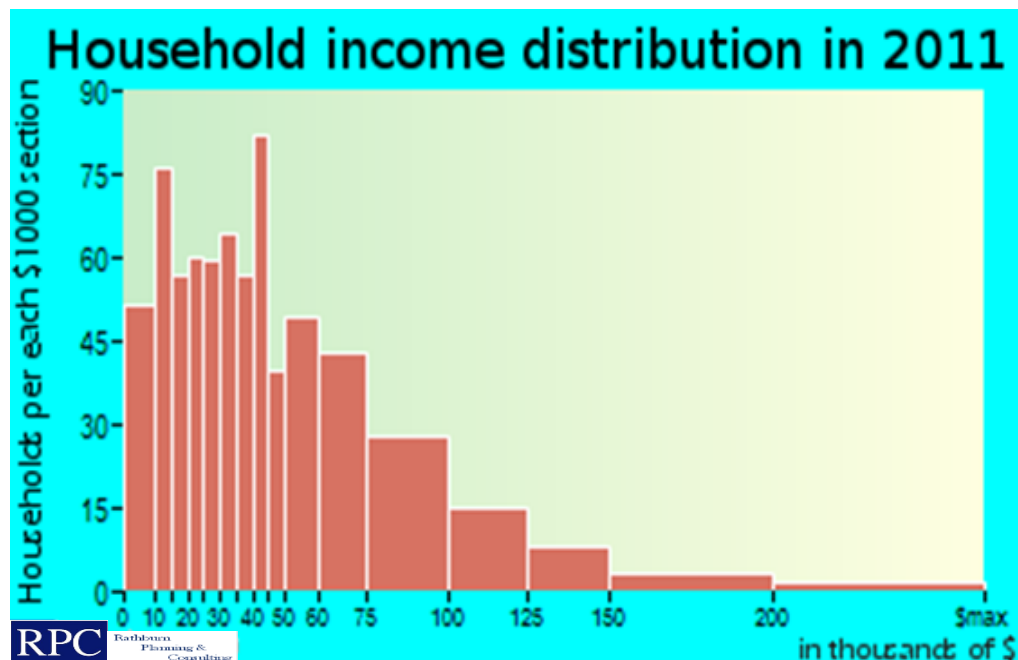
Percentage of residents living in poverty in 2013: 20.1%

(15.5% for White Non-Hispanic residents, 16.7% for Black residents, 29.1% for Hispanic or Latino residents, 4.1% for other race residents, 27.9% for two or more races residents)

Unemployment in June 2014:

La Marque: 6.0%

Texas: 5.5%



MEDIAN EARNINGS IN THE PAST 12 MONTHS (IN 2013 INFLATION-ADJUSTED DOLLARS) BY SEX BY EDUCATIONAL ATTAINMENT Universe: Population 25 years and over with earnings 2009-2013 American Community Survey 5-Year Estimate Source: U.S. Census Bureau, 2009-2013 5-Year American Community Survey	La Marque, Texas	
	Estimate	Margin of Error
Total:	31,833	+/-4,039
Less than high school graduate	16,061	+/-7,370
High school graduate (includes equivalency)	16,389	+/-4,068
Some college or associate's degree	36,953	+/-3,205
Bachelor's degree	57,308	+/-13,456
Graduate or professional degree	52,648	+/-10,031
Male:	30,732	+/-5,625
Less than high school graduate	20,174	+/-7,570
High school graduate (includes equivalency)	16,497	+/-7,573
Some college or associate's degree	38,178	+/-3,950
Bachelor's degree	76,719	+/-27,021
Graduate or professional degree	53,520	+/-20,162
Female:	32,716	+/-5,500
Less than high school graduate	9,597	+/-3,899
High school graduate (includes equivalency)	16,189	+/-5,231
Some college or associate's degree	35,056	+/-5,446
Bachelor's degree	52,688	+/-13,514
Graduate or professional degree	40,313	+/-28,065

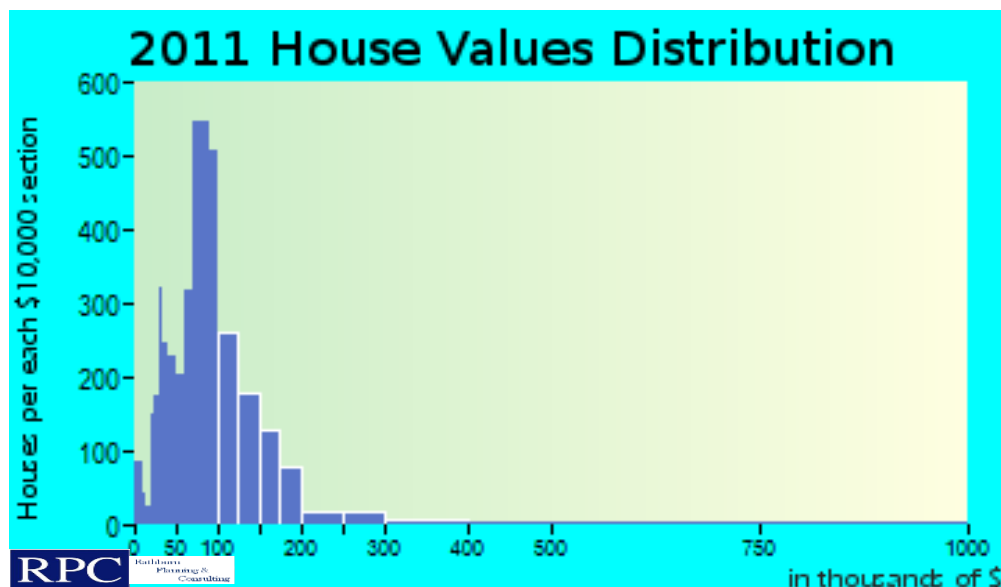
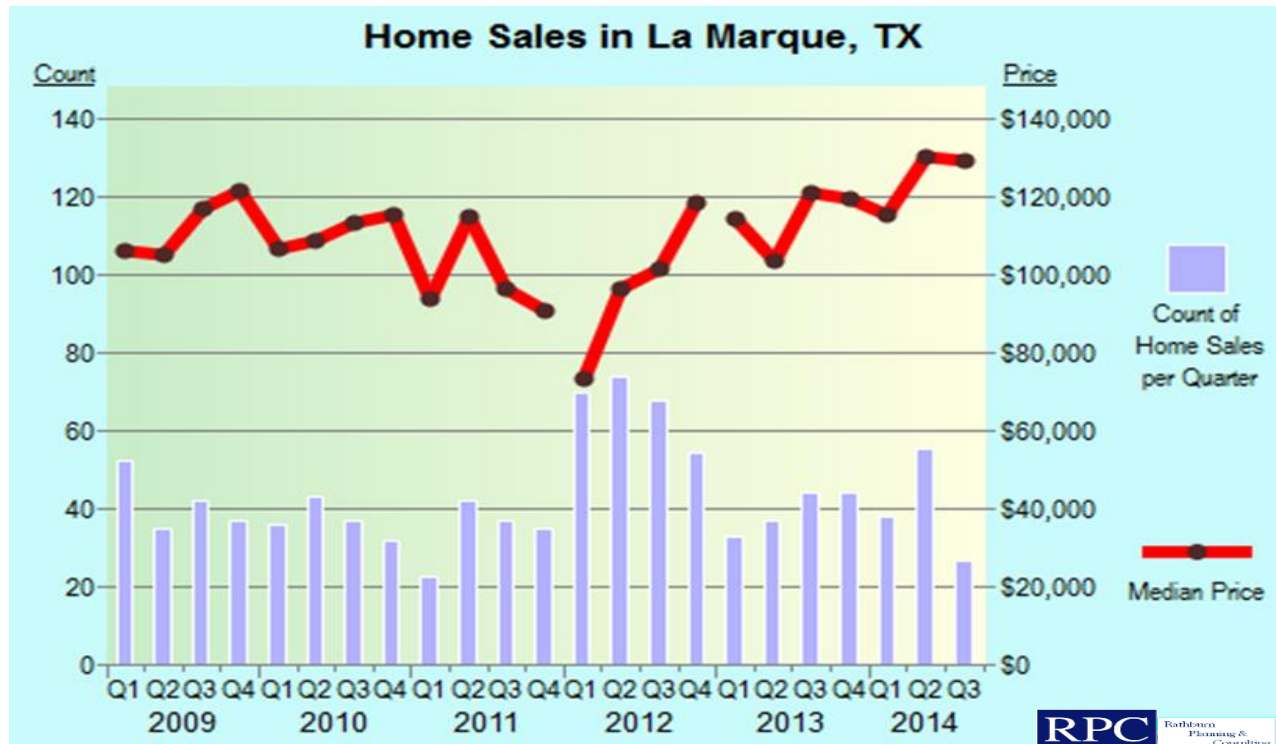


C. Housing and Cost of Living

Estimated median house or condo value in 2013: \$84,571

(Compared to \$57,800 in 2000 in La Marque)

Compared to Texas statewide: \$132,000



Median real estate property taxes paid for housing units with mortgages in 2013:
\$1,794 (1.8%)

Median real estate property taxes paid for housing units with no mortgage
in 2013: \$1,208 (1.5%)

March 2013 cost of living index in La Marque: 91.9 less than average
(U.S. average is 100)

D. Educational Attainment (%) in 2013

Level	La Marque	Texas
Less than high school	15.4%	18.1%
High school or equivalent	29.9%	25.2%
Less than 1 year of college	7.4%	6.2%
1 or more years of college	21.8%	16.4%
Associate degree	10.2%	6.5%
Bachelor's degree	9.9%	18.3%
Master's degree	3.4%	6.7%
Professional degree	1.5%	1.5%
Doctorate degree	0.5%	1.0%

E. United States Census Data

United States Census Data *

* Please note - This data differs in great detail from other data but is presented as the official baseline

Demographics	La Marque	Galveston County	State of Texas
Geography			
Land area in square miles, 2010	13.91	378.36	261,231.71
Persons per square mile, 2010	1,042.8	769.9	96.3
Population			
Population, 2013 estimate:	15,154	307,465	26,505,637
Population, 2010 (April 1) estimates base:	14,511	291,304	25,146,104
Population, percent change - April 1, 2010 to July 1, 2013:	4.4%	5.5%	5.4%



Population, 2010:	14,509	291,309	25,145,561
-------------------	--------	---------	------------

Age

Persons under 5 years, percent, 2010/2013	7.3%	6.5%	7.3%
Persons under 18 years, percent, 2010/2013	25.2%	24.8%	26.6%
Persons 65 years and over, percent, 2010/2013	13.8%	12.4%	11.2%

Gender

Female persons, percent, 2010/2013	51.9%	50.5%	50.3%
------------------------------------	-------	-------	-------

Race

White alone, percent, 2010/2013	52.5%	80.2%	80.3%
Black or African American alone, percent, 2010/2013	36.7%	13.7%	12.4%
American Indian and Alaska Native alone, percent, 2010/2013	0.8%	0.8%	1.0%
Asian alone, percent, 2010/2013	0.7%	3.3%	4.3%
Native Hawaiian and Other Pacific Islander alone, percent, 2010/2013	Z	0.1%	0.1%
Two or More Races, percent, 2010/2013	2.4%	1.9%	1.8%
Hispanic or Latino, percent, 2010/2013	22.5%	23.5%	38.4%
White alone, not Hispanic or Latino, percent, 2010/2013	38.7%	58.3%	44.0%

Household:

Living in same house 1 year & over, percent, 2009-2013	82.5%	82.5%	82.8%
Foreign born persons, percent, 2009-2013	9.5%	9.7%	16.3%
Language other than English spoken at home, pct age 5+, 2009-2013	18.3%	19.3%	34.7%

Education:

High school graduate or higher, percent of persons age 25+, 2009-2013	83.9%	87.1%	81.2%
Bachelor's degree or higher, percent of persons age 25+, 2009-2013	14.9%	28.5%	26.7%

Income

Per capita money income in past 12 months (2013 dollars), 2009-2013	\$20,544	\$30,926	\$26,019
Median household income, 2009-2013	\$42,369	\$61,877	\$51,900
Persons below poverty level, percent, 2009-2013	20.1%	13.3%	17.6%



Business

Total number of firms, 2007	989	22,869	2,164,852
Black-owned firms, percent, 2007	32.0%	7.6%	7.1%
American Indian- and Alaska Native-owned firms, percent, 2007	F	S	0.9%
Asian-owned firms, percent, 2007	F	5.9%	5.3%
Native Hawaiian and Other Pacific Islander-owned firms, percent, 2007	F	S	0.1%
Hispanic-owned firms, percent, 2007	S	10.3%	20.7%
Women-owned firms, percent, 2007	31.2%	30.0%	28.2%
Manufacturers' shipments, 2007 (\$1000) (1)	0	23,480,817	593,541,502
Merchant wholesaler sales, 2007 (\$1000)	82,750	1,761,558	424,238,194
Retail sales, 2007 (\$1000)	168,991	2,750,294	311,334,781
Retail sales per capita, 2007	\$12,136	\$9,700	\$13,061
Accommodation and food services sales, 2007 (\$1000)	19,774	590,991	42,054,592

1: Counties with 500 employees or less are excluded.

(a) Includes persons reporting only one race.

(b) Hispanics may be of any race, so also are included in applicable race categories.

D: Suppressed to avoid disclosure of confidential information

F: Fewer than 25 firms

FN: Footnote on this item for this area in place of data

NA: Not available

S: Suppressed; does not meet publication standards

X: Not applicable

Z: Value greater than zero but less than half unit of measure shown

Source: U. S. Census Bureau: State and County QuickFacts, Data derived from Population

Estimates, American Community Survey, Census of Population and Housing,

County Business Patterns, Economic Census, Survey of Business Owners,

Building Permits, Census of Governments



3. Citizen Input: Focus Group and Interview Findings

The focus groups and interviews were organized to gather strategic input from each of the major sectors of the community including:

- The business community
- The non-profit and faith based communities
- Civic organizations leadership
- City of La Marque staff leadership
- Countywide current and former elected leaders
- Current and former La Marque elected leaders.
- Active community and city volunteer leaders
- Educational leaders

The focus group attendees were reflective in age, race and community tenure of the general La Marque community and represent, individually or through organizations, a commitment to invest their time and resources in the successful economic future of La Marque. Their opinions and visions of the community varied widely as did their evaluation of various community assets and opportunities. Participation in the group sessions varied from a low of four participants to a high of nine. The groups participated actively in the process and expressed open and honest opinions (brutal facts) within a commitment to individual and group confidentiality. What was said in any session was to remain confidential to the participants in the session. All results are presented in the aggregate with no comments, assessments or opinions identified with any individual participant or focus group.

Each of the focus group participants was asked to provide their open and honest responses in an environmental assessment of La Marque or **SWOT** analysis (Strengths, Weaknesses, Opportunities and Threats). The following provides a combination of the input, suggestions, opinions and thoughts shared during the environmental assessment portion of the focus groups activities. The input is organized into groupings of similar thoughts.



Strengths

La Marque's Location

- Hub or Center of Galveston County
- The protection afforded by the levy
- Vacant land to develop especially along I-45
- Development opportunities west of I-45
- Proximity to area industry
- Proximity and Access to UTMB
- Access to the beaches and area recreation
- Land to redevelop in the interior of the city especially along already developed major transportation routes (e.g. FM 1765)
- Great climate – ability to recruit from the north

Community Commitment and Pride

- A genuine love and appreciation for La Marque as their home town – a sense of community pride and ownership among some residents
- Commitment to restore La Marque to the past glory
- Small town pride
- Community desire to change, improve and grow
- A clear understanding of what type of community La Marque desires to be and what types of jobs and investment we desire to recruit and expand
- La Marque history and tradition
- La Marque Cougar football
- A strong sense of ownership and pride especially in the long term residents
- Folks proud to call La Marque home
- La Marque Cougar Pride in the city not just the schools and team
- A history or legacy of accomplishment and success to build upon

La Marque Human Capital

- Visionary citizens
- Good, committed leaders and citizens that want to see and help facilitate needed change for a better future for La Marque
- Good potential labor pool
- Active LMISD Board of Trustees
- Active and committed community volunteers
- Committed Mayor
- New folks with new ideas coming to the new residential development areas



La Marque Community

- The right size community – not too small – not too big
- Small town size and feeling
- Strong faith based community
- Low crime rates
- Strong Civic Clubs
- Diversity - racial, social, economic
- Great potential as a retirement town
- Community “ripe” for and encourages business development

City Management and Operations

- Aggressive, well supported, well respected and talented city economic development staff and structure (La Marque Economic Development Corporation)
- Small town feeling and operation including limited traffic and ease of getting things done at city hall.
- Low tax rates
- Good City Manager
- Good Police Chief
- Good public safety operation
- Good and effective city management
- Good city department heads in the new administration
- Pro economic development mindset

City Resources

- Good foundation infrastructure
- Highland Bayou park
- Carbide Park
- The La Marque EDC
- Tax incentives available from the EDC/City
- Beautiful trees
- Omega Bay development

General

- Bayou fest
- Good work environment and culture
- College of the Mainland
- New housing developments in the city providing new residents
- A community ripe for internal redevelopment
- Business development (Walmart, Sam’s, etc.)



- The potential to redevelop the older outlet mall
- No traffic congestion
- Low property values – La Marque is a good buy for residential and commercial property and buildings
- Low cost of Living

Weaknesses

City Appearance and Infrastructure

- Blight is rampant
- Poor water, sewer and drainage infrastructure
- La Marque looks “scary” giving the perception of an unsafe, high crime community.
- Appearance of Texas Avenue and the interior of the city including city facilities.
- Too many vacant buildings
- Too many dilapidated structures that need to be torn down
- Condition/appearance of city homes, streets, sidewalks, businesses, and government buildings especially the landscaping
- Lack of a landscaping code and enforcement
- Too many dead end streets
- Poor condition of roads
- Ugly City - nothing looks good – no point of pride physically in the city.
- The condition of the FM 1765 and Highway 3 intersection
- Lack of adequate street lighting

La Marque Independent School District

- The poor performing La Marque Independent School District including the image, board of trustees, faculty and staff (exclusive of Superintendent Watkins), facilities, performance and overall perception
- LMISD enrollment decline especially in the younger age classifications
- LMISD leadership and Board of Trustees failing to recognize and be truthful about the academic quality and performance of the schools
- Local politics infused into the LMISD issues
- Ineffective school board leadership
- Racial issues driving the LMISD issues
- LMISD leadership and Board of Trustees failing to put the education of the students as a higher priority than saving their jobs or their school district



- Old and empty LMISD campuses and building are an eye sore and send the message of a declining community

Community Attitudes and Commitment

- Inner city culture and vision
- Tolerant of the current state and of disorder
- Decline in city pride and interest
- Older community leaders resistant to change - desire to go back to the “good old days” in La Marque
- Residents who have given up on La Marque
- Lack of interest in the future of La Marque
- Racial divide – growing cancer impacting every issue and plan in La Marque
- A lack of commitment or desire to work for a better La Marque among many especially the younger families and shorter term residents. A flight as opposed to fight mentality.
- Complacency
- Lack of unity
- Lack of drive
- Lack of a sense of community
- Lack of hope
- Apathy for the future of La Marque by the population under the age of 65
- Tunnel vision
- Divided community effort and vision racially, socially, economically and by age
- Too many personal agendas among various groups within the city.
- Silo mentality – only interested in my issues or my priorities.

City Elected and Appointed Leadership

- City Council infighting producing negative results
- Poor community perception of the city council
- City leaders do not follow the letter and spirit of the City charter – role of the City Council and Mayor not respected and followed
- No new emerging leaders – same folks serving over and over again in city leadership – no new ideas or commitment – no leadership transition or succession plans
- Lack of new or younger candidates for boards and elected positions
- City Staff and City leaders (elected and appointed) not always on the “same page” on priorities and issues



- Negative perception and lack of trust of the elected and appointed leaders by the staff and negative perceptions and lack of trust of the staff of the elected and appointed leaders - not universal but often stated.
- Poor inner-city communication between the city and the residents and within the city
- Lack of transparency in city government.
- Zoning and building codes not enforced

City Staff and Operations

- City staff is being held accountable for items and goals that they are not their responsibility
- Poor city management and staff leadership
- Poor inner-city communication between the city and the residents and within the city
- Lack of capability, experience and skills of city staff
- Lack of transparency in city government.
- Negative perception and lack of trust of the elected and appointed leaders by the staff and negative perceptions and lack of trust of the staff of the elected and appointed leaders - not universal but often stated.
- Performance is discouraged within city management
- Lack of staff training and professional development
- Hiring the “best folks we can afford”
- High staff turnover
- Lack of scheduled maintenance
- Zoning and building codes not enforced
- City Staff and City leaders (elected and appointed) not always on the “same page” on priorities and issues
- Diversity of the city staff
- City staff feels ‘beat up’ by city leadership and residents
- Difficulty in the development process – paperwork processes difficult and follow-up support lacking

Demographics

- Income divide
- Low income of majority of the residents
- The attraction of low income population due to cheap housing
- Too many residents living one government check at a time
- Lack of programs/service leading to residents self sufficiency
- High unemployment



- Like refugees from public housing in La Marque
- The “you owe me” mentality of some residents
- Aging of the community
- No new young families moving to La Marque
- Younger folks especially young families moving away
- Educational attainment of residents
- Social divide of the city
- Racial divide of the city

Community Perceptions

- The poor current La Marque “Brand” or Image
- Long term poor perception from those outside the community of La Marque based on the problems and performance of the LMISD
- Poor perception of the city by the long term residents
- Perception as a bedroom community
- Poor external perception of the City of La Marque
- La Marque is an embarrassment
- Perception of and/or reality of high crime

General

- Failure to share/communicate our successes
- Lack of primary residential support businesses including grocery stores, restaurants, health care, retail
- Primary support sales tax revenue going to adjacent communities
- Drug use and crime
- Lack of water reuse plans
- No true economic drivers
- Lack of planning
- Reactive not proactive policies and actions
- No regional thought
- Limited land - cannot expand - land locked
- Lack of Galveston County interest, support and involvement

Residential Resources

- Declining real estate values
- Age of homes
- Lack of residential redevelopment efforts
- Lack of new residential opportunities
- Limited housing inventory



- Inability to sell a home - no buyers
- Limited home ownership Lack of family involvement
- No family culture
- Decline in youth sports programs
- Decline in service club activity
- Nothing for older youth to do

Family Support

- Limited home ownership
- Lack of family involvement
- Decline in youth sports programs
- Decline in service club activity
- Nothing for older youth to do

Opportunities

Location

- Vacant, affordable land with great access especially the old golf course land and adjacent tracks.
- Outstanding transportation opportunities through I-45, Highways 146, 6 and 3. The best transportation corridor and location in the entire region.
- Proximity to Houston
- Dual rail access and service provided by BNSF and UP producing competitive rates.
- I-45 trickle down investment - the gradual movement of residential/service and retail opportunities along the corridor from Houston past 646 to La Marque. (long term prospect)
- Proximity to good paying jobs.
- “Leakage” development from Lago Mar and other surroundings cities including Galveston.

Trade

- Proximity to the regional ports (Houston, Texas City and Galveston) and the potential future container port and rail bridge to Pelican Island as well as the potential of the expanded Panama Canal.



Oil, Gas and Petrochemical Related

- Proximity to abundant sources of oil and natural gas from the regional shale operations
- DOW expansion and redevelopment and use of the adjacent land in La Marque

Medical and Health Care

- Proximity to University of Texas Medical Branch-Galveston and the opportunity to develop medical related business and industries along the I-45 corridor on sites protected by the levy possibly in conjunction with the regional specialty chemicals industries
- Opportunities for medical supply/support and biomedical related business opportunities in conjunction with UTMB and UT Health Houston.

Tourism

- Potential La Marque tourism support. Build upon and partner with Galveston in supporting their growing cruise and tourism industry.
- Support Hotels and parking.
- Proximity to and opportunity for tourism support development including casinos if legalized
- Support and build upon the potential of the dog track as a destination venue.
- Build, market, brand in conjunction with the La Marque and surrounding community festivals including Mardi Gras and Dickens on the Strand

Residential

- Development opportunities for senior living with affordable land protected by the levy, close to the medical resources of UTMB and Houston and a good safe quality of life.
- West side residential development opportunities

Commercial

- Opportunities for alternative energy projects and related green technologies
- Opportunities for distribution, sub assembly and light manufacturing.
- Good support from area commercial and industrial partners
- Distribution, Warehouse and storage facilities protected by the levy.
- Technology/NASA related business development



General

- The strong and growing regional and Texas economy especially in trade and petro/specialty chemicals
- The opportunity to rebrand La Marque
- Small changes produce a big result in a small town like La Marque
- The opportunity to fix, eliminate and/or merge the La Marque Independent School District. The opportunity to remove this barrier to local community and economic development success and move forward especially with residential development.
- The opportunity to attract foreign investment due to the proximity to Houston, the regional industrial complexes, transportation hubs (land and rail and port) and inexpensive land
- Opportunity to engage the community's youth and regional young professionals in the redevelopment of La Marque.
- Water including (effluent) reuse for commercial purposes and desalination potential.

Threats

Community Perceptions and Attitudes

- Overall external poor perception of the city
- Negative talk and perceptions becoming the reality
- The external "Toxic City" Perception
- Too many residents focused on the past and trying to regain the "Old La Marque"
- Local community resistance to change
- Those individuals and groups working against La Marque's future for their own personal gain or position of power.
- Perception that La Marque is on "life support"
- Community fear from crime and negative trends.

General

- Lack of accountability
- Changing demographic trends of the city
- High percentage of city and school district employees do not live in La Marque or call this community "home"
- Unreported crime
- Small size of the city and the resources required to make systematic and substantial change and investment



- The community of La Marque getting older (age of population) and gradually the community just dies off.

LMISD

- LMISD future - either dissolution of the school district or, if the district, is saved the long term outside negative perception of poor performance that will linger regardless of improvements
- LMISD Board unwilling to change
- LMISD poor campus leadership
- LMISD losing school campuses

Environmental

- Hurricanes – the reality of the impact of loss of life and property and the external perception that investment or living close to the coast is not wise.
- Hazardous cargo moving through the city
- Problems or major events at the area chemical/fuel plants
- Ability to respond to natural or industrial disasters including financial, physical and emotional needs

Economic

- Labor Unions and Strikes
- Growth in Dickinson, Santa Fe, Hitchcock and Lago Mar further impacting the retail and residential viability of La Marque
- Expansion of the Lago Mar development restricting the development of the I-45 frontage in La Marque
- Weak tax base getting weaker
- Limited commercial tax base
- I-45 development bypassing La Marque
- Lack of demand for La Marque commercial and residential real estate depressing further the local tax base and limiting the ability to sell or lease property in La Marque

Resources

- Water treatment and water distribution system needs and regulations
- Availability and/or future cost of water
- Cost/environmental requirements of sewer treatment



State and National

- Divided community, state and nation on racial and economic lines
- Stricter environmental policies impacting area industry
- Unfunded federal and state mandates especially environmental and water
- Higher windstorm and flood (Biggert-Waters) insurance rates due to the federal policies restricting area development

International

- Extended low crude prices limiting investment in new plants
- Terrorism especially at the area plants

Questions posed by the Focus groups to be considered included:

- What are the needs for the businesses, residents and visitors/travelers along I-45 in La Marque?
- Why Visit La Marque?
- Why should I live in La Marque?



4. Planning Charrette Results

The La Marque Economic Development Corporation in conjunction with the La Marque City Council hosted a planning charrette Tuesday May 10, 2015 from 6 pm to 9 pm in the City Council Chamber work room. Thirty community leaders representing the La Marque City Council, the La Marque Economic Development Corporation and a variety of city boards, commissions, neighborhoods and employers gathered for the event. The charrette is an intensive planning session providing participants the opportunity to collaborate on a vision for the city as well as establish priority goals for accomplishing this vision. The participants were engaged, active and honest in their assessment and feedback. The results, as presented below, were received with consensus support.

The purpose of the event was to receive a presentation of the results from the various focus groups, interviews and data reviews completed as a part of the strategic planning process from February 2015 through May 2015. In addition the Charrette was designed to identify critical issues that will impact the future of La Marque and to identify priority community goals to direct community investment, strategies and decisions.

The outline of the charrette can be found in appendix 2 and is contained in the PowerPoint slides used to guide the event. The following is a presentation of the results of the charrette and associated group processes.

A. Critical Issue Identification

Following a presentation of the environmental assessment results (SWOT Analysis – Strengths, Weaknesses, Threats and Opportunities) completed during the focus group and interview process, the participants in the charrette divided up into groups of four to six participants to discuss and clarify the critical issues or facts impacting the positive and progressive future for La Marque. Each of the groups were asked to utilize the results reported from the focus groups and interviews as presented as well as the reported trend data to identify the top three to five critical issues facing La Marque. The groups were asked to identify issues that do or would have a profound and sustainable impact on the future of La Marque from the perspective of:

- Community Development
- Quality of Life
- Community Infrastructure Investment
- Future Economic Development Success



Following the development of the list of critical issues from each group a master list of issues were developed representing all the participants. Each individual was given the opportunity to prioritize these issues by placing votes (via colored dots) on the issues they felt constituted the greatest challenge or need for the community at that must be addressed with priority investment and action to improve the future for La Marque. Each participant was provided 10 total votes to be used during this prioritizing process with a maximum of four votes to be place on any single issue. A master listing of rank order critical issues was developed through this process.

- **Critical Issue 1: Blight Reduction** (receiving 41 total votes).
- **Critical Issue 2: The Future of the La Marque Independent School District (LMISD) and quality public education opportunities in La Marque** (receiving 39 total votes).
- **Critical Issue 3: Infrastructure Needs** (receiving 32 total votes).
- **Critical Issue 4: Community Image** (receiving 29 total votes).
- **Critical Issue 5: Economic Development** (receiving 25 total votes).
- **Critical Issue 6: City Human Resources** (receiving 23 total votes).
- **Critical Issue 7: Communication** (receiving 19 total votes).
- **Critical Issue 8: Youth Engagement** (receiving 18 total votes).
- **Critical Issue 9: Volunteer Engagement and Development** (18 total votes):
- **Critical Issue 10: Quality of Life Issues** (16 total votes):
- **Critical Issue 11: New Leadership Development Efforts** (15 total votes):
- **Critical Issue 12: Residential Plan** (5 total votes):

The following issues were identified as the most critical and are presented in priority order.

Critical Issue 1: Blight Reduction (receiving 41 total votes).

The overall appearance of the city was determined to be the most critical barrier to future development and success of La Marque. The groups expressed concern that initial negative perspectives and opinions of La Marque were often developed and reinforced by the excessive blight and that these inaccurate and negative opinions of the city were detrimental to the city's future success. The blight generated a perception of high crime, high poverty and a city that was declining both in the minds of visitors and residents alike. The groups also expressed the opinion that the blight was a disincentive for responsible property owners to maintain their properties to a higher standard due to the fact that the appearance of their properties was negatively impacted by the poor condition of neighboring properties. The concern of the ability to create a positive first impression of La Marque or mitigate a negative first impression due to the blight was also expressed.



The potential remedy of enhanced code enforcement for both land and improvements was discussed as a critical blight reduction related strategy.

Of special note and discussion were the following blight characteristics:

- **Condemned and vacant and dilapidated buildings:** Clearly the top priority was addressing this component of blight. These structures were identified both as unsightly and unsafe and a breeding ground for criminal behavior. The demolishing and removal of these structures especially along the major community arteries of FM 1765 (Texas Avenue), Highway 146, Highway 3, Bayou Road, Cedar Drive, Interstate 45 and FM 519 was expressed as the major blight related concern. In addition the discussion of the vacant La Marque Independent School District campuses was identified as a significant concern sending a negative message regarding the “health” of the La Marque community. The limited potential for efficient reuse of these specialized facilities fostered discussions of demolition or renovation should enrollment warrant.
- **Landscaping:** The condition of vacant lots and the resulting “eyesore” was discussed in great length. The ability via stronger code enforcement and direct city intervention (cleaning) to improve the appearance of unimproved property was discussed in great length. Of particular noted was the appearance of road right of way, ditches and other properties owned or managed by the city. The groups suggested that this could be an initial area of priority with the city leading by example to reduce blight.
- **Other Issues:** The groups identified a number of other blight related issues that needed attention including broken and overgrown sidewalks; need for stronger signage ordinances and approval processes; the potential for a paint partnership to address private property conditions and the need for a substantial, well lighted and landscaped welcome sign along Interstate 45.

Critical Issue 2: The Future of the La Marque Independent School District (LMISD) and quality public education opportunities in La Marque (receiving 39 total votes).

The future of La Marque is directly tied to the provision of quality public education within the city. This was the clear and unanimous opinion of all charrette participants. The ability to address this issue is in the hands of a limited group of individuals including the State of Texas, the LMISD Trustees and the LMISD teachers/administrators and



students. General community support for the future of LMISD was shared by the charrette participants but an equally important message of bringing this issue to closure regardless of the final outcome was also shared. The clear priority expressed was the need for a definitive long term plan for quality educational opportunities within the city limits of La Marque and closure to the uncertainty and negative media surrounding this highly visible and media driven process. The issue is larger than quality education and the future for the local students and includes branding/marketing the La Marque community for economic and community development opportunities as well as fostering La Marque as a location for residential development especially for families.

Critical Issue 3: Infrastructure Needs (receiving 32 total votes).

The charrette participants expressed concern for the current and future infrastructure needs for the city of La Marque. Included in these discussions were roads, water, sewer, drainage and amenities. These discussions included the investments that must be made to both support current operations (residents and businesses) as well as new infrastructure that must be installed to foster expanded development.

Of special note and discussion were the following infrastructure issues:

- **Water:** The discussions regarding water centered on the availability of water sources and the needed improvement for water distribution to current and future developments.
- **Sewer:** The potential cost for environmentally required changes to the treatment plant and the maintenance of existing pumps and lift stations. In addition the cost to extend sewer for potential new development was expressed as a concern
- **Roads:** The condition of current roads especially in the older neighborhoods was expressed as a critical issue
- **Drainage:** The condition of drainage ditches and the need for continual maintenance and clearing was discussed both from an aesthetic and operational perspective.
- **Amenities:** A general discussion of community amenities was discussed as a critical issue related to overall community development. Of particular interest and concern were amenities for youth especially older youth and the need for a youth community center.



Critical Issue 4: Community Image (receiving 29 total votes).

The top two critical issues identified by the participants had both a primary and secondary component. The secondary component in both cases impacted negatively the image of La Marque both for current residents and for individuals/business interests outside the city. The participants indicated that the perceived negative image of La Marque due to both external appearance of the city and the recent negative publicity surrounding the LMISD was a critical factor that needed to be addressed. The image of La Marque was identified by the group as a barrier for both residential and commercial/business expansion.

Critical Issue 5: Economic Development (receiving 25 total votes).

The participants expressed support and positive encouragement for the work of the La Marque Economic Development Corporation and the leadership involved. The critical issue expressed however was over the lack of success measured in both foundational jobs created and tax (sales and property) revenue. The stagnate tax base both in terms of new property added to the tax rolls and declining values severely limits the ability of the city to address priority issues such as blight and infrastructure improvements. The need to grow the tax base with new investment through expanded and aggressive economic development efforts and incentives was expressed as a critical issue for the future of La Marque.

Critical Issue 6: City Human Resources (receiving 23 total votes).

The participants expressed concern for the balance between the demands placed on the La Marque city employees and the size of the city workforce. The consensus of the participants was that the limited city budget simply does not provide sufficient human resources to meet the expected demand for productivity and outcomes. In addition the current city salary structure does not adequately compensate the current city workforce leading to high levels of employee turnover and great difficulty in attracting talented and experienced employees to La Marque. It is noted that the participant group included a number of current full time city employees.



Critical Issue 7: Communication (receiving 19 total votes).

Frustration was expressed by the participants that a lack of communication and communication tools were present in La Marque to inform the residents and outside interests of the plans, opportunities and “good news” in La Marque. The participants discussed the success of previous communication strategies and tools in keeping the residents informed and involved and the positive outcomes resulting from these efforts. A lack of effective communication was perceived to impact community image, teamwork, partnerships, community involvement and overall community success

Critical Issue 8: Youth Engagement (receiving 18 total votes).

The participants expressed concern over the lack of opportunity for and engagement of the youth in La Marque. The future of the city is predicated on the development of the next generation and the ability to attract new resident families to La Marque. Both these assessments require an active, successful and comprehensive youth engagement strategy. Issues such as the decline in youth team sports participation, the challenges with the LMISD and the lack of a facility and programming directed at children and especially older youth were noted for action. Lack of youth engagement programming was also cited as a potential reason for both declining school populations and limited growth in the attraction of new families to La Marque.

Critical Issue 9: Volunteer Engagement and Development (18 total votes):

Tied with youth engagement for the number of votes (18), the participants expressed concern over the declining number and engagement of volunteers in efforts focused on the improvement of La Marque and the community's quality of life. It was noted that volunteer engagement has declined nationwide (see note 1) over the last decade across the country and that this trend is not unique to La Marque. The trend was especially acute in city efforts including the participation in boards, committees and commissions. Most of the volunteer members serving the city have extended experience in multiple settings over extended periods. While this was also noted as a strength in terms of experience, the lack of “new faces and fresh ideas” was expressed as a hindrance to long term city success. The lack of volunteers to support youth and civic engagement activities and the lack of participation in local civic clubs was noted as a trend of major concern.

Note 1: Recent study (2014) by the Corporation for National and Community Service indicates that Texas ranks 43 out of 50 states in volunteerism with less than 23% (national average of 36%) of residents indicating that they volunteer in civic, religious, educational or social events or organizations a 3% drop from figures reported in 2011.



Critical Issue 10: Quality of Life Issues (16 total votes):

Closely aligned with Critical Issue 8 (youth engagement) was a concern addressed by the participants for the development of various venues, programs and services focused at enhancing the quality of life factors in La Marque. Of particular concern were venues and programs designed to serve families especially younger families. Participants expressed the competition from other communities within Galveston County with perceived enhanced "quality of life" opportunities and the impact this can have on business and residential recruitment efforts. Participants recognized the value of amenities such as Highland Bayou Park and programming such as Bayou Fest as examples of efforts to be enhanced and replicated. The lack of a youth center was expressed by numerous participants as a significant weakness in quality of life resources in La Marque.

Critical Issue 11: New Leadership Development Efforts (15 total votes):

Closely aligned with Issue #9 (Volunteerism) and Issue #8 (Youth Engagement) was the concern with leadership development. The participants indicated that "the same leaders are used over and over again". The lack of formal or informal efforts to insure effective leadership succession in critical efforts in La Marque was noted. The ability to attract, engage, mentor and prepare the next generation of La Marque leadership was cited as a concern. The participants indicated a perceived lack of interest in individuals within the community to aspire to leadership roles in the community.

Critical Issue 12: Residential Plan (5 total votes):

Clearly the lowest rated critical issue by the participants was the lack of a plan to encourage individuals to move to La Marque or to incent expanded residential development in the community. Many participants indicated that addressing the issues of blight and the school district will result in residential growth. Participants indicated a desire to develop a residential plan including various stages of housing (price, square footage, amenities, etc.) from starter homes through family homes to "empty nesters" to foster residential growth in a variety of categories.



B. Community Goals

Following the identification of the critical issues facing La Marque, the participants in the charrette divided up into groups of four to six participants to identify the critical community goals that must be accomplished to insure a strong future for La Marque. Each group was asked to identify their top six goals that they determined must be accomplished over the next five to seven years to create a stronger, healthier, economically prosperous La Marque. The groups were directed to provide goals that were:

- **Attainable** with existing resources
- **Measurable** providing recommended evaluation criteria to determine the success of the goal
- **Sustainable** with existing or realistically projected resources and revenue providing long term impact
- **Comprehensive** addressing community development, quality of life, community infrastructure investment and economic development priorities.

Following the development of the list of community goals from each group and consolidating similar goals a master listing was developed. Each individual was given the opportunity to prioritize these goal statements by placing votes (via colored dots) on the goals they felt most critical and that posed the greatest opportunity for the future of La Marque. Each participant was provided 10 total votes to be used during this prioritizing process with a maximum of four votes to be placed on any single issue. A master listing of rank order goals was developed through this process. The listing is as follows:

1. Infrastructure Repair and Replacement Plan (37 votes)
2. Blight Reduction (36 votes)
3. Update and Enforce Code of Ordinances (30 votes)
4. Interstate 45 Plan (30 votes)
5. Communication Plan (27 votes)
6. Water/Sewer/Road Annual \$1 Million Investment (16 votes)
7. Community Center Plan (14 votes)
8. Consolidation of LMISD into TCISD (13 votes)
9. Blight Reduction Plan (12 votes)
10. Grocery Store Plan (11 votes)
11. Expanded Tax Base Strategy (9 votes)
12. Economic Development Plan (9 votes)
13. Compensation Improvement Plan (9 votes)
14. Expanded Youth Recreation Program (7 votes)
15. Lemonade Day Plan (6 votes)

The following provides a prioritized listing of the agreed upon community goals:



Priority 1: Infrastructure Improvement Plan

Clearly the topic that received the greatest attention during the goals discussion with the participants was in the area of infrastructure needs. Each of the groups ranked this area of attention at or near the top of their goal recommendations. Two separate goal infrastructure statements were identified during the process including:

- Priority 1: Infrastructure Repair and Replacement Plan (37 votes)
- Priority 6: \$1 Million Annual Water/Sewer/Road Investment (16 votes)

As these priorities are obviously linked they are presented together.

Goal I. A.

- **Develop and approve by City Council a five year prioritized listing of infrastructure repair, replacement and expansion priorities of not less than \$1 million per year by December 31, 2015.**
- **This plan will include projected sales tax revenues for five years as a primary source of revenue for financing these expenditures.**
- **Evaluate the plan annually as a part of the city's budgeting process and reestablish priorities as needed.**

Responsible Parties: Mayor, City Manager, City Council

Resources Required: staff time, engineering resources

Evaluation Measurements:

1. Plan completed, approved by City Council, posted on the City's web page by the approved deadline.
2. Annual review, modification and approval of the plan by the City Council no later than September 1 of each subsequent fiscal year through FY 2022

Goal I. B.

- **Implement the five year Infrastructure Improvement Plan by investing not less than \$1 million per year beginning with FY 2017 through FY 2021 in road, water and sewer major repairs, improvements and expansion.**

Responsible Parties: Mayor, City Manager, City Council

Resources Required: \$1 million annually, staff time, engineering resources

Evaluation Measurement: Annual report presented to City Council by the City Manager and posted on the city's web page documenting the actual infrastructure projects competed or under contract and the amounts invested.



Priority 2: Blight Reduction

Equal to the commitment to infrastructure improvement was the commitment to making La Marque a more attractive place to live and work through a focused effort to remove blight. The following goal statements related directly to this effort

- Priority 2: Blight Reduction Program (36 votes)
- Priority 3: Update and Enforce Code of Ordinances (30 votes)
- Priority 9: Blight reduction Plan (12 votes)

As these priorities are obviously linked they will be presented together.

Goal 2. A.

- **Develop and approve by City Council a comprehensive, priority based, blight reduction plan for La Marque by December 31, 2015 through the active participation of the La Marque Clean City Commission.**
- **Evaluate the plan annually as a part of the city's budgeting process and reestablish priorities as needed.**

Responsible Parties: Mayor, City Manager, City Council

Resources Required: staff time, engineering resources

Evaluation Measurements:

1. Plan completed, approved by City Council, posted on the City's web page by the approved deadline.
2. Annual review, modification and approval of the plan by the City Council no later than September 1 of each subsequent fiscal year through FY 2022

Goal 2. B.

- **Based on the priorities established in the approved blight reduction plan, demolish and remove not less than 20 vacant and dilapidated structures each year beginning in FY 2016 through FY 2021.**
- **Develop and implement a plan to maintain the vacant lots to appropriate standards.**
- **Develop and implement a plan to recoup the cost of the demolition/clean up from the respective property owners through assessments or sale of the property.**

Responsible Parties: Mayor, City Manager, City Council

Resources Required: budgeted resources, staff time, engineering resources



Evaluation Measurements: Annual report presented to City Council by September of each year beginning with September 2017 providing a listing and photograph of each structure removed and each lot cleared along with a detail of the expenses associated with the processes.

Goal 2. C.

- **Complete a comprehensive review of all La Marque city codes and ordinances related to appearance and safety of facilities and grounds for both residential and commercial including both compliance and fines.**
- **Provide recommendations for City Council consideration for improving the codes and ordinances to strengthen and streamline the city's ability to address issues of blight.**
- **Complete the code and ordinance review process by June of 2016.**

Responsible Parties: Mayor, City Manager, City Council City Staff

Resources Required: staff time

Evaluation Measurement:

1. Approval by City Council by June 2016 of a revised set of codes and ordinances designed to enhance enforcement of issues related to blight.

Goal 2. D.

- **Develop, fund and implement a plan to enhance code enforcement of issues related to blight reduction in the City of La Marque beginning with the FY 2017 fiscal year.**

Responsible Parties: Mayor, City Manager, City Council City Staff

Resources Required: Additional budget resources for additional staff and operations

Evaluation Measurement:

Annual report presented by the City Manager in September of each year beginning with September, 2018 providing a listing of all code enforcement actions completed during the year including an accounting of expenses incurred and income realized through fines and sales.



Priority 3: Interstate 45 Plan

Participants discussed the present and future potential of the Interstate 45 frontage within the city limits of La Marque especially as it relates to commercial and retail development. The desire to protect and manage this valuable resource for the future economic impact to the city was a high priority for the participants

Goal 3. A.

- **Develop for approval by Planning and Zoning Commission and City Council appropriate zoning and development guidelines to protect and enhance development along the La Marque Interstate 45 corridor by March 2016.**
- **Implement the revised guidelines by May 2016.**

Responsible Parties: Director of Economic Development, La Marque EDC, City Manager, Planning and Zoning Commission, City Council

Resources Required: staff time

Evaluation Measurement:

Revised guidelines approved by the EDC, City Council and Planning and Zoning Commission.

Priority 4: Communication Plan

The participants indicated great frustration in the inability to communicate with the residents of La Marque and other interested parties the plans, needs and activities within the city. The website was noted as one source of information with limited usage. Many individuals shared the value of the former La Marque newsletter. The need for a comprehensive communication strategy was noted to support many of the other priority goals of the city.

Goal 4. A.

- **Develop a comprehensive communication strategy including but not limited to web, social media, advertising and print (newsletters) to enhance the ability to communicate the positive news and opportunities available in La Marque.**
- **Complete the strategy development by November 2015**
- **Evaluate the implemented communication strategies annually.**



Responsible Parties: Mayor, City Staff TBD

Resources Required: staff time, printing, postage, consultant services

Evaluation Measurements:

1. Communication strategic plan developed and presented to the City council for approval by December 1, 2015.
2. City Manager to provide a written report annually in December of each year evaluating the effectiveness of the communication strategic plan.

Goal 4. B.

- **Develop a community newsletter to be distributed not less than 3 times each year beginning with FY 2016.**

Responsible Parties: City Staff TBD

Resources Required: staff time, printing, postage,

Evaluation Measurement:

1. City Manager to provide a written report annually in December of each year evaluating the distribution and effectiveness of the community newsletter

Priority 5: Community Center Plan

The participants discussed the need for a community center to address numerous quality of life and youth services/engagement concerns. The need for a "Community Center" location that provides identity to the La Marque community and recreational and social opportunities for the residents was deemed an important priority. Concerns over funding the acquisition, construction and operation of such a center were noted. .

Goal 5. A.

- **Create a Community Center Exploration Task Force charged with the responsibility of exploring opportunities for the development of a La Marque community center no later than December 2015.**
- **Charge the task force with exploring issues related to the potential community center to include but not be restricted to:**
 9. **Purpose and uses by age group**
 10. **Recommended resources, amenities and capabilities in priority order**
 11. **Suggested models**
 12. **Estimated construction/renovation budget**
 13. **Estimated operational budget**
 14. **External grant and private funding opportunities**



15. Potential partnerships

16. Potential sites or locations including vacant LMISD facilities

- **The Community Center Exploration Task Force will report their findings and recommendations to the City Council by September 2016.**

Responsible Parties: Mayor, City Manager, City Council, City Staff TBD

Resources Required: Staff time, local/area travel to see other centers

Evaluation Measurement:

The Community Center Exploration Task Force will present their recommendations for city council review by September 1, 2016

Priority 6: Consolidation of LMISD into TCISD

Clearly the most significant critical issue impacting the future of La Marque is the future of the La Marque Independent School District. The participants expressed a great need for closure in this issue as well as frustration in the inability to directly engage in this state driven process. The participants presented a desire to include closure to this issue as a priority goal in this process however neither the City of La Marque, the La Marque EDC or residents in general have little to no direct engagement in this process. As such, no goal is presented in this plan directly related to the future of the La Marque Independent School District with the caveat that this plan will be amended once this critical issue is resolved at the state level.

Priority 7: Grocery Store Plan

The desire to have a grocery store located within the city limits of La Marque in addition to the Walmart and Sam's development was paramount in the minds of many of the participants. This issue transcends the convenience for this retail service to a foundational hole in the fabric of the community. Many small cities in the region most notably Santa Fe and Hitchcock are struggling with this same concern. The participants indicated a desire for the city of La Marque to implement a campaign directed at attracting a grocery store in the manner that has proved success for other communities of similar size.

Goal 7

- **Develop and implement a communication campaign directed at decision makers who site new locations for small grocery stores.**



- Utilize broad based community support, social media, direct communication and leadership intervention to share the desire to work with grocery store chains to select La Marque as a location for development
- Create a La Marque Grocery Store Team to plan and conduct this effort in conjunction with area civic groups and the chamber of commerce.
- Develop a plan for review by the La Marque EDC by December 2015 for implementation in 2016.

Responsible Parties: La Marque EDC

Resources Required: Volunteer Task Force Members, Staff Time, Printing

Evaluation Measurements: Campaign implemented by January 2016 with a successful decision secured for a new grocery store by January 2018

Priority 8: Expanded Tax Base Strategy

Recent stagnation in the tax base for La Marque has negatively impacted the city's ability to invest in needed services and infrastructure. The participants indicated a desire to see a targeted effort to increase the city's tax base by 20% by 2020.

Goal 8

- Develop a plan with specific strategies designed to incent investment in La Marque's commercial and residential tax base.
- Identify and address barriers to now development and construction in La Marque

Responsible Parties: La Marque EDC, Mayor, City Manager,

Resources Required: staff time

Evaluation Measurement: Certified tax rolls for the FY 2021 year will report a 20% increase in the tax base for La Marque compared to FY 2016

Priority 9: Economic Development Plan

Participants indicated a strong desire to expand efforts to incent job growth and capital investment in La Marque. While the work of the La Marque EDC and staff was respected and appreciated, the participants desired to see increased investment in these efforts and



a definitive incentive plan developed that could be marketed to potential investors and site selectors.

Goal 9: Economic Development and Incentive Plan

- **Develop and present for approval to the La Marque EDC a focused economic development plan including basic incentive guidelines for distribution to various site selectors, developers and project managers by December 2015.**

Responsible Parties: La Marque EDC, Economic Development Director

Resources Required: Staff Time

Evaluation Measurement: Economic Development Plan developed and approved by the La Marque EDC.

Priority 10: Compensation Improvement Plan

Participants indicated a desire to address the human resources challenges of the City of La Marque both in terms of adequate compensation and employee recruitment and retention. Participants indicated that the best way this issue could be addressed was by developing a new compensation improvement plan for the City of La Marque.

Goal 10

- **Develop and present for approval to City Council by June 2016 a revised compensation plan for the city employees along with a proposed multiyear compensation adjustment plan to bring current employees in alignment with the new compensation schedules.**

Responsible Parties: Mayor, City Manager, City Council City Staff

Resources Required: Staff Time, Consultant

Evaluation Measurements: The new compensation plan and implementation schedule will be presented to the City Council by June 1, 2016

Priority 11: Expanded Youth Recreation Program

The decline in youth recreation programs and opportunities was cited by the participants as a major deficiency in the quality of life metrics for La Marque. In addition to the



resources required to run these programs the lack of volunteer leaders and coaches was identified as a major barrier to the success of these efforts.

Goal 11

- **Establish a La Marque Youth Recreation Task Force by October 2015 to develop strategies to enhance youth recreation programs and volunteerism to support this effort. Plan to be developed and presented to City Council and invited community leaders by May 2016 with implementation by August 2016.**

Responsible Parties: Mayor, City Manager, City Staff

Resources Required: Staff Time, Volunteer Task Force Members

Evaluation Measurements: Plan is completed and approved by the La Marque Youth Recreation Task Force and City Council by May 2016.

Priority 12: Lemonade Day Plan for La Marque

This idea was presented by one of the groups during the session. Lemonade Day is a national effort to develop business and entrepreneurial skills in elementary aged children. The program serves over 1 million children each year teaching business skills, life skills and mentorship. Galveston is home to one of the largest Lemonade Day programs in the country serving nearly 1000 children in 2015. The program in La Marque would be supported by this effort.

Goal 12

- **Develop a Lemonade Day program in cooperation with the chamber of commerce, local schools and local business to engage 200 elementary kids annually in this nationally recognized strategy to teach business and life skills by May 2016.**

Responsible Party: City Manager

Resources Required: Volunteer Leaders, Volunteer Mentors, Program Materials

Evaluation Measurements: The active participation of 200 children in the La Marque Lemonade day program by May 2017.



5. Recommendations and Conclusions

A. Draft Vision Statement

The La Marque is recognized as the hub of Galveston County and a desirable, progressive and business-friendly community within which to locate and conduct business.

B. Draft Mission Statement

We will achieve our vision by:

- 1) Ensuring efficient and predictable business planning, zoning and permitting processes and focused and effective economic development incentives and services.
- 2) Creating and sustaining a safe, clean, green, and fiscally sound business environment that benefits residents, businesses, and the region;
- 3) Promoting La Marque for its central location, prime business sites, great climate, and excellent transportation, water, and public safety services; as well as for other strengths that distinguish La Marque from other municipalities, such as its proximity to the petrochemical complex, the regional international ports and the city of Houston; civic participation; and history.
- 4) Actively recruiting and retaining businesses, especially supporting emerging sectors that create quality, good-paying jobs.
- 5) Fostering an educated and job-ready local workforce by driving the improvement of the academic performance of La Marque students and by connecting businesses, learning institutions, and community agencies.

C. Conclusion

The elected officials, civic leaders and citizens of La Marque have many assets and opportunities upon which to build a vibrant and prosperous community. The participants in this study demonstrated great honesty and candor in recognizing and clarifying their weaknesses and challenges. The participants also demonstrated a deep love and commitment to do the work to build and rebuild the foundation and community of La Marque. As this commitment is sustained, La Marque will see the desired outcomes.



Appendices

Appendix 1: Focus Group and Charrette Handouts

Appendix 2: Charrette Report



Appendix 1: Focus Group and Charrette Handouts



La Marque, Texas Strategic Planning Process 2015 Focus Group Handout

The La Marque Economic Development Corporation in conjunction with the Mayor and City Council reached consensus on the need for a new strategic plan to guide the economic and community development efforts of our hometown. In support of this strategic planning effort we appreciate your participation in this focus group session. Please find below the questions we will consider during the focus group session.

As an important leader in our community your input is critical to the success of this process and the effectiveness of the resulting plan. Your **honest and thoughtful** input is appreciated. Please add additional sheets if necessary.

Your **individual responses will be kept confidential** and viewed only by our planning consultant Dr. C. B. Rathburn. Only collective responses without names will be reported. Please email your completed responses to C. B. Rathburn at RathburnPlanning@gmail.com or place your completed questionnaire in a sealed envelope and address it to:

*Alex Getty
Executive Director
La Marque Economic Development Corporation
La Marque City Hall
1111 Bayou Road
La Marque, TX 77568*

Thank you for your participation in this important process guiding the future of our city.



Environmental Assessment or *SWOT* analysis

(*Strengths, Weaknesses, Threats and Opportunities*)

Please share your assessment of the city's internal strengths and weaknesses in the space provided. Please also share your opinions on the external opportunities or trends that the City could capitalize on for greater success as well as the external threats that must be addressed that could negatively impact our success.

1. **Strengths** - Strengths are the internal qualities, resources and abilities of the City and community that enable us to accomplish our goals. How can we utilize each *Strength*?
2. **Weaknesses** - Weaknesses are the internal qualities, characteristics and resource limitations of the City and community that limit us from accomplishing our goals and achieving our full potential. How can we mitigate or eliminate each *Weakness*?
3. **Opportunities** - Opportunities are those trends or activities external to the city that will enhance our success in achieving our goals. How can we make use of each *Opportunity*?
4. **Threats** - Threats are those trends or activities in our environment external to the city that limit or inhibit our success in achieving our goals. How can we mitigate or limit the impact of each *Threat*?



Focus Group Discussion Questions

1. What makes La Marque special?

4. What are the critical issues that the City needs to face over the next five years?

2. Where **do you** see La Marque in five years?

5. What do you see as the key priorities the City should establish in its strategic economic development plan?

3. Where **would you** like to see La Marque in five years?

6. What economic development issues are most important to you?

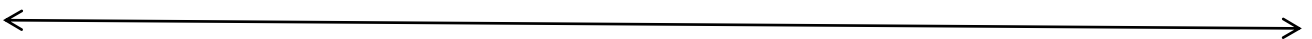


Parking Lot Issues

Issues of concern that you feel need to be addressed in La Marque so that the community can reach its full potential

Other Comments, Suggestions, Additions or Concerns

Any other input you would like to provide that you feel is important the development of a comprehensive economic development plan for the City of La Marque



Please feel free to send your responses to this questionnaire and any other additional comments to C. B. Rathburn at RathburnPlanning@gmail.com at your convenience.

Thank you for your input and participation



La Marque Strategic Planning Charrette Session Group Assignments



#1 Critical Issues

You have heard the results from the focus groups and interviews and a brief review of the trend data that represents La Marque today. From all this input identify the top three critical issues that will have the most profound and sustainable impact on the future of La Marque from each of these perspectives.

Top three issues only!

You have 12 minutes to complete this task.

- Community Development and Quality of Life Issues
- Community Infrastructure Issues
- Economic Development Issues

#2 Community Goals

From the presentation of the top critical issues facing La Marque, please identify your group's **top six goals that need to be accomplished** over the next seven years to create a stronger, healthier, economically prosperous La Marque? Focus on goals that are:

1. **Attainable** with existing and predicted resources?
2. **Measurable** – please give the measurement criteria you would recommend to determine the success of this goal.
3. **Sustainable** - Goals that will make the greatest impact long term.
4. **Comprehensive** – addressing the following perspectives
 - Community Development and Quality of Life Issues
 - Community Infrastructure Investment
 - Economic Development Priorities

Top 6 only! You have 14 minutes to complete this task.



La Marque Strategic Planning Charrette Session



Parking Lot - Unfortunately the time allotted for the charrette does not allow for detailed discussion of specific ideas, issues, or concerns that may come up. To insure that your critical issues or great ideas are not lost we invite you to take a few minutes to describe your issue, idea or concern on this sheet and submit it to the facilitator along with your name, email address and phone number so that we can get additional information following the session. All ideas are encouraged and are appreciated.

Dr. C. B. "Bix" Rathburn at RPC can be reached at RathburnPlanning@gmail.com



Appendix 2: Charrette Report

La Marque Strategic Planning Charrette Session




La Marque Strategic Planning Charrette Session



What is a Charrette?

A charrette is an **intensive planning session** where citizens collaborate on a vision for development. It provides a forum for ideas and offers the unique advantage of giving immediate feedback to the plan developers. More importantly, **it allows everyone who participates to be a mutual author of the plan**




La Marque Strategic Planning Charrette Session





- ***Thank You for your time***
- ***Purpose***
- ***Two Hours Max***
- ***Confidentiality***
- ***Stockdale Paradox***
- ***Handout Written Responses***
- ***Parking Lot***
- ***Limitations***

Strategic Planning Compared to City and Town Planning





1. Strategic planning isn't as focused on maps, physical conditions, design, etc.
2. Strategic planning is focused on identifying assets and opportunities and mitigating weaknesses and threats to our future success.
3. A 50,000 foot - long term view
4. Strategic planning inherently leads to implementation discussion.

La Marque Charrette Session

Parking Lot





Unfortunately the time allotted for the charrette does not allow for detailed discussion of specific ideas, issues, or concerns that may come up. **To insure that critical issues or great ideas are not lost** we invite you to take a few minutes to describe your issue, idea or concern on one of the blank sheets of paper in the room and to submit it to the facilitator **along with your name, email address and phone number** so that we can get additional information following the session. **All ideas are solicited and are appreciated.**

Dr. C. B. "Bix" Rathburn can be reached at RathburnPlanning@gmail.com

La Marque Strategic Planning Charrette Session





- ***Basic Data Review***
- ***Focus Group Session Results***
- ***Draft Vision Statement***
- ***Critical Issues***
- ***Goals***
- ***Priorities***
- ***Next Steps***





La Marque Strategic Planning Charrette Session Session



- **Where Are We?**
- **What are our Assets?**
- **What are our Liabilities?**
- **Where are we Headed?**
- **Where do we Want To Go?**
- **How do we get There?**
- **What are our Priorities?**



La Marque Strategic Planning Charrette Session



RPC

- **Where Are We?**
- **What are our Assets?**
- **What are our Liabilities?**
- **Where are we Headed?**
- **Where do we Want To Go?**
- **How do we get There?**
- **What are our Priorities?**

La Marque Strategic Planning Charrette Session

The Data Speaks



Demographics



	La Marque	Galveston County	State of Texas
Age			
Persons under 5 years, percent, 2010/2013	7.3%	6.5%	7.3%
Persons under 18 years, percent, 2010/2013	25.2%	24.8%	26.6%
Persons 65 years and over, percent, 2010/2013	13.8%	12.4%	11.2%
Gender			
Female persons, percent, 2010/2013	51.9%	50.5%	50.3%
Geography			
Land area in square miles, 2010	13.91	378.36	261,231.71
Persons per square mile, 2010	1,042.8	769.9	96.3
Population			
Population, 2013 estimate :	15,154	307,465	26,505,637
Population, 2010 (April 1) estimates base:	14,511	291,304	25,146,104
Population, percent change - April 1, 2010 to July 1, 2013:	4.4%	5.5%	5.4%
Population, 2010:	14,509	291,309	25,145,561

RPC



Demographics

	La Marque	Galveston County	State of Texas
Race			
White alone, percent	52.5%	80.2%	80.3%
Black or African American alone,	36.7%	13.7%	12.4%
American Indian and Alaska Native alone, percent,	0.8%	0.8%	1.0%
Asian alone, percent	0.7%	3.3%	4.3%
Native Hawaiian and Other Pacific Islander alone,	0.1%	0.1%	0.1%
Two or More Races, percent,	2.4%	1.9%	1.8%
Hispanic or Latino, percent,	22.5%	23.5%	38.4%
White alone, not Hispanic or Latino, percent,	38.7%	58.3%	44.0%
Household:			
Living in same house 1 year & over, percent,	82.5%	82.5%	82.8%
Foreign born persons, percent,	9.5%	9.7%	16.3%
Language other than English spoken at home,	18.3%	19.3%	34.7%



Demographics

	La Marque	Galveston County	State of Texas
Education:			
High school graduate or higher, percent of persons age 25+, 2009-2013	83.9%	87.1%	81.2%
Bachelor's degree or higher, percent of persons age 25+, 2009-2013	14.9%	28.5%	26.7%
Income:			
Per capita money income in past 12 months (2013 dollars), 2009-2013	\$20,544	\$30,926	\$26,019
Median household income , 2009-2013	\$42,369	\$61,877	\$51,900
Persons below poverty level , percent, 2009-2013	20.1%	13.3%	17.6%

RPC



MEDIAN EARNINGS
IN THE PAST 12 MONTHS (IN 2013 INFLATION-ADJUSTED DOLLARS)
BY SEX BY EDUCATIONAL ATTAINMENT
FOR THE POPULATION 25 YEARS AND OVER

Universe: Population 25 years and over with earnings
2005-2010 American Community Survey 5-Year Estimates

	La Marque city, Texas	
	Estimate	Margin of Error
Total:	31,833	+/-4,039
Less than high school graduate	16,061	+/-7,370
High school graduate (includes equivalency)	16,389	+/-4,068
Some college or associate's degree	36,953	+/-3,205
Bachelor's degree	57,308	+/-13,456
Graduate or professional degree	52,648	+/-10,031
Male:	30,712	+/-5,825
Less than high school graduate	20,174	+/-7,570
High school graduate (includes equivalency)	16,497	+/-7,573
Some college or associate's degree	38,178	+/-3,950
Bachelor's degree	76,719	+/-27,021
Graduate or professional degree	53,520	+/-20,162
Female:	32,716	+/-5,500
Less than high school graduate	9,597	+/-3,899
High school graduate (includes equivalency)	16,189	+/-5,231
Some college or associate's degree	35,056	+/-5,446
Bachelor's degree	52,688	+/-13,514
Graduate or professional degree	40,313	+/-28,065

Source: U.S. Census Bureau, 2009-2010 5-Year American Community Survey

Demographics

	La Marque	Galveston County	State of Texas
Business			
Total number of firms, 2007	989	22,869	2,164,852
Black-owned firms, percent, 2007	32.0%	7.6%	7.1%
American Indian- and Alaska Native-owned firms, percent, 2007	F	S	0.9%
Asian-owned firms, percent, 2007	F	5.9%	5.3%
Native Hawaiian and Other Pacific Islander-owned firms, percent, 2007	F	S	0.1%
Hispanic-owned firms, percent, 2007	S	10.3%	20.7%
Women-owned firms, percent, 2007	31.2%	30.0%	28.2%
Manufacturers shipments, 2007 (\$1000) (1)	0	23,480,817	593,541,502
Merchant wholesaler sales, 2007 (\$1000)	82,750	1,761,558	424,238,194
Retail sales, 2007 (\$1000)	168,991	2,750,294	311,334,781
Retail sales per capita, 2007	\$12,136	\$9,700	\$13,061
Accommodation and food services sales, 2007 (\$1000)	19,774	590,991	42,054,592

Data Sources

1: Counties with 500 employees or less are excluded.

(a) Includes persons reporting only one race.

(b) Hispanics may be of any race, so also are included in applicable race categories.

D: Suppressed to avoid disclosure of confidential information

F: Fewer than 25 firms

FN: Footnote on this item for this area in place of data

NA: Not available

S: Suppressed; does not meet publication standards

X: Not applicable

Z: Value greater than zero but less than half unit of measure shown

Source: U. S. Census Bureau; State and County QuickFacts, Data derived from Population

Estimates, American Community Survey, Census of Population and Housing, County Business Patterns, Economic Census, Survey of Business Owners, Building Permits, Census of Governments

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La Marque Strategic Planning
Charrette Session

The Data Speaks



La Marque Strategic Planning
Focus Group Session

Environmental Assessment
SWOT Analysis



RPC

La Marque Strategic Planning
Focus Group Session

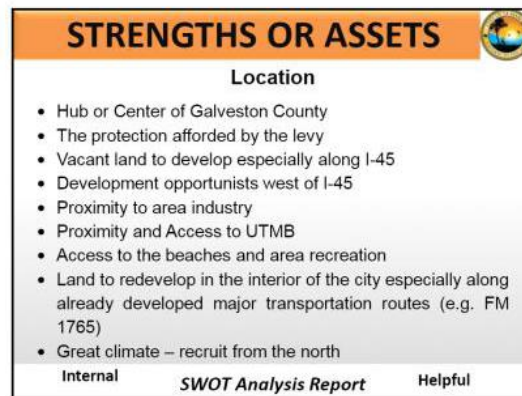
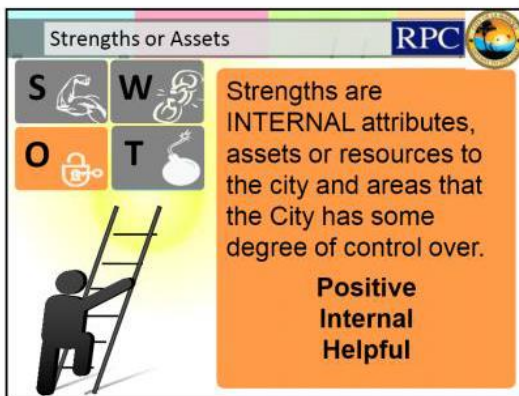
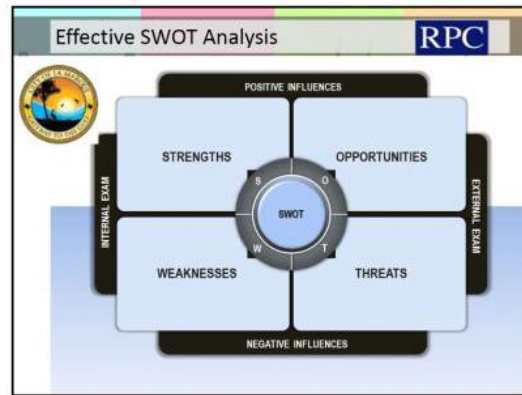
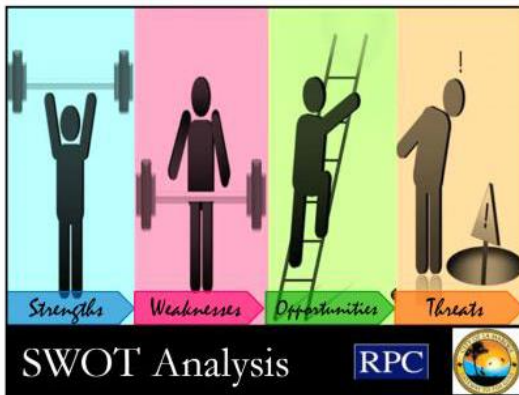
SWOT Assessment

- Raw Responses
- Beliefs
- Perceptions
- Feelings VS Facts



RPC





STRENGTHS OR ASSETS

La Marque Community

- Diversity - racial, social, economic
- The right size community – **not too small – not too big**
- **Small town size** and feeling
- **Strong faith based community**
- Great potential as a retirement town
- Strong Civic Clubs
- Community “ripe” for and encourages business development
- Low crime rates?

Internal *SWOT Analysis Report* Helpful

STRENGTHS OR ASSETS

City Management and Operations

- Aggressive, well supported, well respected and talented economic development staff and structure (**La Marque Economic Development Corporation**) - Pro economic development mindset
- Small town feeling and operation including limited traffic and **ease of getting things done at city hall.**
- Low tax rates
- Good City manager - Good and effective city management
- Good Police Chief - Good public safety operation
- Good city department heads in the new administration

Internal *SWOT Analysis Report* Helpful

STRENGTHS OR ASSETS

City Resources

- Good foundation infrastructure
- Highland Bayou and Carbide Parks
- The La Marque EDC
- Tax incentives available from the EDC/City
- Beautiful trees
- Omega Bay development

Internal *SWOT Analysis Report* Helpful

STRENGTHS OR ASSETS

General

- **No traffic congestion**
- **Low Cost of Living**
- **Good work environment and culture**
- **Low property values** – La Marque is a good buy for residential and commercial property and buildings
- **College of the Mainland**
- New housing developments in the city providing new residents
- Bayou Fest
- A community ripe for internal redevelopment
- Business development (Walmart, Sam's, etc.)
- The potential to redevelop the older outlet mall

Internal *SWOT Analysis Report* Helpful

Weaknesses or Liabilities

S

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W

T

Weaknesses are **INTERNAL** attributes, assets or resources to the city and areas that the City has some degree of control over.

**Internal
Negative
Harmful**

WEAKNESSES OR LIABILITIES

City Appearance and Infrastructure

- **Blight is rampant**
- Poor condition of roads, water, sewer and drainage infrastructure
- **La Marque looks “scary”** giving the perception of an unsafe, high crime community.
- Too many vacant buildings and dilapidated structures that need to be torn down
- Appearance of Texas Avenue and the interior of the city including city facilities.

Internal *SWOT Analysis Report* Harmful



WEAKNESSES OR LIABILITIES



City Appearance and Infrastructure

- The condition of the FM 1765 and Highway 3 intersection
- Lack of adequate street lighting
- Lack of a landscaping code and enforcement
- Condition/appearance of city homes, streets, sidewalks, businesses, and government buildings especially the landscaping
- Ugly City - nothing looks good – no point of pride physically in the city.
- Too many dead end streets

Internal

SWOT Analysis Report

Harmful

WEAKNESSES OR LIABILITIES



Demographics

- Income divide
- Social divide of the city
- Racial divide of the city
- Low income of majority of the residents
- The attraction of low income population due to cheap housing
- Too many residents living one government check at a time
- Lack of programs/service leading to residents self sufficiency

Internal

SWOT Analysis Report

Harmful

WEAKNESSES OR LIABILITIES



Demographics

- High Unemployment - High Underemployment
- Ike refugees from Galveston in La Marque
- The “you owe me” mentality of some residents
- Aging of the community
- Limited new young families moving to La Marque
- Younger folks especially young families moving away
- Educational attainment of residents

Internal

SWOT Analysis Report

Harmful

WEAKNESSES OR LIABILITIES



La Marque Independent School District

- The poor performing La Marque Independent School District including the **image**, Board of Trustees, faculty and staff (exclusive of Superintendent Watkins), **facilities**, student performance and **overall perception**
- LMISD **leadership** and Board of Trustees failing to recognize and be truthful about the academic quality and performance of the schools
- LMISD **enrollment decline** especially in the younger age classifications

Internal

SWOT Analysis Report

Harmful

WEAKNESSES OR LIABILITIES



La Marque Independent School District

- Racial issues driving the LMISD issues
- Local politics infused into the LMISD issues
- **Old and empty LMISD campuses** and building are an eye sore and send the message of a declining community
- LMISD leadership and Board of Trustees failing to put the education of the students as a higher priority than saving their jobs or their school district

Internal

SWOT Analysis Report

Harmful

WEAKNESSES OR LIABILITIES



Community Attitudes and Commitment

- **Inner city culture and vision**
- **Divided community** effort and vision racially, socially, economically and by age
- **Decline in city pride and interest**
- **Silo Mentality** – only interested in my issues or my priorities.
- Residents who have given up on La Marque/Lack of interest especially the younger families and shorter tem residents. A flight as opposed to fight mentality.
- Older community leaders **resistant to change** - desire to go back to the “good old days” in La Marque

Internal

SWOT Analysis Report

Harmful



WEAKNESSES OR LIABILITIES 		
Community Attitudes and Commitment		
• Tolerant of the current state and of disorder • Complacency • Lack of unity • Lack of drive • Lack of a sense of community • Lack of hope • Tunnel vision		
Internal	<i>SWOT Analysis Report</i>	Harmful

WEAKNESSES OR LIABILITIES 		
City Elected and Appointed Leadership		
• City Council infighting producing negative results • Poor community perception of the city council • City leaders do not follow the letter and spirit of the City charter – role of the City Council and Mayor not respected and followed • No new emerging leaders – same folks serving over and over again in city leadership – no new ideas or commitment – no leadership transition or succession plans • Staff - Elected Leaders Relationship Negative perception and lack of trust.		
Internal	<i>SWOT Analysis Report</i>	Harmful

WEAKNESSES OR LIABILITIES 		
City Elected and Appointed Leadership		
• City Staff and City leaders (elected and appointed) not always on the “same page” on priorities and issues • Poor inner-city communication between the city and the residents and within the city • Lack of transparency in city government. • Zoning and building codes not enforced regularly		
Internal	<i>SWOT Analysis Report</i>	Harmful

WEAKNESSES OR LIABILITIES 		
City Staff and Operations		
• Limited city management and staff leadership - Hiring the “best folks we can afford” • Diversity of the city staff • High staff turnover • City staff sometimes feels ‘beat up’ by city leadership and residents • Lack of transparency in city government. • Lack of staff training and professional development • Lack of scheduled maintenance • City staff is being held accountable for items and goals that they are not their responsibility • Difficulty in the development process – paperwork processes difficult and follow-up support lacking		
Internal	<i>SWOT Analysis Report</i>	Harmful

WEAKNESSES OR LIABILITIES 		
Community Perceptions		
• The poor current La Marque “Brand” or Image • External perception of La Marque based on the problems, publicity and performance of the LMISD • Poor perception of the city by the long term residents • Perception as a bedroom community • Poor external perception of the City of La Marque • Perception of and/or reality of high crime		
Internal	<i>SWOT Analysis Report</i>	Harmful

WEAKNESSES OR LIABILITIES 		
General		
• Limited land - cannot expand • Lack of primary residential support businesses including grocery stores, restaurants, health care, retail • No true economic drivers • Primary support sales tax revenue going to adjacent communities • Lack of planning • Drug use and crime • Reactive not proactive policies and actions • Failure to share/communicate our successes • No regional thought • Lack of Galveston County interest, support and involvement		
Internal	<i>SWOT Analysis Report</i>	Harmful



WEAKNESSES OR LIABILITIES

Residential Resources

- Declining real estate values
- Inability to sell a home - no buyers
- Age of homes
- Lack of residential redevelopment efforts
- Lack of new residential opportunities
- Limited housing inventory
- Limited home ownership
- Declining family culture
 - Decline in youth sports programs
 - Decline in service club activity
 - Nothing for older youth to do

Internal *SWOT Analysis Report* Harmful

Opportunities

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Opportunities are:

- External
- Positive
- Helpful
- Not under direct control by the city

RPC

OPPORTUNITIES

Location

- Vacant, affordable land with great access especially the old golf course land and adjacent tracks.
- Outstanding transportation opportunities through I-45, Highways 146, 6 and 3. The best transportation corridor and location in the entire region.
- Proximity to Houston
- Dual rail access and service provided by BNSF and UP producing competitive rates.
- I-45 trickle down investment - the gradual movement of residential/service and retail opportunities along the corridor from Houston past 646 to La Marque. (long term prospect)
- Proximity to good paying jobs.
- "Leakage" development from Lago Mar and other surroundings cities including Galveston.

External *SWOT Analysis Report* Helpful

OPPORTUNITIES

Trade

Proximity to the regional ports (Houston, Texas City and Galveston) and the potential future container port and rail bridge to Pelican Island as well as the potential of the expanded Panama Canal.

Oil and Gas and Petrochemical Related

- Proximity to abundant sources of oil and natural gas from the regional shale operations
- DOW expansion and redevelopment and use of the adjacent land in La Marque

External *SWOT Analysis Report* Helpful

OPPORTUNITIES

Medical and Health Care

- Proximity to University of Texas Medical Branch-Galveston and the opportunity to develop medical related business and industries along the I-45 corridor on sites protected by the levy possibly in conjunction with the regional specialty chemicals industries
- Opportunities for medical supply/support and biomedical related business opportunities in conjunction with UTMB and UT Health Houston.

External *SWOT Analysis Report* Helpful

OPPORTUNITIES

Tourism

- Build upon and partner with Galveston in supporting their growing cruise and tourism industry.
- Support hotels and parking.
- Support and build upon the potential of the dog track as a destination venue.
- Build, market, brand in conjunction with the La Marque and surrounding community festivals including Mardi Gras and Dickens on the Strand

External *SWOT Analysis Report* Helpful



OPPORTUNITIES

Residential

- Development opportunities for **senior living** with affordable land **protected by the levy**, close to the **medical resources** of UTMB and Houston and a good safe quality of life.
- **West side residential** development opportunities

External *SWOT Analysis Report* **Helpful**

OPPORTUNITIES

Commercial

- **Expanded support** from area commercial and industrial partners
- **Opportunities for distribution, sub assembly and light manufacturing.**
- **Distribution, Warehouse and storage facilities protected by the levy.**
- Technology related business development related to NASA
- Opportunities for alternative energy projects and related green technologies

External *SWOT Analysis Report* **Helpful**

OPPORTUNITIES

General

- The **strong and growing regional and Texas economy** especially in trade and petro/specialty chemicals
- The **opportunity to rebrand La Marque**
- **Small changes produce a big result** in a small town like La Marque
- The **opportunity to improve the La Marque Independent School District.** The opportunity to remove this barrier to local community and economic development success and move forward especially with residential development.

External *SWOT Analysis Report* **Helpful**

OPPORTUNITIES

General

- The opportunity to **attract foreign investment** due to the **proximity to Houston**, the regional industrial complexes, transportation hubs (land and rail and port) and inexpensive land
- **Opportunity to engage the community's youth and regional young professionals in the redevelopment of La Marque.**
- Water including (effluent) reuse for commercial purposes and desalination potential.

External *SWOT Analysis Report* **Helpful**

Threats

S

W

O

T

Threats are:

- **External**
- **Negative**
- **Harmful**
- **Competitive**
- **Not under direct control by the city**

External *SWOT Analysis Report* **Harmful**

THREATS

Internal/External Perceptions and Attitudes

- The external "Toxic City" poor perception - negative talk and perceptions becoming the reality
- **Fear from crime and negative trends** - Perception that La Marque is on "**life support**"
- Too many residents focused on the past and trying to **regain the "Old La Marque"**
- Local community **resistance to change**
- Those individuals and groups working against La Marque's future for their own personal gain or position of power.

External *SWOT Analysis Report* **Harmful**



THREATS

General

- Small size of the City and the resources required to make systematic and substantial change and investment
- Changing demographic trends of the City
- The community of La Marque getting older (age of population) and gradually the community just dies off.
- Lack of accountability
- High percentage of city and school district employees do not call this community “home”
- Unreported crime

External

SWOT Analysis Report

Harmful

THREATS

LMISD

- **LMISD future** - either dissolution of the school district or, if the district, is saved the long term outside negative perception of poor performance that will linger regardless of improvements
- LMISD resources, demographics, leadership, staffing, facilities, loosing campuses

External

SWOT Analysis Report

Harmful

THREATS

Environmental

- **Hurricanes** – the **reality** of the impact of loss of life and property and the **external perception** that investment or living close to the coast is not wise. **Is La Marque ready for another Ike?**
- Hazardous cargo moving through the city
- Problems or major events at the area chemical/fuel plants
- Ability to respond to natural or industrial disasters including financial, physical and emotional needs

External

SWOT Analysis Report

Harmful

THREATS

Economic

- **Recession**
- **Growth** in Dickinson, Santa Fe, Hitchcock and Lago Mar further impacting the retail and residential viability of La Marque
- **Expansion of the Lago Mar** development restricting the development of the I-45 frontage in La Marque
- **Weak tax base** possibly getting weaker
- **Limited commercial tax base**
- I-45 development bypassing La Marque
- Labor Union Problems and Strikes
- **Lack of demand for La Marque commercial and residential real estate** depressing further the local tax base and limiting the ability to sell or lease property in La Marque

External

SWOT Analysis Report

Harmful

THREATS

Resources

- Water treatment and water distribution system needs and regulations
- Availability and/or future cost of water
- Cost/environmental requirements of sewer treatment

External

SWOT Analysis Report

Harmful

THREATS

State and National

- **Divided community**, state and nation on **racial and economic lines**
- Stricter **environmental policies** impacting area industry – **Clean Air Act Changes Coming**
- **Unfunded** federal and state **mandates** especially environmental and water
- Higher windstorm and flood (**Biggert-Waters**) insurance rates due to the federal policies restricting area development

External

SWOT Analysis Report

Harmful



THREATS

International

- Extended low crude prices limiting investment in new plants
- Terrorism especially at the area plants

External SWOT Analysis Report Harmful

THREATS

Internal/External Perceptions and Attitudes

- The external "Toxic City" poor perception - negative talk and perceptions becoming the reality
- Fear from crime and negative trends** - Perception that La Marque is on "life support"
- Too many residents focused on the past and trying to regain the "Old La Marque"
- Local community **resistance to change**
- Those individuals and groups working against La Marque's future for their own personal gain or position of power.

External SWOT Analysis Report Harmful

Final Thoughts and Input

SWOT Analysis

La Marque Strategic Planning Focus Group Discussion Questions

RPC

La Marque Strategic Planning Focus Group Session Discussion Questions

- What Makes La Marque Special?
- Where do you see La Marque in five years based on the current trends?
- Where would you like to see La Marque in five years?
- What are the critical issues that La Marque needs to face over the next five years?
- What do you see as the key priorities that La Marque should establish in a strategic economic development plan?
- What economic development issues are most important to you?

RPC

Final Thoughts and Input

Questions posed by the Focus groups to be considered included:

- What are the needs for the businesses, residents and visitors/travelers along I-45 in La Marque?
- Why Visit La Marque?
- Why should I live in La Marque?

SWOT Analysis

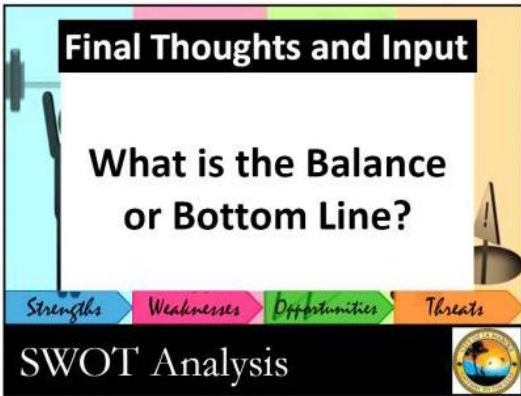


Final Thoughts and Input

What is the Balance or Bottom Line?

Strengths Weaknesses Opportunities Threats

SWOT Analysis




Left Side (Weights):

- COST OF LIVING
- WORK ETHIC
- Land - I-45
- DESIRE
- Location
- Galveston and Texas City

Right Side (Weights):

- Trends
- Inner City Culture
- Family Support
- Declining Real Estate Values
- Infrastructure
- LMISD
- Perception of Reality
- Blight

We have some work to do.

RPC

La Marque Strategic Planning Charrette Session

DRAFT Vision Statement



RPC

La Marque Strategic Planning Charrette Session

DRAFT

VISION STATEMENT

The La Marque is recognized as the hub of Galveston County and a desirable, progressive and business-friendly community within which to locate and conduct business and raise a family.



RPC

La Marque Strategic Planning Charrette Session

DRAFT

We will achieve our vision by:

- Ensuring efficient and predictable business planning, zoning and permitting processes and focused and effective economic development incentives and services.
- Promoting La Marque for its central location, prime business sites, great climate, and excellent transportation, water, and public safety services; as well as for other strengths that distinguish La Marque from other municipalities including its proximity to the petrochemical complex, the regional international ports and the city of Houston, civic participation and history.



RPC

La Marque Strategic Planning Charrette Session

DRAFT

We will achieve our vision by:

- Creating and sustaining a safe, clean, green, and fiscally sound business environment that benefits residents, businesses, and the region;
- Actively recruiting and retaining businesses, especially supporting emerging sectors that create quality, good-paying jobs like???? To be determined
- Fostering an educated and job-ready local workforce by driving the improvement of the academic performance of La Marque students and by connecting businesses, learning institutions, and community agencies.



RPC



La Marque Strategic Planning Charrette Session

Group Assignments



La Marque Strategic Planning Charrette Session

Group Assignments



#1 Critical Issues

You have heard the results from the focus groups and interviews and a brief review of the trend data that represents La Marque today. From all this input identify the **top three critical issues that will have the most profound and sustainable impact on the future of La Marque** from each of these perspectives. **Top three issues only!** You have 12 minutes.

- Community Development and Quality of Life Issues
- Community Infrastructure Issues
- Economic Development Issues



La Marque Strategic Planning Charrette Session

Group Assignments



#2 Community Goals

From the presentation of the top critical issues facing La Marque, please identify your group's **top six goals that need to be accomplished** over the next seven years to create a stronger, healthier, economically prosperous La Marque? Focus on goals that are:

1. **Attainable** – with existing and predicted resources?
2. **Measurable** – please give the measurement criteria you would recommend to determine the success of this goal.
3. **Sustainable** – Goals that will make the greatest impact long term.
4. **Comprehensive** – addressing the following perspectives
 - Community Development and Quality of Life Issues
 - Community Infrastructure Investment
 - Economic Development Priorities

Top 6 only! You have 14 minutes to complete this task.



La Marque Strategic Planning Charrette Session

Group Assignments



#3 Prioritize the Critical Issues and Community Goals

You have two sets of dots 10 dots each. Use the dots to prioritize the critical issues and the dots to prioritize the community goals. You can place as many as 4 dots on any single issue or community goal to indicate your preference for this selection. You must use all 10 dots.

You have 5 minutes to complete this task.



La Marque Strategic Planning Next Steps



- *Thank You*
- *Report Preparation*
- *LMEDC and City Council Review*
- *Metrics Established*
- *Final Report*
- *Parking Lot Issues*

La Marque Strategic Planning Charrette Session





CITY COUNCIL AGENDA FORM

Meeting Date: March 14, 2022

Prepared by: Alex Getty

Department: EDC

Agenda item: 7d

Reviewed by: G. Galicia

AGENDA ITEM DESCRIPTION: Discussion/possible action regarding the interior remodel of 1130 1st Street

☒ X

ATTACHMENTS FOR REFERENCE

1. Proposed 1130 1st Street floor plan
2. Helm Design Group LLC interior remodel cost estimate

STAFF BRIEFING:

- The proposed remodel is customized to provide office space for both Development Services and Code Enforcement at 1130 1st Street
- The EDC would fund the remodel

Has City authorized Engineer reviewed and approved?
No, construction documents have not been drafted.

Has City Attorney OR Special Legal Counsel reviewed and approved?
Yes.

Have you discussed availability of funds/accounts with Finance Director?
Has Finance Director verified Purchasing Policy followed?
Yes, EDC has funds available.

Have you presented your project to the Grants Administration Team and City Manager?
N/A

HISTORY:

- The EDC Board has reviewed the floor plan being presented to Council today.
- Before construction documents are drawn up, the EDC Board wants to make sure the plan aligns with Council's vision.

TARGET IMPLEMENTATION: ASAP

SIGNIFICANT ACTION DATES:

2/15/2022 - EDC Board approved the floor plan subject to Council approval

Cost Details:



CITY COUNCIL AGENDA FORM

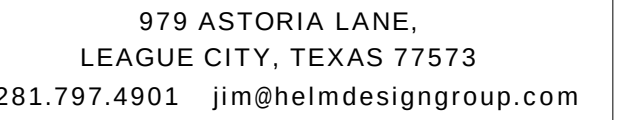
ACTION:

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

Budgeted	\$100,000
Actual Bid	
Estimated Expenditure	\$150,000
Acct. Name(s)	Repair & Maintenance Facilities
Line Items #	19-3010
Other Funding	fund balance

STAFF'S RECOMMENDATION: Motion to approve the EDC funded interior remodel of 1130 1st Street in order to provide office space for Development Services and Code Enforcement

FISCAL IMPACT: The goal is for downtown to continue to be an economic driver and gathering place for generations to come, strategic moves like this create activity in downtown La Marque



MECH 67 SF

BLUE BEAM

DIRECTOR 103 SF

TV

OFFICE 81 SF

ADMIN ASSISTANT 80 SF

NO WORK IN THIS AREA

4'-11 1/2"

3'-5 1/4"

5'-11"

5'-11"

5'-1 3/4"

6'-1"

6'-1"

4'-2"

MENS RR 87 SF

WOMENS RR 76 SF

CODE COMPLIANCE 455 SF

CODE SUPERVISOR 102 SF

FILES/ BREAK ROOM 102 SF

NO WORK IN THIS AREA

NO WORK IN THIS AREA

NO WORK IN THIS AREA

CONFERENCE ROOM 139 SF

PLOTTER

COPY

PERMIT TECH 214 SF

RECEPTION 241 SF

PERMIT WAITING 121 SF

DN

[illegible]

MOC 63055

SHEET NO.
A2.01
NEW EDC FLOOR PLAN



979 Astoria Lane
League City, Tx 77573

CITY OF LA MARQUE
EDC-PERMIT BUILDING
INTERIOR RENOVATION BUDGET
FEBRUARY 28, 2022

01 00 00	General Requirments	\$ 25,000.00
02 00 00	Site Construction	
	Demo/Dumpster	\$ 5,000.00
03 00 00	Concrete	
04 00 00	Masonry	
05 00 00	Metals	\$ 15,000.00
6 00 00	Wood & Plastics	\$ 5,000.00
7 00 00	Thermal & Moisture	
8 00 00	Doors & Windows	\$ 2,500.00
9 00 00	Finishes	\$ 50,000.00
10 00 00	Specialties	\$ 2,000.00
	Equipment	
	Mechanical/Plumbing	\$ 3,000.00
	Electrical	\$ 3,000.00
	TOTAL	\$ 110,500.00

ORDINANCE NO. O-2021-0008

AN ORDINANCE OF THE CITY COUNCIL OF LA MARQUE, TEXAS AMENDING CHAPTER 71, "ZONING," OF THE CITY CODE OF ORDINANCES BY REPEALING THE THOROUGHFARE OVERLAY ZONING DISTRICT AND ADOPTING TWO NEW COMMERCIAL ZONING DISTRICTS ENTITLED (C-3) CORRIDOR COMMERCIAL AND (C-4) INTERSTATE COMMERCIAL; ADOPTING ZONING REGULATIONS APPLICABLE TO THESE DISTRICTS; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH VIOLATION; MAKING OTHER PROVISIONS RELATED TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the City zoning regulations currently include a Thoroughfare Overlay District that applies to the front 300 feet of any property along certain major thoroughfares;

WHEREAS, the Thoroughfare Overlay District did not distinguish between property fronting I-45 and property fronting other major thoroughfares;

WHEREAS, the proposed zoning regulations replace the Thoroughfare Overlay District with two new commercial zoning districts that promote development more specific to the type of thoroughfare on which a property is located;

WHEREAS, the Zoning Commission recommended approval of these proposed changes to the zoning regulations; 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 regulations;

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

Section 1. That the following Sections of Chapter 71, "Zoning," of the City of La Marque Code of Ordinances ("City Code") are hereby renumbered as follows:

Section 71-29, Residential Canal Zone, is renumbered as Section 71-13;

Section 71-13, (C-1) General Commercial, is renumbered as Section 71-14;

Section 71-14, (C-2) Restricted Commercial, is renumbered as Section 71-15;

Section 71-15 (I-1) Light Industrial, is renumbered as Section 71-18;

Section 71-16 (I-2) Heavy Industrial, is renumbered as Section 71-19;

Section 71-18, (PD) Planned Development, is renumbered as Section 71-20;

Section 71-17, (MHP) Manufactured Home Park, is renumbered as Section 71-22;

Section 71-19, (FP) Floodplain District, is renumbered as Section 71-23;

Section 71-20, Schedule of District Regulations, is renumbered as Section 71-27 and any reference to "Section 71-20" is hereby amended to refer to "Section 71-27";

Section 71-22, Parking Space Regulations, is renumbered as Section 71-29; and
Section 71-23, Nonconforming Uses, is renumbered as Section 71-30."

Section 2. Chapter 71, "Zoning" of the City Code is amended by adding Sections 71-16, "C-3 Corridor Commercial," and 71-17, "C-4 Interstate Commercial," that shall read as follows:

"Sec. 71-16. - C-3 Corridor Commercial.

- (a) *Purpose.* The C-3 district is established to accommodate those uses that are considered appropriate for major corridors within the City. Design requirements for this district are intended to enhance the appearance of these corridors and promote public and private investment in a manner that encourages unified high-quality development.
- (b) *Generally.*
 - (1) All business, servicing or processing, except for off-street parking, off-street loading and automobile service station operation, shall be conducted within completely enclosed buildings, except as otherwise provided.
 - (2) The activity and business shall be conducted within completely enclosed buildings, except for retail display yards attached to a main building and completely enclosed by masonry, wrought iron or similar fencing, not to exceed 25% of the total floor area of the main building. Wood fences and chain link shall be prohibited. except when powder coated chain link with opaque vinyl slats with masonry columns is used.
 - (3) No use hereunder shall be permitted if said use entails storage of inoperable cars or equipment, shipping containers, or any other item storage except that provided in subsection 2, above, or accessory to a use authorized by a conditional use permit and subject to specific conditions of the conditional use permit (if a CUP has not been granted showing the storage on the site plan, storage shall not be authorized).
 - (4) All merchandise shall be sold at retail on the premises.
 - (5) Parking of trucks as an accessory use, when used in the conduct of a permitted business listed in this section, shall be limited to vehicles of not over 1½-ton capacity when located within 150 feet of a residential zoning district boundary line.

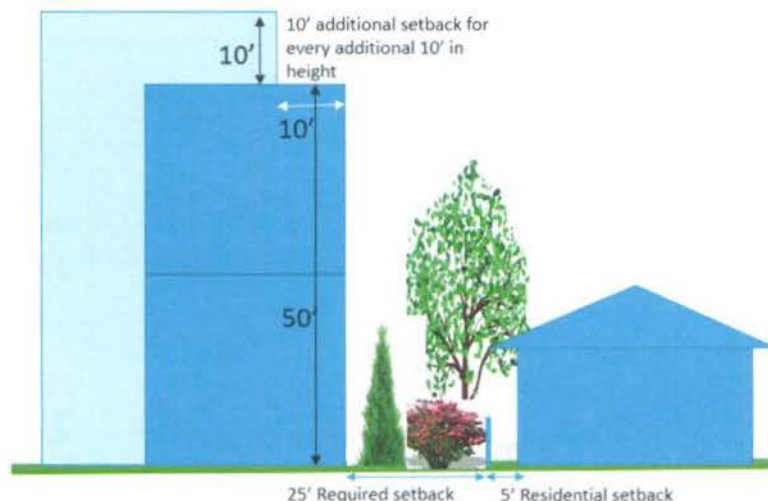
(c) *Uses permitted.* The following uses shall be permitted:

- (1) Multi-family apartment complexes, condominiums or hotels, provided the zoning lot is not less than 2 acres, the number of units is more than 50, and at least two amenities and 2 courtyards, parks or green spaces are provided (this requirement may also be met by means of continuous sidewalk accessible within 500 feet of every unit running continuously to at least two publicly usable parks); Further, these uses shall comply with the same screening, landscaping and miscellaneous requirements as those required in Section 71-17(g)-(j);
- (2) Neighborhood retail sales and service;
- (3) Business offices;
- (4) Professional offices, such as, doctors, dentists, attorneys, chiropractors, psychologists, insurance, real estate, architects, engineers, accountants, building contractors, and other similar uses;
- (5) Clinics, both medical and dental, that could include pharmaceutical sales, provided that such pharmacies are complementary to the primary clinic use of the structure. Other similar medical or dental, diagnostic or therapeutic facilities (except residences) are permitted;
- (6) Bakeries, cafes, confectioneries, ice cream shops, and restaurants that prepare foodstuffs for onsite retail sale only;
- (7) Automobile parking lots and structures, if accessory to a primary use;
- (8) Other neighborhood retail sales or service uses, which are similar in character to those enumerated above, and which will not be dangerous or otherwise detrimental to persons residing or working in the vicinity thereof, or to the public welfare, and will not impair the use, enjoyment or value of any property;
- (9) Churches;
- (10) Public utility and public service uses;
- (11) Printer;
- (12) Antique shops;
- (13) Art galleries and museums;
- (14) Banks and financial institutions;
- (15) Camera and photographic supply stores;
- (16) Coin and philatelic stores;
- (17) Department stores;
- (18) Grocery stores;

- (19) Florist shops and conservatories;
- (20) Furniture stores;
- (21) Travel bureaus and transportation ticket offices;
- (22) Household appliance stores including sales and services;
- (23) Leather goods and luggage stores;
- (24) Loan offices;
- (25) Musical instruments sales and repair; office supply stores; optical sales;
- (26) Physical culture and health services and reducing salons;
- (27) Picture framing;
- (28) Sporting goods stores;
- (29) Tailor shops;
- (30) Theaters, indoor and outdoor;
- (31) Trade Schools, private testing centers, and learning service providers;
- (32) China and glassware stores;
- (33) Clothing and costume rental stores;
- (34) Employment agencies;
- (35) Upholstery shops;
- (36) Water softener sales and services;
- (37) Indoor boat and RV storage facilities, provided all storage is within enclosed and roofed buildings only
- (38) Drycleaners;
- (39) Recreational vehicle parks;
- (40) Auto body operations;
- (41) Automobile accessory stores;
- (42) Automobile service stations;
- (43) Blueprinting and photostatting establishments;
- (44) Business machine sales and service establishments;
- (45) Carpet and rug stores;
- (46) Catering establishments;
- (47) Theaters, lodges, assembly halls, auditoriums;

- (48) Tire repair shops;
 - (49) Commercial recreation uses, including bowling alleys, arcades, golf driving ranges, gymnasiums, miniature golf courses, pool halls, swimming pools and skating rinks;
 - (50) Package distribution facilities;
 - (51) Interior decorating shops, including upholstering and making of draperies, slipcovers, and other similar articles when conducted as part of the retail operation and secondary to the principal use;
 - (52) Paint and wallpaper stores;
 - (53) Phonograph, record, sound equipment and sheet music stores;
 - (54) Schools for music, dance, business or trade;
 - (55) Other retail sales and service uses which are similar in character to those enumerated in this subsection, and which will not be dangerous or otherwise detrimental to persons residing at, or enjoyment, or value of, any property, but not including any of the following uses:
 - a. Any use permitted only in an I-1 or I-2 district;
 - b. Manufacturing and processing other than an accessory use customarily incidental to permitted commercial sales and service uses; or
 - c. Any use which is objectionable by reason of emission of odor, dust, smoke, gas, vibration or noise, or which may impose hazard to health or property.
- (d) *Conditional uses.* The following conditional uses may be allowed in the C-3 district subject to the provisions of section 71-6.
- (1) Dwelling units exceeding a total gross floor area of 5,000 square feet of dwelling units and located on the second floor or above the ground floor of a commercial building.
 - (2) Any use permitted only in a C-1 district, provided that the lot shall be not less than two acres, is not adjacent to any residential zoning district, and complies with the same screening, landscaping, and miscellaneous requirements as those required in Section 71-16(g)-(j).
- (e) *Area; yard; and lot coverage requirement.* The requirements regulating the minimum lot size, minimum yard sizes (front, side, and rear), and maximum percent of lot coverage, as pertains to this district, shall conform with the provisions of section 71-27, schedule of district regulations, and other applicable provisions of section 71-21 Supplementary district regulations.

- (f) *Height.* Height of buildings shall be limited to 50' plus an additional 10' of allowed height for every additional 10' of setback provided from the nearest property line beyond the required setback in section 71-27; provided, however: (i) required residential landscaping and screening buffers shall not be treated as providing additional setback; and (ii) where landscaping and screening buffers are required due to adjacent residential uses or zoning districts, additional setbacks provided to increase allowed building height shall be measured from the nearest required screening or landscaping buffer inner edge. Height limitations shall not apply to decorative elements of buildings that do not include any air conditioned floorspace.



- (g) *Automobile parking space regulations.* For parking space regulations, see section 71-22.

Sec. 71-17. - C-4 Interstate Commercial.

- (a) *Purpose.* The C-4 district is established to provide for more intense non-residential mixed-use development that provides a pedestrian oriented environment. The district is intended to include uses such as retail, commercial, professional offices, entertainment, hospitality, and service businesses for both the City and the region that benefit from location along Interstate Highway 45 (IH-45) and service the community. The purpose of this zoning category is to guide new development and redevelopment along the IH-45 by establishing enhanced standards that increase the quality of development and minimize impacts on abutting residential uses.
- (b) *Generally.*
- (1) All business, servicing or processing, except for off-street parking, off-street loading and automobile service station operation, shall be

conducted within completely enclosed buildings, except as otherwise provided.

- (2) The activity and business shall be conducted within completely enclosed buildings, except for retail display yards attached to a main building and completely enclosed by masonry, wrought iron or similar fencing, not to exceed 25% of the total floor area of the main building. Wood fences and chain link shall be prohibited.
 - (3) No use hereunder shall be permitted if said use entails storage of inoperable cars or equipment, shipping containers, or any other item storage except that provided in subsection 2, above.
 - (4) All merchandise shall be sold at retail on the premises.
- (c) *Uses permitted.* The following uses shall be permitted:
- (1) Unified Business Development, which shall include only: (i) mixed commercial and residential uses that are master-planned as a consistent and integrated development, as shown by development under the same General Plan or on the same tract; (ii) development including pedestrian sidewalks or walkways throughout; (iii) a minimum area of development of five (5) contiguous acres; and (iv) development that involves more than ten thousand (10,000) square feet of new or refurbished building floor area that consists of a combination of two (2) or more principal uses (in addition to multi-family apartment complexes, condominiums or hotels). Unified Business Development may not include: (i) uses with only drive-in or drive-through facilities (e.g., banks, dry cleaners, pharmacies, restaurants, etc.); (ii) uses (ii) Vending kiosk/automated teller machine (ATM) that are not attached to or within the interior of a building (i.e., ATMs cannot be in a stand-alone structure intended solely for housing one or more ATMs).
 - (2) Multi-family apartment complexes, condominiums or hotels, provided the use is part of a Unified Business Development is does not exceed 40% of the development, the number of units is more than 50, and at least two amenities and 2 courtyards, parks or green spaces are provided (this requirement may also be met by means of continuous sidewalk accessible within 500 feet of every unit running continuously to at least two publicly usable parks);
 - (3) Department and grocery stores;
 - (4) Neighborhood retail sales and service, not including sales of vehicles, trailers or heavy equipment of any kind;
 - (5) Business offices;

- (6) Professional offices, such as, doctors, dentists, attorneys, chiropractors, psychologists, insurance, real estate, architects, engineers, accountants, building contractors, and other similar uses;
- (7) Clinics, both medical and dental, that could include pharmaceutical sales, provided that such pharmacies are complementary to the primary clinic use of the structure. Other similar medical or dental, diagnostic or therapeutic facilities (except residences) are permitted;
- (8) Bakeries, cafes, confectioneries, ice cream shops, and restaurants that prepare foodstuffs for onsite retail sale only;
- (9) Automobile parking lots and structures if accessory to a primary use and used for customer and employee parking only;
- (10) Banks and financial institutions;
- (11) Musical instruments sales and repair; office supply stores; optical sales;
- (12) Florist shops and conservatories;
- (13) Picture framing;
- (14) Sporting goods stores;
- (15) Tailor shops;
- (16) Indoor theaters;
- (17) Travel bureaus and transportation ticket offices;
- (18) Trade Schools, private testing centers, and learning service providers;
- (19) Automobile service stations, provided that in addition to parking requirements for a particular use, additional parking equal to three times the number of service bays is provided;
- (20) Carpet and rug stores;
- (21) Catering establishments;
- (22) China and glassware stores;
- (23) Clothing and costume rental stores;
- (24) Employment agencies;
- (25) Interior decorating shops, including upholstering and making of draperies, slipcovers, and other similar articles when conducted as part of the retail operation and secondary to the principal use;
- (26) Paint and wallpaper stores;
- (27) Schools for music, dance, business or trade;

- (28) Water softener sales and services;
- (29) Commercial recreation uses, including bowling alleys, arcades, golf driving ranges, gymnasiums, miniature golf courses, pool halls, swimming pools and skating rinks;
- (30) Other retail sales and service uses which are similar in character to those enumerated in this subsection, and which will not be dangerous or otherwise detrimental to persons residing at, or enjoyment, or value of, any property, but not including any of the following uses:
 - a. Any use permitted only in an I-1 or I-2 district;
 - b. Manufacturing and processing other than an accessory use customarily incidental to permitted commercial sales and service uses; or
 - c. Any use which is objectionable by reason of emission of odor, dust, smoke, gas, vibration or noise, or which may impose hazard to health or property.
- (d) *Conditional uses. Conditional uses.* The following conditional uses may be allowed in the C-4 district.
 - (1) Any use permitted in the C-3 zoning district without requiring a conditional use permit, provided that the lot shall be not less than three acres and complies with the same screening, landscaping and miscellaneous requirements as those required in Section 71-16(g)-(j).
- (e) *Area; yard; and lot coverage requirement.* The requirements regulating the minimum lot size, minimum yard sizes (front, side, and rear), and maximum percent of lot coverage by buildings, as pertains to this district, shall conform with the provisions of section 71-27, schedule of district regulations, and other applicable provisions of section 71-21, Supplementary district regulations.
- (f) *Height.* Height of buildings shall be limited to 50' plus an additional 10' of allowed height for every additional 10' of setback provided from the nearest property line beyond the required setback in section 71-27; provided, however:
 - (i) required residential landscaping and screening buffers shall not be treated as providing additional setback; and
 - (ii) where landscaping and screening buffers are required due to adjacent residential uses or zoning districts, additional setbacks provided to increase allowed building height shall be measured from the nearest required screening or landscaping buffer inner edge. Height limitations shall not apply to decorative elements of buildings that do not include any air conditioned floorspace.
- (g) *Screening requirements.*
 - (1) Outside storage shall be screened on all sides by a solid opaque brick or stone wall of not less than six feet in height measured at the highest

finished grade, constructed in accordance with general design standards of the city.

- (2) Trash receptacle shall be visually screened on three sides by a solid, opaque brick or stone wall not less than six feet in height, measured at the highest finished grade. The height of the trash receptacle shall not exceed the height of the screening. Screening shall not be required on the side used for access by garbage collection services. Such side shall not face less than 45 degrees from any adjacent street. Trash receptacles already enclosed by a solid, opaque brick or stone wall of at least six feet in height measured at the highest finished grade shall not be required to provide additional screening.
- (3) Any fencing, required or otherwise shall be a solid, brick or stone wall or wrought iron wall of not more than eight feet in height, measured at the highest finished grade.
- (4) Roof mounted equipment including but not limited to, storage tanks, compressor units, satellite dishes, vent stacks greater than four inches in diameter, and elevator machinery, shall be integrated into the building design and screened from view from the adjacent streets and public facilities. Rooftop screening shall use building materials similar to the facade of the building to which such items are located, to create a smooth, clean, integrated appearance. For purposes of this section, a highway or interstate frontage road shall be designated as an adjacent street. Any existing building or structure which becomes diminished 50 percent or more in assessed value due to fire, storms or other calamity shall, if rebuilt or repaired, be done so in compliance with this section.

(h) *Landscaping requirements.*

- (1) Front yard landscaping for non-residential and multifamily developments shall be required. A minimum of one shade tree (minimum diameter of two-inch caliper measured at six inches above ground level at the time of planting) shall be planted for each 30 linear feet of landscape buffer. A minimum of ten shrubs (a minimum of three feet tall at the time of planting) shall be planted for each 30 linear feet of landscape buffer. All other areas within the landscape buffer shall be covered with grass, or another solid vegetative cover approved at the time of site plan approval.
- (2) Landscaping shall be required to screen the parking areas along major thoroughfares and collectors when nonresidential parking areas are located on the nonresidential lot such that they are adjacent to such roadways (i.e., there is no building between the parking area and the lot line adjacent to the roadway). In such cases, parking areas should be screened by a continuous hedge of shrubs that are maintained at a height of no more than thirty-six inches (36") nor less than twenty-four inches (24") as measured

from the surrounding soil line and at a minimum thirty-six inch (36") spacing.

- (3) A minimum of one shade tree (minimum diameter of two-inch caliper measured at six inches above ground level at the time of planting) shall be planted for every fifty (50) parking spaces. Each tree shall be planted on an island that is a minimum dimension of six (6) feet.
- (i) *Buffer requirements.* A nonresidential or multifamily use adjacent to a single-family use or zone shall provide a minimum twenty (20) feet landscape buffer adjacent to the property line of the residential use or residentially zoned property. A nonresidential use that is adjacent to a multifamily development shall provide a minimum of ten-foot landscape buffer adjacent to the property line of such residential use or residentially used property. Industrial uses shall be required to install a 40-foot buffer when adjacent to all residential uses or zones (R-1, R-2, and R-3 properties).

In addition to the above-mentioned landscaping, a six-foot solid masonry (brick, stone, precast concrete or similar) screening fence shall be provided behind the landscaping buffer that abuts residential uses and zones.

- (j) *Miscellaneous requirements.*
 - (1) All areas used for outside display or storage in conjunction with any use involving storage or display of motor vehicles, manufactured homes, trailers or boats, regardless of whether such areas are screened from public view, shall have a concrete surface, constructed in accordance with the standards prescribed by the city.
 - (2) All utilities within 200 feet of the property line, which will serve parcel, shall be installed underground, except for any transmission line or feeder lines, either existing or proposed; provided that, such transmission or feeder lines shall be located within a designated paved easement or alleyway provided by the property owner.
 - (3) Any renovation of an existing building or structure which adds 50 percent or more of either: (i) assessed value to such building or structure as shown by the Galveston County Appraisal District, or (ii) 30% more floor area to such building or structure, shall be in compliance with this section, including compliance of the parcel with all landscaping, fencing and screening requirements.
 - (4) Landscaping shall cover a minimum of 15 percent of the of the total land area of any property.
 - (6) Requirements in Section 71-27. - Schedule of district regulations, will apply, unless otherwise stated herein.
 - (7) Any subdivision of lots resulting in two or more lots that meet the minimum lot size requirements of Section 71-27, any lot that is no longer adjacent to I-45, FM 1764 or FM 1765 shall revert automatically to the C-3 Corridor Commercial Zoning District.

(k) *Monument sign regulations.*

In the C-4 Interstate Commercial Zoning District only, notwithstanding Section 71-28 of the City Code, monument signs, defined as on-premises signs with width of the base not less than 50% width of the sign face (signs may have two supports where the combined width of the supports is not less than 50% of the width of sign face) meeting all of the following requirements are authorized within the C-4 zoning district:

- (1) Maximum effective sign area shall be 160 square feet for multi-tenant (2 or more tenants) or 100 square feet for single tenant (Excludes area of the sign base);
- (2) Maximum number of monument signs shall be one per 500 feet of street frontage, plus 1 for each additional 125 feet of frontage (Sites with multiple street frontage shall be permitted one (1) sign per street frontage; Sites with multiple tenants may have one multiple tenant sign per 500 feet of street frontage, plus 1 for each additional 125 feet of frontage, in addition to one ground monument sign per tenant every 125 feet of street frontage);
- (3) Sign base shall be a minimum 2' tall and sign bases may not be used as effective sign area or for advertising of any kind;
- (4) Maximum sign height for a monument sign shall be 25 feet for single tenant and 55 feet for multi-tenant monument signs as measured from the ground;
- (5) Monument signs shall be surrounded by a landscape bed(s) that extend a minimum of three feet (3') from the base of the ground structure of the sign;
- (6) Minimum sign setback shall be 10 feet (measured from the nearer of the property line or right-of-way line of the street the sign is facing);
- (7) A monument sign may not be located within 50 feet of any another freestanding sign on another premises;
- (8) A monument sign may not be located within 125 feet of another freestanding sign on the same premises;
- (9) A monument sign may not be placed or located within the public Right-of-Way unless the City gives its written consent to the encroachment;
- (10) The use of "project identification" signs in the form of monument signs are encouraged; the effective sign area of the project identification language shall be exempt from the maximum effective sign face area limitation, provided the project identification language is the same language and font appearing at least 3 times on a parcel or adjacent parcels of two acres or more; and
- (11) All monument signs, including the base, must be designed and constructed to substantially appear as a solid mass, such as a cylinder, block, rectangle, or square, from ground level to the highest portion of the sign excluding the base. All monument signs, including the base, must be made of masonry, metal, routed wood planks or beams, or durable plastic; provided, however:

- (12) Unified business developments that meet the requirements of Section 71-17(c) shall be exempt from the maximum effective sign face area and distance limitations of this Subsection 71-17(k) under the following conditions: (i) approval of a general plan, pursuant to Chapter 41, Article IV, that includes a detailed sign plan; (ii) the detailed sign plan approved with the general plan includes dimensions for all monument sign locations, sign face areas, and height; (iii) the monument signs do not exceed the height limitations provided in this Subsection 71-17(k); and (iv) the combined effective sign face area for the entire detailed sign plan (excluding the sign face area of billboard signs and signs that are not freestanding, i.e., are attached to a building) shall not exceed 40 square feet per acre of development included in the unified business development.
- (l) *Billboard sign regulations.*
In the C-4 Interstate Commercial Zoning District only, notwithstanding Section 71-28 of the City Code, an existing off-premises or on-premise billboard sign shall be authorized for use in its current location or relocation to or within the C-4 zoning district, provided the sign meets the following regulations:
- (1) The existing billboard sign is currently located on a parcel in the C-4 zoning district;
 - (2) The billboard sign is located or proposed to be relocated to a point at least 2,000 feet from any other billboard sign;
 - (3) The maximum effective sign area for a billboard sign shall be the larger of the existing billboard sign face or 600 square feet;
 - (4) A billboard sign base shall be a minimum 60' tall and sign bases may not be used as effective sign area or for advertising of any kind;
 - (5) Maximum billboard sign height shall be 100 feet measured from the ground;
 - (6) Billboard signs shall be surrounded by a landscape bed(s) that extend a minimum of three feet (3') from the base of the ground sign structure;
 - (7) Minimum sign setback shall be 10 feet (measured from the nearer of the property line or right-of-way line of the street the sign is facing);
 - (8) A billboard sign may not be located within 125 feet of any monument sign; and
 - (9) A billboard sign may not be placed or located within the public right-of-way unless the City gives its written consent to the encroachment.
- (n) *All other sign regulations for C-4 Interstate Commercial Zoning District.*
All signs other than freestanding signs, including signs attached to buildings, shall comply with Section 71-28. Signs partially attached to a building shall not be permitted."

Section 3. Section 71-27, "Schedule of District Regulations," of the City Code is amended to read as follows:

“Sec 71-27. - Schedule of district regulations.

	AG	R-1	R-2	R-3	C-1	C-2	C-3	C-4	I-1	I-2	MH
Maximum height (ft.)	50	35	45	45	50	40	50*	50*	50	50	35
Minimum side yard (ft.)	10	5*	5*	5*	5	5	5**	5**	5	5	5
Minimum rear yard (ft.)	10	10	10	10	10	10	10**	10**	10	10	10
Minimum front yard (ft.)	20	20	20	20	20	20	30***	40***	20	20	20
Minimum lot area (sq. ft.)	2 acres	6,000	7,500	7,500	A	A	7,500	7,500	6,000	6,000	6,000
Minimum building size (sq. ft.)	1,000	1,000	B	B	NA	NA	1,000	1,000	NA	NA	6,000
Masonry and roofing	NA	C	C	C	NA	C	NA	C	NA	NA	NA
Minimum lot width (ft.)	60	60	60	60	A	60	60	60	A	A	D
Minimum lot depth (ft.)	120	120	120	120	A	120	120	120	A	A	D
Maximum lot coverage by buildings and impervious cover (%)	A	75	75	75	A	A	75	75	A	A	75

Notes:

- A None required except where a nonresidential use abuts a residential lot the requirement shall be the same as the adjoining residential zone and shall comply with visibility and parking requirements as provided within this chapter.
- B Minimum building size shall be for one bedroom unit: 650 square feet; two bedroom: 780 square feet; three bedroom: 930 square feet.
- C Masonry requirements shall mean the entire front facade (wall) for non-corner lots and the two street-facing facades for corner lots; provided, however, the exterior of additions and/or modifications to existing single-family residential structures and accessory buildings to such structures shall consist of materials consistent with the exterior of the existing structure. “Masonry” shall include brick, stone, glass, including concrete or similar façade materials that mimic brick or stone.
- D The requirements of Chapter 41, Article II, shall apply.

- * Plus, an additional 10' of allowed height for every additional 10' of setback provided from the nearest property line beyond the required setback, subject to Section 71-16 or 71-17, as applicable for the zoning district.
- ** Subject to the buffer requirements of Section 71-16 or 71-17, as applicable for the zoning district.
- *** Provided, however, this setback may be reduced to 20 feet if a 10-foot landscape buffer is provided at or near the front property line."

Section 4. 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 building, 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 5. Repeal. This ordinance is intended to be cumulative and shall not repeal any provision of a previous ordinance or City Code provision, except to the extent that a provision is inconsistent and cannot be reconciled with this ordinance.

Section 6. 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 7. 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 1st day of June 2021; and

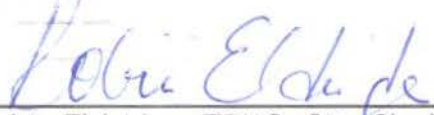
PASSED, APPROVED, AND ADOPTED by the City Council of the City of La Marque on Second and Final Reading this 21st day of June 2021.

CITY OF LA MARQUE, TEXAS



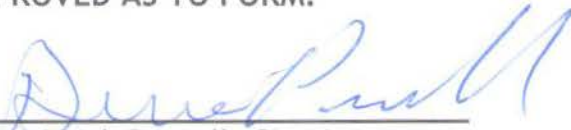
Keith Bell, Mayor

ATTEST:



Robin Eldridge, TRMC, City Clerk

APPROVED AS TO FORM:



Derra Leigh Purnell, City Attorney

ORDINANCE NO. O-2021-0009

AN ORDINANCE OF THE CITY COUNCIL OF LA MARQUE, TEXAS AMENDING THE CITY'S ZONING MAP, MASTER PLAN AND COMPREHENSIVE PLAN BY ADOPTING AN AMENDED AND UPDATED OFFICIAL ZONING MAP OF THE CITY OF LA MARQUE, TO SERVE AS THE "MASTER PLAN" PURSUANT TO CITY CHARTER SECTION 10.03, AND TO BE CERTIFIED BY THE MAYOR AS THE OFFICIAL ZONING MAP PURSUANT TO CITY CODE SECTION 71-5; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH VIOLATION; MAKING OTHER PROVISIONS RELATED TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, Chapter 211 of the Texas Local Government Code and Chapter 71 of the City Code contemplate that cities may adopt new zoning maps from time to time;

WHEREAS, the proposed zoning map contains large-scale updates, including the following categories of amendments: (i) parcels zoned "public" changed to either (R-1) Single-family residential or (C-1) General Commercial based on existing use and zoning of adjacent parcels; (ii) parcels currently in the Thoroughfare Overlay District changed to either (C-3) Corridor Commercial or (C-4) Interstate Commercial; (iii) R-1 Single-family Residential properties that front I-45 for which the owner has submitted a written request to change to a commercial zoning district are proposed to be changed to (C-4) Interstate Commercial; and (iv) incorporation of previously passed zone change ordinances and clerical corrections

WHEREAS, the Zoning Commission and the City Council have conducted, in the time and manner required by law, a public hearing on the proposed zoning map of the City of La Marque;

WHEREAS, notice of public hearing was published in the newspaper and the notice and proposed zoning map were posted on the City's website as prescribed by Ordinance for large-scale zoning map updates;

WHEREAS, the Zoning Commission recommended approval of the proposed zoning map; and

WHEREAS, the City Council finds that the proposed zoning map is consistent with the City's comprehensive plan, and, to the extent of any inconsistencies, that the comprehensive plan and master plan of the City should be amended to conform with the proposed zoning map;

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

Section 1. That the official zoning map of the City, pursuant to Section 71-5 of the City Code, is hereby amended and replaced with the zoning map, attached as Exhibit A to this Ordinance and incorporated by reference for all purposes, (the "Zoning Map").

Section 2. **Comprehensive Plan.** The City's comprehensive plan is amended in accordance with this Ordinance, and, to the extent of any conflict between the the comprehensive plan and the Zoning Map, the comprehensive plan shall be amended to conform with the Zoning Map.

Section 3. Master Plan. The Zoning Map is hereby adopted as a part of the Master Plan, pursuant to Section 10.03 of the City Charter. Further, the City's master plan is amended in accordance with this Ordinance, and, to the extent of any conflict between the the master plan and the Zoning Map, the master plan shall be amended to conform with the Zoning Map..

Section 4. Certification as Official Zoning Map. The Mayor is hereby authorized and directed to sign and certify two official copies of the Zoning Map in the following manner:

"This is to certify that this is the official zoning map adopted as part of Ordinance No. 953, as amended and codified in Chapter 71 of the City of La Marque Code of Ordinances, of the City of La Marque, Texas."

Further, the City Clerk is authorized and directed to attest to the Mayor's signature and provide the City seal on at least two copies official copies of the Zoning Map, one of which shall remain in the City Clerk's records and shall be retained permanently. The second official copy shall be

Section 5. 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 6. 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.

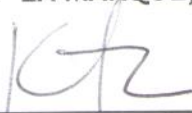
Section 7. Severability. In the event any clause, phrase, provision, sentence) or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it is the intention of the City 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 8. 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 15th day of June 2021; and

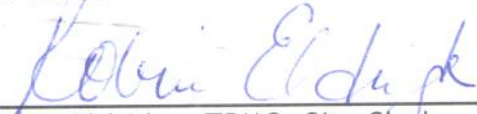
PASSED, APPROVED, AND ADOPTED by the City Council of the City of La Marque on Second and Final Reading this 21st day of June, 2021.

CITY OF LA MARQUE, TEXAS



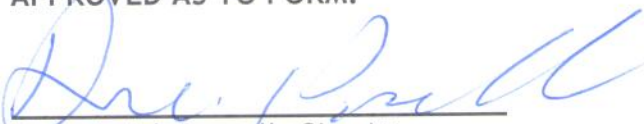
Keith Bell, Mayor

ATTEST:

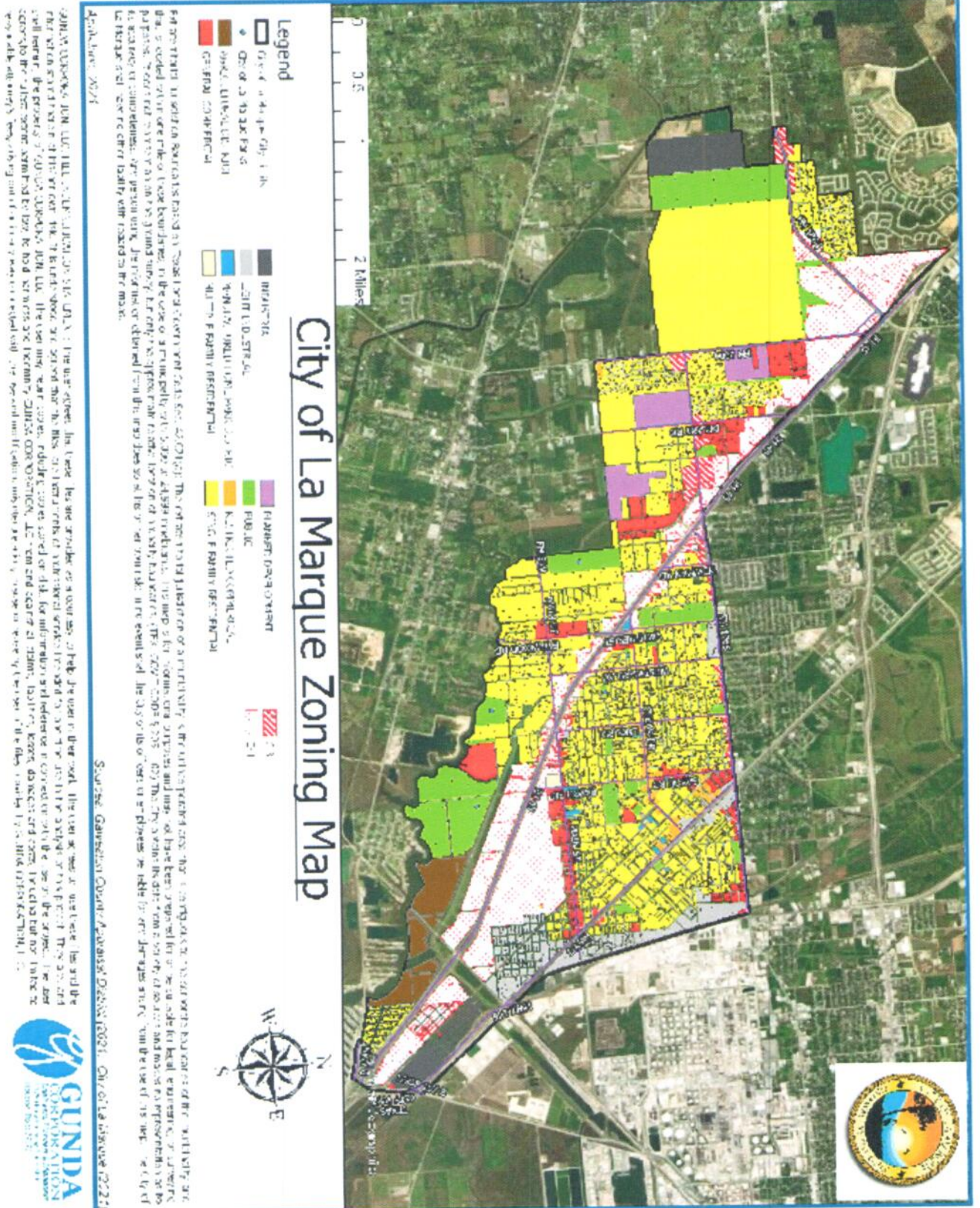


Robin Eldridge, TRMC, City Clerk

APPROVED AS TO FORM:



Derra Leigh Purnell, City Attorney



AARP LIVABLE COMMUNITIES (/LIVABLE-COMMUNITIES/)

AARP Community Challenge



The 2022 AARP Community Challenge Is On!

Learn how to apply for a quick-action grant! Deadline: Tuesday, March 22

[AARP Livable Communities \(/livable-communities/\)](#)

[CLICK HERE TO APPLY FOR A CHALLENGE GRANT \(HTTPS://AARPCOMMUNITYCHAL](https://aarpcommunitychallenge.org)

The **AARP Community Challenge** provides small grants to fund quick-action projects that can help communities become more livable for people of all ages. This year, applications will be accepted for projects to improve public spaces, housing, transportation and civic engagement; support diversity, equity and inclusion; build engagement for programs under new federal laws; and pursue innovative ideas that support people age 50 or older.

[AARP Community Challenge](#)

[CLICK HERE TO APPLY FOR A CHALLENGE GRANT \(HTTPS://AARPCOMMUNITYCH](https://aarpcommunitychallenge.org)

The following downloadable materials are recommended reading before starting the application process.

Attachment A: [Sample Online Application \(/content/dam/aarp/livable-communities/community-challenge/2022/Attachment-A-2022%20AARP%20Community%20Challenge%20Application.pdf\)](/content/dam/aarp/livable-communities/community-challenge/2022/Attachment-A-2022%20AARP%20Community%20Challenge%20Application.pdf)

Attachment B: [Sample 'After-Action' Report \(/content/dam/aarp/livable-communities/community-challenge/2022/Attachment-B-2022%20AARP%20Community%20Challenge%20After%20Action%20Report.pdf\)](/content/dam/aarp/livable-communities/community-challenge/2022/Attachment-B-2022%20AARP%20Community%20Challenge%20After%20Action%20Report.pdf)

Attachment C: [Project Examples \(/content/dam/aarp/livable-communities/community-challenge/2022/Attachment-C-2022%20AARP%20Community%20Challenge%20Project%20Examples.pdf\)](/content/dam/aarp/livable-communities/community-challenge/2022/Attachment-C-2022%20AARP%20Community%20Challenge%20Project%20Examples.pdf)

[challenge/2022/Attachment-](#)

[C-2022%20AARP%20Community%20Challenge%20Examples.pdf](#)

[Attachment D: Guidance for Summaries and Deliverables \(/content/dam/aarp/livable-communities/community-challenge/2022/Attachment-](#)

[D-2022%20AARP%20Community%20Challenge%20Deliverables.pdf](#)

[Impact Stories: How Challenge Grants Inspire Positive Change \(/livable-communities/archives/info-2014/community-challenge-article-archive.html\)](#)

[FAQs: Challenge Questions Answered \(webpage\) \(/livable-communities/community-challenge/aarp-community-challenge-faq/\) or \(PDF\) \(/content/dam/aarp/livable-communities/community-challenge/2022/FAQs-](#)

[2022%20AARP%20Community%20Challenge.pdf](#)

[Challenge Overview: A PDF of the information on this page \(/content/dam/aarp/livable-communities/community-challenge/2022/Announcement-](#)

[2022%20AARP%20Community%20Challenge.pdf](#)

[Challenge Home Page: AARP.org/CommunityChallenge \(/livable-communities/community-challenge/\)](#)

Watch the video of our webinar Q&A

[Title slide for the 2020 AARP Community Challenge Q&A Webinar](#)

[\(/livable-communities/community-challenge/info-2022/2022-webinar-q-and-a.html\)](#)

SEE PAST PROJECTS!

- **[Videos of Public Spaces projects \(/livable-communities/community-challenge/videos-public-spaces-aarp-community-challenge/\)](#)**
- **[Videos of Housing-related projects \(/livable-communities/community-challenge/videos-housing-aarp-community-challenge/\)](#)**
- **[Videos of Transportation projects \(/livable-communities/community-challenge/videos-transportation-aarp-community-challenge/\)](#)**
- **[Videos of other projects \(/livable-communities/community-challenge/videos-other-aarp-community-challenge/\)](#)**

Important Dates in 2022

- **January 25:** Application window opens
- **February 17:** Webinar Q&A about completing the application

- **March 22:** Applications due by 5 p.m. (ET)
- **Mid-May:** All applicants will be notified by email of their status
- **June 29:** Public announcement of the selected grantees — and work on the projects begin!
- **November 30:** All funded projects must be completed
- **December 14:** Deadline for after-action reports

Applicants and others with questions can email [**CommunityChallenge@AARP.org**](mailto:CommunityChallenge@AARP.org) ([**mailto:communitychallenge@aarp.org**](mailto:communitychallenge@aarp.org)).

Eligibility

The program is open to the following types of programs:

- 501(C)(3), 501(C)(4) and 501(c)(6) nonprofits
- Government entities
- Other types of organizations will be considered on a case-by-case basis

The following projects are **NOT** eligible for funding:

- Partisan, political or election-related activities
- Planning activities and assessments and surveys of communities without tangible engagement
- Studies with no follow-up action
- Publication of books or reports
- Acquisition of land and/or buildings or a vehicle purchase
- Sponsorships of other organizations' events or activities
- Research and development for a nonprofit endeavor
- Research and development for a for-profit endeavor
- The promotion of a for-profit entity and/or its products and services

Community Criteria

Although communities that belong to the [**AARP Network of Age-Friendly States and Communities**](#) ([**/livable-communities/network-age-friendly-communities/**](#)) are encouraged to apply, projects that benefit *any* community and satisfy all other criteria are eligible for consideration.

Project Categories

AARP will prioritize projects that support residents age 50 or over, are inclusive, address disparities, directly engage volunteers and aim to achieve one or more of the following outcome areas:

- Create vibrant **Public Places** that improve open spaces, parks and access to other amenities

- Deliver a range of **Transportation and Mobility** options that increase connectivity, walkability, bikeability, wayfinding, access to transportation options and roadway improvements
- Support a range of **Housing** options that increases the availability of accessible and affordable choices
- Ensure a focus on **Diversity, Equity and Inclusion** while improving the **Built and Social Environment** of a community
- Support communities' efforts to **Build Engagement** and **Leverage Funding** available under new federal programs through laws including the American Rescue Plan Act, the Infrastructure Investment and Jobs Act, and more
- Increase **Civic Engagement** with innovative and tangible projects that bring residents and local leaders together to address challenges and facilitate a greater sense of inclusion
- Other community improvements, including **Health Services, Community Development, and Coronavirus Pandemic Recovery**

Project Types

AARP Community Challenge grants can be used to support:

- Permanent physical improvements in the community
- Temporary demonstrations that lead to long-term change
- New, innovative programming or services

The project types described above will be prioritized over those that support ongoing programming or events. See [Attachment C \(/content/dam/aarp/livable-communities/community-challenge/2022/Attachment-C-2022%20AARP%20Community%20Challenge%20Examples.pdf\)](#) for examples from previous AARP Community Challenge funded projects.

Grant Amount

Grants have ranged from several hundred dollars for smaller, short-term activities to tens of thousands of dollars for larger projects.

Since 2017, our average grant amount is \$11,500 and 76 percent of grants have been under \$15,000. While AARP reserves the right to award compelling projects of any dollar amount, the largest grant ever awarded by the AARP Community Challenge was \$50,000.

Grant Selection Process

Assessment Criteria:

- **Impact** (60 points): The project addresses a clear need that brings positive change and demonstrates the ability to overcome barriers and accelerate, grow and/or sustain the community's efforts to become more livable for residents — especially those age 50 or older — focuses on diversity, inclusion and addresses disparities
- **Execution** (30 points): Applicants demonstrate the capacity to deliver the AARP Community Challenge project on time and within the awarded budget, effectively engage residents and key stakeholders, and leverage volunteers — especially those age 50 or older — in the execution.
- **Innovation** (10 points): The project demonstrates creativity or unique design or engagement elements that will contribute to its impact on residents — especially those age 50 or older

In addition to the criteria provided, AARP will also evaluate each project based on its consistency with the AARP mission to serve the needs of people age 50-plus.

Application Requirements

- Applicants must meet the eligibility requirements
- Applications must be submitted through the online application form (see the box above) with all pertinent information by Tuesday, March 22, 2022, 5 p.m. (ET)
- Incomplete applications will not be reviewed

Notification

Grant recipients and unselected applicants will be notified by email in May 2022. Grantees must execute and email a binding Memorandum of Understanding and completed vendor forms to AARP by Wednesday, June 15, 2022. Noncompliance with this deadline may result in disqualification or delayed funding.

Submission Terms and Conditions

If you submit this application, you agree on behalf of yourself and your organization to release AARP and its affiliates and their respective officers, directors, employees, contractors, agents and representatives from all liability associated with sharing the Project Information with potential funders.

By submitting an application to AARP, the applicant agrees that:



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U.S. MEMBER APPLICATION

Community Population	Annual Cost	
Under 5,000	\$190	Apply Now (https://sistercities.org/membership-account/membership-checkout/?level=1)
5,000-10,000	\$310	Apply Now (https://sistercities.org/membership-account/membership-checkout/?level=2)
10,000-25,000	\$440	Apply Now (https://sistercities.org/membership-account/membership-checkout/?level=3)
25,000-50,000	\$610	Apply Now (https://sistercities.org/membership-account/membership-checkout/?level=4)
50,000-100,000	\$810	Apply Now (https://sistercities.org/membership-account/membership-checkout/?level=5)
100,000-300,000	\$1,030	Apply Now (https://sistercities.org/membership-account/membership-checkout/?level=6)
300,000-500,000	\$1,380	Apply Now (https://sistercities.org/membership-account/membership-checkout/?level=7)
500,000-1,000,000	\$1,910	Apply Now (https://sistercities.org/membership-account/membership-checkout/?level=8)
1,000,000 and above	\$2,280	Apply Now (https://sistercities.org/membership-account/membership-checkout/?level=9)

GLOBAL MEMBER APPLICATION

Community Population	Annual Cost	
Under 100,000	\$750	Apply Now (https://sistercities.org/membership-account/membership-checkout/?level=10)
100,000-500,000	\$1,750	Apply Now (https://sistercities.org/membership-account/membership-checkout/?level=11)
Above 500,000	\$2,500	Apply Now (https://sistercities.org/membership-account/membership-checkout/?level=12)

ADDITIONAL INFORMATION

- › [Dues and Eligibility \(/dueseligibility/\)](#)
- › [Member Services \(/member-services/\)](#)
- › [Resources and Discounts \(/resources-and-discounts/\)](#)
- › [Events \(/all-events/\)](#)

Sister Cities International knows how to create and foster environments where relationships take seed and grow, in what's maybe the most fertile soil of oil: curiosity about discovering the familiar in the unfamiliar.

-Masashi Oka, Executive Chairman, MUFG Americas Holdings

CONTACT

1012 14th Street, N.W.
Suite 1400
Washington, DC 20005
Phone (202) 347-8630 (tel:2023478630)
info@sistercities.org (<mailto:info@sistercities.org>)

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- › [Governing Documents \(/governing-documents\)](#)
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- › [SCI Store \(https://shop.spreadshirt.com/sistercitiesinternational/\)](https://shop.spreadshirt.com/sistercitiesinternational/)
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What is a Sister City?

A sister city, county, or state relationship is a broad-based, long-term partnership between two communities in two countries. A relationship is officially recognized after the highest elected or appointed official from both communities sign off on an agreement to become sister cities.

A city may have any number of sister cities, with community involvement ranging from a half dozen to hundreds of volunteers. In addition to volunteers, sister city organizations can include representatives from nonprofits, municipal governments, the private sector, and other civic organizations.

Each sister city organization is independent and pursues the activities and thematic areas that are important to them and their community including municipal, business, trade, educational, and cultural **exchanges and projects (/exchanges/)** with their sister city.

FREQUENTLY ASKED QUESTIONS

Below you'll find some of the most commonly asked questions about sister cities and Sister Cities International. If your question isn't answered below, please contact us at info@sistercities.org (<mailto:info@sistercities.org>).

▸ **How can I find out what my sister cities are?**

▸ **How do sister city relationships develop?**

▸ **Who runs sister city organizations and how are they structured?**

All of Sister Cities International's members are independent organizations and have a number of management structures. Sister city organizations are run by a group of volunteers, representatives from local institutions, the mayor's office or municipal government, or by some combination of these. Most often sister city organizations are incorporated as 501(c)(3) nonprofits, although the municipal government may have representation or a formal relationship with the group. Many are governed by a board of directors or commission. Organizations are most often organized by committee. Some sister city organizations are run by local institutions, such as a museum, cultural center, or chamber of commerce. Most municipal contacts for sister city organizations are in the office of the mayor, office of tourism/convention and visitors bureau, office of international affairs, office of protocol, or office of economic development.

▸ **How can I get involved with my local sister city organization?**

▸ **How can I create a new sister city?**

▸ **I am from a city abroad. How can I form a sister city relationship with a city in the United States?**

▸ **How do I set up a sister city organization for my city?**

▸ **Do you provide funding for projects?**

▸ **Can non-U.S. cities join Sister Cities International?**



-
- > I don't see one of our sister cities located on Sister Cities International's directory or website. Why?
-

- > What is the difference between a "Sister City" and a "Friendship City"?
-

CONTACT

1012 14th Street, N.W.
Suite 1400
Washington, DC 20005
Phone (202) 347-8630 (tel:2023478630)
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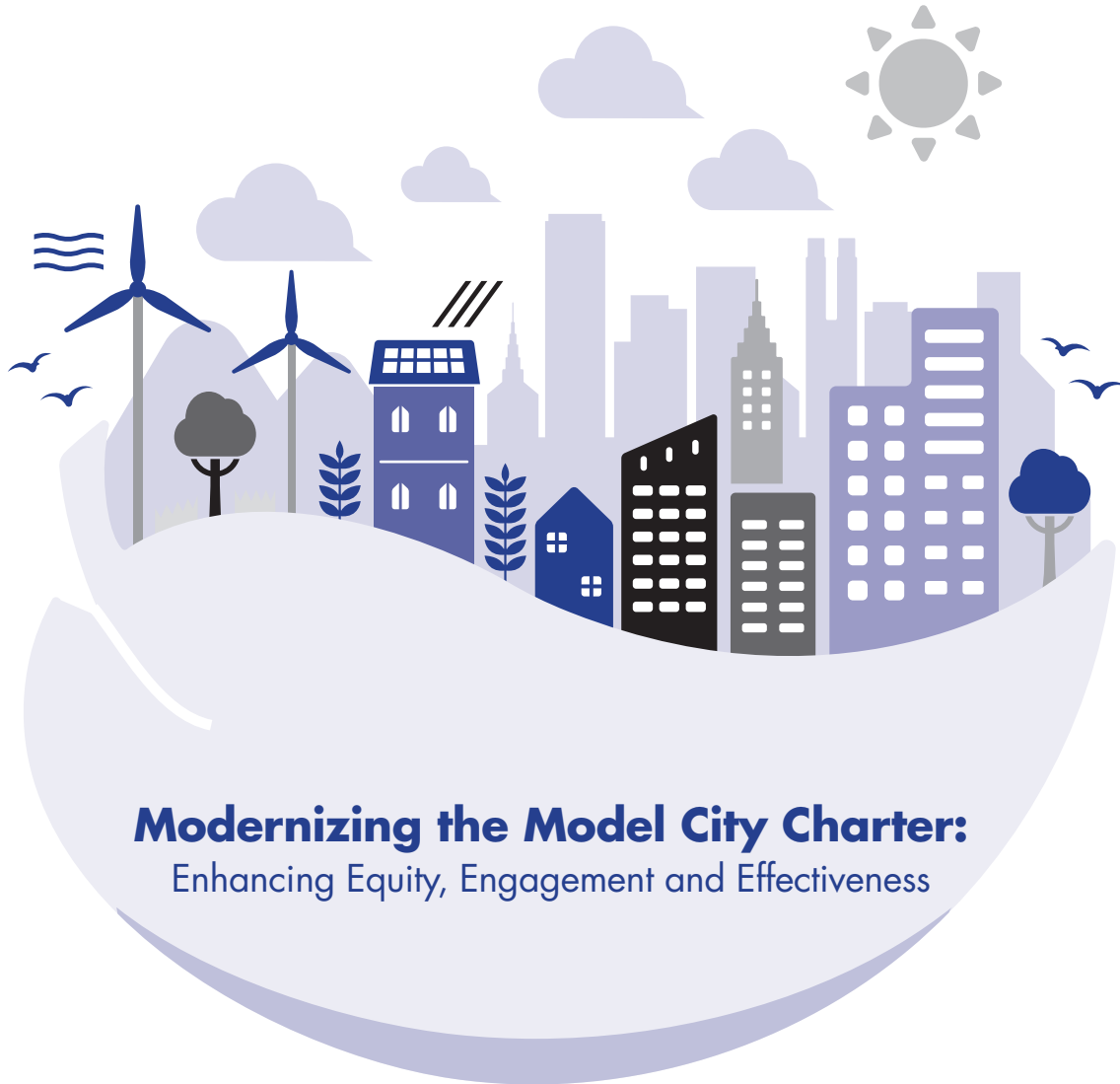
(<https://www.linkedin.com/company/sister-cities-international/>)



National Civic League

Model City Charter

9th
edition
2021



Modernizing the Model City Charter:
Enhancing Equity, Engagement and Effectiveness

A Publication of the National Civic League

**Model City Charter
Ninth Edition
National Civic League
Final Draft, November 1, 2021**

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November 2021

Letter from our Co-Chairs:

The Model City Charter was first introduced to the public in 1900, a time of sweeping social and political reforms. The early versions of the model focused on addressing some of the most pressing challenges facing those growing cities—structural inefficiency, political corruption and the need for a merit system for public employees.

Given the challenges facing our communities in 2021, it is only fitting that this revised and updated edition of the Model City Charter addresses the need for heightened attention to the role of public engagement in local governance and the need to improve equity.

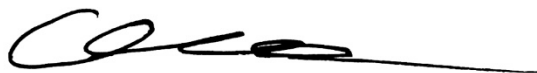
One of the results of the model-makers' early focus on professionalism and integrity is the relatively high trust levels among the public for local government in comparison to federal and state governments, as well as many other institutions. Part of this trust at the local level is due to the great work by city and county officials to engage the public and improve equity.

The Model City Charter has been used by cities and towns for over 120 years to structure their municipal governments and draft or revise their charters. With the last major revision occurring in 2000, we were honored to lead a year-long process involving dozens of thought-leaders and organization representatives to update the document and emphasize key principles, such as equity and civic engagement.

The new Model continues to advocate professional, nonpartisan city governance, with mayors and legislative bodies that work together with a manager to run city departments and solve public problems. While not all activities need to become part of the charter, we make a strong case that cities and towns need to structure all of their activities to reflect social equity and civic engagement, involving all the members of their community in civic affairs.

Please join us in the coming years in revisiting your charters to ensure that they reflect the values that we hold dear, that inclusive local governance involving everyone in our communities working together in a civil, pragmatic manner, can help our cities and towns thrive and contribute to addressing not only local matters but also the challenges that face our nation.

Signed,



Clarence Anthony, CEO &
Executive Director, National League of Cities



Marc A. Ott, CEO/Executive Director
International City/County Management
Association



Ronald Loveridge,
National Civic League
Former Mayor, City of Riverside, California



Kendra Stewart, Past President, Board Member,
American Society for Public Administration

INTRODUCTION

The Model City Charter is the product of more than 100 years of interaction of thought leaders on urban governance, practitioners in city government, and scholars who conduct research on local government. In the early editions, the thought leaders guided the others on how government should be organized. In later editions and now, they work together to refine recommendations about the ideal features city governments should have in order to achieve the highest level of governmental performance. Increasingly, community activists have been involved in the charter review process as well. In the new edition, the perspectives of all contributors are combined to develop the best current recommendations for promoting ideal city governments.

In preparing to review and revise the Model City Charter, the National Civic League recognized the need to better integrate a newer mission of promoting civic engagement and social equity with the older mission of emphasizing efficiency, expertise, and ethics. At the time of this revision, cities are operating in a context of increased consciousness around issues of inequities based on race, ethnicity, sexuality, gender, and socio-economic standing.

While national attention to police misconduct and the COVID-19 pandemic provide important background to the emphasis on equity in this edition of the Model City Charter, more persistent challenges such as disparities in access to and quality of education, housing, employment, economic opportunity, and technology motivate the emphasis on equity. Accordingly, this edition of the Model City Charter highlights the importance of using a social equity lens—paying careful attention to race, ethnicity, and other social characteristics when analyzing problems, looking for solutions, and defining success—throughout local government and stresses the urgency with which local government must govern for equity.

Current conditions also elevate the importance of active efforts to engage the public in governmental processes and community problem-solving efforts. Opportunities for community engagement have been present from the beginning of democratic governance as voters have selected officials in elections and approved certain programs in referenda. Select community members could take part in advisory bodies. These opportunities for participation have expanded but have tended to be exchanges between government and residents—providing information and receiving and soliciting resident input—rather than active engagement of residents through incorporation and collaboration.

Incorporating a full range of residents in the community regardless of their citizenship status means working directly with them throughout the governmental process to ensure that public concerns and aspirations are consistently understood and considered by staff. Collaboration involves partnering with residents in each aspect of the decision-making process, from identifying issues, developing alternatives, choosing the preferred solution, and implementation. Residents have received programs and services, but they can also be involved in addressing many community problems that can only be solved with active resident participation. Local governments have unique institutional mediating structures that can be established and leveraged toward this purpose.

As has been the case since the second edition in 1915, the ninth edition promotes the council-manager form of government as the core organizational feature. This form introduced a new governance model to American government that is based on a unitary system rather than the separation of powers, a framework that frequently results in conflicts between branches of government. All powers of the city are vested in a popularly elected council, which appoints a professional manager who is continuously responsible to the public and removable by the council. It has improved the quality of the governmental process and city government performance.

Over the next six editions of the model charter, many revisions were made to strengthen the political leadership of the mayor, increase the representativeness of the council, promote civic participation, and encourage the development of regional approaches to issues that overlapped the boundaries of urban areas. These refinements to the model and innovations by local officials have strengthened the form. This new edition of the model charter continues the interaction of theory and practice. It reviews the structure now used by a majority of cities with more than 10,000 residents and examines changes that have been introduced by some governments to respond to new challenges.

The new edition offers further enhancements for local governments to consider. It is an important guide for all cities and towns whether they need to change their form of government or revise their existing charters. It proposes refinements and identifies the importance of incorporating new features and commitments. For those council-manager cities that face a movement to change the form of government to the mayor-council form based on separation of powers, the model charter will guide them in asserting the advantages of the council-manager form and countering misleading arguments in favor of abandonment. As always, it provides the arguments to support adopting the council-manager form for cities that use a different form.

The council-manager plan combines democratic governance with the capability to operate city government with the values of effectiveness, efficiency, and economy. The council-manager form promoted these “three e’s,” a capable governing body, and a city manager accountable to the council. The manager would promote these values by proposing sound policy options to the council and by using professional expertise and experience to ensure that the city administration accomplished council-approved policies effectively while achieving the highest level of efficiency and economy in use of resources. Now it is widely recognized that the development of policy proposals should also promote equity and the process of adopting, implementing, and assessing policies should engage a full range of residents.

Commitment to Social Equity

It is important to recognize that a long history of discrimination and the challenge of fully incorporating new and recently recognized groups into American society requires more than treating all equally, although equality would address many shortcomings. Access to services, quality of services, and expanded engagement can be promoted by equal treatment. Promoting equity also requires a recognition of disparities in conditions that affect the level of need, the effectiveness of programs, and the impact of policies on different population groups. Many governments have increased the diversity of their staffs, but still do not include persons with diverse characteristics at all levels of the organization or in making a full range of decisions or recommendations. A commitment to inclusion is needed to address these shortcomings. Fundamentally, equity cannot be assured unless government officials are aware of and seek to alleviate disparities across groups with different characteristics. A comprehensive and continuous assessment of access, quality, and impact of services is needed. Some pioneering governments are incorporating a commitment to social equity, but most governments need to do more.

Attention to social equity is found in additions throughout the Model City Charter. Adopting an equity lens will reshape decisions and activities across all departments and programs. Advancing equity throughout local governments requires a fundamental reorientation of day-to-day operations.

To support such efforts, municipalities may consider creating a department, office, or agency whose sole task is to provide support to other divisions in local government with respect to the adoption of an equity lens. Given the breadth of implementation required for an equity lens to be applied—and the importance and urgency of the issue—an equity office is best organized as a direct report to the city manager’s office.

That said, equity will be best advanced through the organization if each unit has designated an individual or a small team to serve as a lead resource within their department and a liaison to the city manager's equity office. This office should be tasked with supporting the implementation of an equity lens, through the development of trainings, tools, communications, and other activities related to equity. (A companion publication is attached as an appendix that can be used as a resource for cities to implement equity recommendations.)

Expanding Public Engagement

There has been a long-standing commitment to increasing public engagement and participation. The need to expand provision of information to residents and opportunities for input was recognized in the Eighth Edition of the Model City Charter. There is increasing awareness, however, that new approaches are needed to engage residents in ongoing interactions with officials that go beyond one-way communication out of and into government.

Provisions should be made for resident input, and governments should provide information to the public, but more interaction is needed. Officials need to better understand the concerns residents have and how they would suggest addressing them at early stages in developing a proposal. They need to understand how programs and service delivery are affecting residents of all kinds in all parts of the jurisdiction. They need to be included as partners in assessing and helping to improve service delivery and in solving problems in their communities.

Community advisory boards are one tool to promote engagement, but the presence of these boards cannot be used to exclude other residents from being involved. Engagement means that residents and officials will know and understand each other better. Engagement also entails having an approach to involving residents that welcomes their participation in the implementation or "coproduction" of services and solutions to problems. Combining the two new e's, some local governments are developing principles of equitable engagement to ensure that all persons and groups have meaningful opportunities to be involved. The emphasis on engagement also indicates that existing provisions in the Model Charter regarding transparency need to be observed.

The Model City Charter includes a new Article VII on the Role of Public Engagement in Governance. It identifies the forms of engagement that should be promoted in local government and the principles that should guide the city's public participation processes. Finally, the article outlines the components that should be examined and the inclusive process that should be used to evaluate the public participation strategy and process. Public participation processes should expand the capacity for meaningful resident engagement by developing collaborative working relationships and expanded knowledge of government.

The Case for the Council-Manager form and Features that Enhance its Performance

Although the council-manager form was once thought of as being fit only for small cities, it is now used by 61 percent of cities over 100,000 in population and five of the 11 cities with over a million residents.¹ Since 1990, local governments in 32 of America's 317 cities over 100,000 in population have grappled with the question of whether they should change from council-manager to mayor-council form or vice versa and held a referendum to change the form of government. The council-manager form has been replaced with the mayor-council form in 12 cities. On the other hand, the council-manager form replaced the mayor-council form in four cities. Abandonment of the council-manager form was rejected

¹ James H. Svara and Douglas J. Watson, *More than Mayor or Manager*. Washington, D.C.: Georgetown University Press, 2010, pp. 12-16.2

during this period in 15 large cities. The campaigns in support of the council-manager form often fail to include some important advantages of the form—in particular the leadership potential of the mayor and the full range of contributions by the city manager who is commonly described as simply responsible for day-to-day management of the city.²

To inform residents of cities that may consider adopting the council-manager form, it is important to review the advantages of the council-manager form and highlight features that enhance its performance.

The council in the council-manager form is a true governing body, not just a legislative body that checks the mayor. The council sets policy, of course, but it also sets goals and priorities, reviews and revises policy proposals, and oversees the performance of the manager and staff. The council chooses the city manager—the appointed chief executive officer—who is the best qualified applicant from across the country to achieve the vision the council has established for the city, and monitors the manager’s performance. The council conducts real oversight through review of extensive information provided by the city manager.

Reference is made in the Model City Charter for the first time to the council’s responsibility to regularly evaluate the performance of the city manager. Council decisions are built on the comprehensive and objective information and advice from the city manager that is provided to all of the council members and to the public. This kind of communication contributes to the inherent transparency of the council-manager form. The features of the council-manager form make it less likely than the mayor-council form to have instances of corruption.³

In the mayor-council form the council’s role may be limited to reacting to the mayor’s proposals based on information provided by the mayor. The oversight role can be constrained by limits on the performance data that the mayor will permit departments to provide to the council. A council member could be the beneficiary of a reward from the mayor for supporting his/her proposals, but council members could be punished for taking an independent stand. As is true of separation-of-powers structures at the state and national level, conflict between the mayor and council is likely and can produce divisions within the council based on differing levels of allegiance to the mayor. Disagreement between a majority of the council but fewer than the number needed to override a mayoral veto and the mayor can produce an impasse. In the council-manager form, the council is designed to be the governing body.

In contrast to past editions, the Ninth Edition states a preference for the use of district elections or combinations of district and at-large seats to ensure that the council accurately represents the population as a whole and to promote a closer relationship between council members and residents. Attention should also be given to promoting a large turnout of voters in council elections.

It is advantageous to have off-year, November elections to focus attention on local issues. Although some argue that it would be useful to take advantage of generally higher rates of voting by holding city elections along with state and national elections, it is difficult to prevent local issues from getting

² Svvara and Watson, pp. 312-320.

³ Kimberly Nelson and Whitney B. Alfonso, “Ethics by Design: The Impact of Form of Government on Municipal Corruption,” *Public Administration Review*, April, 2019.

obscured when the local election is combined with higher level offices. Also, partisan divisions in the state and national campaigns may carry over to officially nonpartisan local elections.

Action should be taken to address the impediment to turnout caused by using a two-stage process. The turnout for the primaries that narrow the field of candidates, or for run-off elections, to choose the winner if no candidate receives a majority of votes, is generally lower than the general election. A remedy is available by using ranked-choice voting—the current form of an “instant runoff”—to determine winners in a single election. In addition to increasing turnout in the single election that determines the candidates chosen for office, ranking candidates means that voters’ preferences beyond their first choice can influence the outcome if their first-choice candidate is not selected. In ranked-choice election campaigns, candidates have an incentive to be more civil toward other candidates and reach out to the supporters of other candidates rather than simply attacking the other candidates.

The council-manager mayor is not a “weak” mayor. That term refers to cities that use the weak mayor-council form in which the mayor has certain executive powers but not others. Nor is the mayor an insignificant figurehead. As the authors of the introduction to the Eighth Model City Charter explained,

the mayor in the council-manager form is the chief legislator, the leader of the policy-making team. This mayor can be a “strong” mayor who, not having to overcome the offsetting power of the council or not being bogged down with the details of managing the city's staff, can focus on facilitative leadership. The mayor is effective by helping the council and staff perform better. High involvement by the council and the manager and constructive relationships among officials are indicators of successful leadership by the mayor. Effectiveness does not mean charting an independent path or taking over tasks from the manager.

The mayor is a comprehensive leader who draws on the features of the council-manager form of government to make it even more effective. The mayor is a community leader who interacts extensively with the public. The mayor strives to create a shared vision for the city with the support of the entire council. The facilitative mayor helps to assure that there is extensive and positive communication between the council and the manager. The mayor also focuses on communicating with the public and ensuring that their views are being incorporated in the decision made by the council and the priorities being pursued by staff. The leadership role of the mayor is supported by direct election. Candidates speak to the full population about citywide issues and the proposals they are advancing, and residents are able to indicate which candidate and proposals they support.

City managers do not just handle the day-to-day operations of city government, as the typical description of the manager’s role emphasizes, although this is a crucial contribution. They also manage achieving the long-term goals of the city and provide the council with a professional perspective on the opportunities and challenges that the city faces. Managers are a driving force for innovation and improved performance, and council-manager cities have a stronger record of innovation than mayor-council cities.

Governments are increasingly involved in partnerships to advance their goals, and top administrators must develop strategies to promote their success. John Nalbandian argues that local government managers increasingly act as facilitators, “promoting and nurturing partnerships...both within city government as well as between it and other organizations.”⁴ Compared to elected officials, managers are uniquely

⁴ John Nalbandian, “Politics and Administration in Local Government,” *International Journal of Public Administration*, 29, 1052.

positioned to carry out this function, without the risk that the activity will turn into coalition-building for political purposes.

Governments work with nonprofits, resident groups, and other governments in a complex array of activities. Local government managers are called upon to be knowledgeable about these partnerships and the interactions among them, understand their goals, and take steps to support them even though many of the participants are not members of the local government staff. In recognition of these new responsibilities, the Society of Local Authority Chief Executives in Great Britain calls its members the “chief strategic officers” in their governments (SOLACE 2005).⁵ It is the city manager who is best situated to oversee strategy by being knowledgeable about and facilitating the success of these joint endeavors.

The council-manager form with an elected mayor provides for vision, shared governance, informed advice and complete information about performance, a professional executive with the requisite experience and expertise, and continuous transparency. Local governments do not have to keep using or revert to the separation-of-powers structure used at higher levels of government nor do they have to take the chance that a mayor as chief executive is not well prepared for the office or not able to handle its broad scope of responsibilities. The council is not constrained by its subordinate position, and the performance of administrative staff is not impacted by the political interests of the mayor. The council-manager form is designed for local governments and intended to promote the best performance of all the officials. It is also more likely to be receptive to innovation and emerging values.

At the present time, addressing bitter partisanship, polarization, and a declining level of public confidence in powerful institutions requires a high level of adaptiveness and innovation. These challenging conditions call for a new framework for a twenty-first century reform movement that fosters resident-centered democratic governance that addresses institutional racism, political conflict, and declining confidence in democracy by expanding the civic agency of everyday people, and building resilient, local, multiracial democratic institutions. We hope this model charter can contribute to an environment in which local governments can rebuild confidence in democratic institutions, bridge the polarization gap and bitter partisan divides, increase our capacity for public problem-solving and move the country toward a genuine, participatory, multi-racial democracy while retaining the enhanced capacity for effective governance that has been developed over the past century.

- *James Svara, Steering Committee Member; Senior Fellow, School of Government, University of North Carolina-Chapel Hill*

⁵ Society of Local Authority Chief Executives in Great Britain, *Leadership United: Executive Summary*. London: Society of Local Authority Chief Executives and Senior Managers, 2005.

PREAMBLE

A preamble typically consists of three elements: an identification of the source of authority for the charter, a statement of the action that is to be taken, and a declaration of the intent of the charter. The source of authority for a city charter is the state constitution or statutory law. The action that is to be taken is the adoption of the charter. The declaration of the intent of the charter comprises subjective statements (not enforceable by law) that underscore or illuminate the characteristics of a municipality, such as the values of the city, lofty goals, or even the —personality of the drafting commission. Charters within the same state often use the same language in their preambles; the type of language used and the manner in which issues are addressed often provide a glimpse of regional characteristics.

Preamble

We the people of the [city/town] of _____, under the constitution and laws of the state of _____, in order to secure the benefits of local self-government and to provide for an honest and accountable council-manager government do hereby adopt this charter and confer upon the city the following powers, subject to the following restrictions, and prescribed by the following procedures and governmental structure. By this action, we secure the benefits of home rule and affirm the values of representative democracy, professional management, strong political leadership, public engagement, diversity and inclusiveness and regional cooperation.

Source of Authority

Identification of the source of authority tends to be standard: “We the people of Your City, under the constitution and laws of the state...”

Occasionally, however, the source of authority is embellished with descriptive elements that reflect valued characteristics of the community. Two examples follow:

“We the people of Your City, with our geographical and cultural diversity...”

“Treasuring the many wonders of our unique environment and realizing that the power and duty to govern and protect this region is inherent in its people, we the people of Your City...”

Action Taken

The standard phrasing for the action statement is “do hereby adopt or some variation. Following are two examples of action taken by the source of authority:

. . . do hereby adopt this charter

. . . do hereby adopt this home rule charter.

Intent

This can be the most creative section of the preamble (and of the charter itself). The standard beginning of the intent section is: “By this action, we . . .” An expression of objectives, goals, purposes, and/or values typically follows. The intent section can contain merely a reference to home rule or self-determination, or it can contain a combination of purposes, goals, values, and even civic aspirations. Preambles typically reflect values such as self-determination, diversity and inclusiveness, justice, equality, equity, efficiency, responsiveness, participation of community members, and environmental stewardship.

Diversity and inclusiveness references should address the right of every individual to equal opportunities and establish nondiscrimination rules. Examples follow.

“By this action, we:

provide for local government responsive to the will and values of the people and to the continuing needs of the surrounding communities. . .

secure the benefits of home rule, increase resident participation reflecting rights or equal opportunity of the broad diversity of the city, promote social equity, improve efficiency and effectiveness, and provide for a responsible and cooperative government. . .

“each individual shall have an equal opportunity to participate fully in the economic, cultural and intellectual life of the city and to have an equal opportunity to participate in all aspects of life...”

“discrimination is prohibited based on race, color, religion, national origin, gender, age, sexual orientation, gender expression, marital status, military status or physical or mental disability...”

establish a government which advances justice, equity, inspires confidence, and fosters responsibility...”

Preambles should contain all three elements. The intent section at the least should contain a reference to home rule or self-determination (very few do) and could suggest elements of contemporary governing values such as regional cooperation, economic vitality, diversity and inclusiveness, comprehensive representation, strong community leadership, and public participation.

Article I

POWERS OF THE CITY

Introduction.

A charter should begin by defining the scope of the city's powers. It should address the context in which such powers operate, including the effect of state law and the desirability of cooperation with other localities.

Section 1.01. Powers of the City.

The city shall have all powers possible for a city to have under the constitution and laws of this state as fully and completely as though they were specifically enumerated in this charter.

Commentary.

The city should lay claim to all powers it may legally exercise under the state's constitution and laws.

Nevertheless, some cities, particularly smaller ones, may not wish to exercise all available powers. Cities may restrict their own power: (1) by specific provisions in the appropriate parts of the charter; (2) by ordinance, since the section does not require that all the powers claimed be exercised; or (3) by inaction—i.e., failure to exercise powers. The powers of the city may also be limited by state or federal court decisions.

This section ensures that the city claims the entirety of the grant of authority available to it from the state. Through this means, the charter is restricted from embracing less in its terms than the constitutional home rule grant allows or from containing an inadvertent omission or ambiguity that could open the door to restrictive judicial interpretation. This is the most that the charter can do as the extent of the powers available to the city will depend on the state's constitution and statutes and judicial decisions.

The general powers provision of a charter must be tailored to the laws of each state. The courts of some states do not give effect to a charter statement of powers expressed in general terms. Instead, they require that the charter enumerate all of the powers claimed. The words —as fully and completely as though they were specifically enumerated in this charter, at the end of § 1.01—, cannot be used in a charter in a state that requires the enumeration of powers.

Charter drafters should carefully study their state's law on local government powers before using this Model provision. To reduce the likelihood of restrictive judicial interpretation, a section like § 1.02 below should accompany this section.

Questions of restrictive court interpretation aside, and assuming that a state's law does not require an enumeration, this section may be utilized effectively under any of the existing types of home rule grant, as well as that of the Model State Constitution (6th Edition, 1968) published by the National Municipal League. It may be used regardless of whether the home rule grant appears in a constitution, optional charter law, or other general enabling act.

Section 1.02. Construction.

The powers of the city under this charter shall be construed liberally in favor of the city, and the specific mention of particular powers in the charter shall not be construed as limiting in any way the general power granted in this article.

Commentary.

A charter should encourage courts to interpret the powers of the city as broadly as possible. Such a provision discourages a restrictive interpretation of the general powers statement in § 1.01. If the charter enumerates powers, this section may prevent courts from interpreting the list of specific powers as evidencing intent to exclude other or broader powers.

Section 1.03. Intergovernmental Relations.

The city may participate by contract or otherwise with any governmental entity of this state or any other state or states or the United States in the performance of any activity which one or more of such entities has the authority to undertake.

Commentary.

This section empowers the city to participate in intergovernmental relationships—to receive assistance from the federal, state, and other local governments, to be represented in regional agencies established under federal or state law or intergovernmental agreements, and to perform jointly with any other governmental jurisdiction any function which any of the participating jurisdictions may perform alone.

The nature of intergovernmental relations is rapidly changing. Most cities are an integral part of a region. In that regard, engaging in cooperative intergovernmental relations is fundamental to the effective functioning of a city and the region of which it is a part. Although the purpose of engaging in intergovernmental relations is primarily to further the ends of the city, the health of the region should also be of concern to the city.

Superior state statutes (such as a general powers provision), which cannot be altered by a charter provision, may govern an intergovernmental relations provision. States may enact these on an ad hoc basis, each dealing with a particular project, program, or regional or metropolitan agency. With intergovernmental agreements becoming more common, states may have general intergovernmental authorizing statutes or constitutional provisions.

For example, New Hampshire state law provides: N.H.R.S. Title 3, Chapter 53-A:1 Agreements between government units.

Purpose. – It is the purpose of this chapter to permit municipalities and counties to make the most efficient use of their powers by enabling them to cooperate with other municipalities and counties on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities.

If states have neither specific nor general authorization, charter drafters should look for court opinions on intergovernmental agreements in the state. Courts may provide guidance on the extent of a city's power to cooperate with other governments in the absence of enabling state legislation. Specific legislation on intergovernmental agreements often involves political questions and considerations of state constitutional and statutory limitations on cities' financial and borrowing powers. In joint federal-municipal projects involving substantial sums, state legislative control over municipal powers, coupled with restrictive judicial doctrines, may require specific state legislative approval.

Article II CITY COUNCIL

Introduction.

The city council, elected by, representative of, and responsible to the residents of the city is the fundamental democratic element of the council-manager plan.

Section 2.01. General Powers and Duties.

All powers of the city shall be vested in the city council, except as otherwise provided by law or this charter, and the council shall provide for the exercise thereof and for the performance of all duties and obligations imposed on the city by law.

Commentary.

This section does not specifically enumerate the powers of the council. An enumeration of specific powers in this article will not enlarge the powers of the council and may operate to diminish them if utilized by the courts to support restrictive interpretations (see commentary to § 1.02). In his commentary on the first Model City Charter endorsing the council-manager plan (—The City Council in The New Municipal Program, 1919), William Bennet Munro noted that:

So far as the composition and powers of the city council are concerned the plan set forth in the Model City Charter rests upon the conviction that there should be a place in the municipal framework for a body which will be avowedly deliberative, supervisory, and policy-determining, which will be wieldy enough to perform these functions properly and yet large enough to be truly representative of the community's options. . . . The Model City Charter accordingly provides for a council with a membership which can be enlarged or contracted according to the varying size and needs of different cities. This council is to be the pivot of the municipal system. It is to be the final source of local authority, not sharing its powers but delegating some of them. That is to say, to a city manager chosen by the council and holding office during the council's pleasure, it assigns the entire charge of administrative affairs . . . As for the powers of the city council . . . It is designed to embody, as it were, the sovereignty of the community. It is the legislative organ of the city exercising all the authority which the municipal corporation possesses—with one important exception only. This restriction is that the city council, once it selects a city manager, devolves all direct administrative authority upon him.

Recognizing that all of the powers that can be exercised by the city rest in the popularly elected city council, the charter must provide for a council that is truly representative of the community. Therefore, the Model presents several alternatives with recognition of the advantages of certain alternatives over others. Each city's population pattern— economic level, racial, ethnicity, geographical, etc.—has implications for the method of electing the council to assure equitable representation. While the Voting Rights Act governs all jurisdictions, in some cities the problem of compliance with its provisions and avoidance of court challenges is a matter of particular concern. Just as there is no absolute model for providing competent and effective legislators, there is no absolute pattern which will assure equitable representation.

As the body charged with making municipal policy, the council can create permanent or ad hoc mechanisms to assist in that process. For example, it can create planning and recreation boards or study

committees. Likewise, it can create agencies with quasi-legislative or quasi-judicial status, such as a human rights commission or a zoning appeals board.

The Model provides that the mayor shall be the presiding officer and a voting member of the council and shall perform certain specific duties which will enhance the mayor's role as policy leader.

Section 2.02. Eligibility, Terms, and Composition.

(a) Eligibility. Only registered voters of the city shall be eligible to hold the office of council member or mayor.

Commentary.

This section does not include length of residence requirements for city council candidates. In an era of great mobility in which people frequently live in one place and work in another, length of residence requirements lose what little validity they may once have had. A prospective council member need only be a registered voter of the city.

(b) Terms.

The term of office of elected officials shall be four years elected in accordance with Article VI.

Commentary.

The Model recommends four-year, staggered terms (§ 6.03). Under this approach, elections of council members take place every two years. In the seventh edition, the Model listed concurrent terms as an alternative. However, a strong majority of cities have chosen staggered terms over concurrent terms to avoid dramatic changes in council composition at each election.

The Model does not restrict reelection to subsequent four-year terms. Limiting reelection restricts the voters' opportunity to keep in office council members of whom they approve. Unlimited terms allow voters to provide a vote of confidence for council members who represent majority sentiment and a vote of opposition for members in the minority. Finally, the city benefits from the institutional memory of reelected council members.

(c) Composition.

There shall be a city council composed of [] members [see alternatives below].

Commentary.

The Model does not specify the exact number of council members but recommends that the council be small – ranging from five to nine members. If the mayor were elected by and from the council (§ 2.03(b), Alternative I), there would be an odd number of council members. In the largest cities, a greater number of council members may be necessary to assure equitable representation. However, smaller city councils are more effective instruments for the development of programs and conduct of municipal business than large local legislative bodies. In the United States, it has been an exceptional situation when a large municipal council, broken into many committees handling specific subjects, has been able to discharge its responsibilities promptly and effectively. In large councils, members usually represent relatively small districts with the frequent result that parochialism and “log-rolling”—bargaining for and exchanging votes on a quid pro quo basis—distract attention from the problems of the whole city.

In determining the size of the council, charter drafters should consider the diversity of population elements to be represented and the size of the city.

Alternative 1 - Option A - District elections of an even number of council members.

Alternative 1 – Option B - Combination of district and at-large elections of an even number of council members.

Alternative 1 – Option C - In small homogeneous communities, at-large elections of an even number of council members may be suitable.

With each option, the mayor is elected separately as provided in § 2.03(b).

Commentary.

The Model for the first time recommends district or a combination of districts and at-large seats on city councils be used to address diversity and representation issues. The 8th edition listed district and mixed election systems as one of several alternatives, listing them after the alternatives of at-large election with district residency requirements. At-large elections should only be considered as an alternative for small communities that are homogeneous or have no geographic concentration of underrepresented voters. Adding district residency requirements disperses the members of the council geographically, but all the members of the council can still be elected by the same majority. Under-representation of specific interests is always a potential outcome with at-large elections.

Community members may feel isolated from and unconnected to their government without some geographical basis of representation. Cities with significant differences in or conflicts among ethnic, racial, or economic groups should consider which of the first two alternative systems will achieve more equitable representation of the city's population, promote sound governance, and avoid legal challenges under the Voting Rights Act.

The growing recognition that membership on councils should represent all racial and ethnic groups more adequately has spurred increased use of the single-member district system. With under-represented groups concentrated in particular sections of the city, it is easier to elect council members that represent those groups. Also, because district campaigns cost substantially less than citywide campaigns, single-member districts can open the way for greater diversity among candidates. Also, residents feel closer to district elected council members, whom they can hold responsible for addressing their community concerns.

In cities where courts have found that the at-large method of electing the city council violates the Voting Rights Act, the Justice Department has regularly approved the single-member district system as a replacement. The single-member system has drawbacks. An inherent problem is the danger that district elected members will subordinate citywide concerns to parochial problems. Single-member systems also have potential for the classic problem of "log-rolling" or vote swapping. Whenever districts are used, the drawing of district lines to provide "fair and equal" districts is of utmost importance and may involve litigation. Section 6.03 provides districting procedures and criteria designed to prevent gerrymandering and unequal districts, which are unconstitutional under the one person, one vote doctrine.

The mixed system for a council with members elected at large and members elected by and from districts has become increasingly popular since the U. S. Department of Justice approved it as a method of electing the city council that is compliant with the requirements of the Voting Rights Act. This makes the mixed method suitable in places where the at-large system has been challenged but where change to a single-

member district system is opposed. The mixed system combines the citywide perspective of the at-large council members with the local concerns and accountability of district council members. It can allow underrepresented residents who live in concentrated areas to influence or even determine the outcome of elections in their districts.

A problem can arise in mixed systems when at-large council members consider their position to be superior to that of district members and are perceived as rivals to the mayor. To prevent this, at-large and district council members should have equal status with respect to offices, services, and length of terms. Local preference should decide the ratio of at-large to district members. Opinion ranges from favoring a majority being elected at large to a majority being elected by and from districts. However, for jurisdictions concerned about scrutiny by the U. S. Department of Justice or the courts under either § 2 or § 5 of the Voting Rights Act, precedent shows a clear preference for a majority of the council to be elected by and from districts.

Section 2.03. Mayor.

(a) Powers and Duties. The mayor shall be a voting member of the city council and shall attend and preside at meetings of the council, represent the city in intergovernmental relationships, appoint with the advice and consent of the council the members of community advisory boards and commissions, present an annual state of the city message, appoint the members and officers of council committees, assign subject to the consent of council agenda items to committees, and perform other duties specified by the council. The mayor shall be recognized as head of the city government for all ceremonial purposes and by the governor for purposes of military law but shall have no administrative duties.

(b) Election. At each regular election the voters of the city shall elect a mayor at large for a term of [the same term as other council members] years. The council shall elect from among its members a deputy mayor who shall act as mayor during the absence or disability of the mayor and, if a vacancy occurs, shall become mayor for the remainder of the unexpired term.

Commentary.

(a) The office of mayor in cities having the council-manager form assumes a different character from city to city depending upon local political, economic, and social conditions. This variation has meant that the office is not well understood, and its potential has too often gone unrecognized. While the mayor of a council-manager city is not an executive as in the mayor-council form, he or she is uniquely positioned to be the political and policy leader of the city. As the presiding officer of the council and ceremonial head of the city, the mayor is the most conspicuous official of the city. Freedom from executive responsibilities for the day-to-day municipal operations allows the mayor to focus attention on major policy issues and important facilitative activities.

The mayor fills three facilitative roles that offer enormous leadership opportunities. First, the mayor may coordinate the activities of other officials by providing liaison between the city manager and the council, fostering a sense of cohesion among council members, and educating the public about the needs and prospects of the city. Second, the mayor may facilitate policy guidance through setting goals for the council and advocating the adoption of policies that address the city's problems. Third, the mayor is an ambassador who promotes the city and represents it in dealing with other governments as well as the public.

The specific responsibilities of the mayor listed in the Model enhance the mayor's leadership position. The traditional responsibility of presiding at council meetings allows the mayor to set the tone for city

government and help the council make decisions. Designation of the mayor as intergovernmental representative reflects the increased importance of relationships with other local governments as well as with the state and federal governments.

Mayoral appointment of boards and commissions with council advice and consent and of the membership of council committees creates the opportunity for purposeful balanced representation and can be used to forge coalitions and tap into networks of community activity. Finally, the mayor delivers the state of the city message. When the state of the city message includes the setting out of needs and goals for the city, it should reflect the thinking of the council and information provided by the staff, as well as the mayor's own priorities. In presenting the state of the city message, the mayor acts as spokesperson, educator, team leader, goal setter, and policy advocate. To avoid confusion, the time of delivery of the message should be sufficiently distanced from the presentation of the budget by the manager.

More than half of the cities operating with the council-manager form use the direct election at-large alternative. Many cities, particularly larger ones, believe that this method increases the potential for mayoral leadership by giving the mayor a citywide popular support base. This is particularly important when all or most of the council members are elected from districts. A potential disadvantage of this method is that the mayor may have views that diverge widely from those of a majority of the council on some important issues.

Whatever the method of election or the strength of the mayor's leadership role, the mayor is preeminently a legislator, a member, and leader of the council; the mayor is not an executive. However, the office may require some special staff support. Whatever arrangements are made for support either through the city manager or staff in the mayor's office should be consistent with two premises. First, the mayor should not encroach on the executive responsibilities of the manager. Second, the mayor and council collectively, as a body, oversee the operations of the city by the manager. Communities should avoid granting special voting status to the mayor (e.g., vote on council only to make or break a tie). Such power will likely impede rather than enhance the mayor's capacity to lead. Similarly, giving the mayor veto power in a council-manager city cannot help but confuse his or her role with that of the executive mayor in a mayor-council city.

No structural arrangement for government will ensure effective mayoral leadership. The person who occupies the office must understand the nature of the job—its possibilities, interdependencies, and limitations—and have the personal inclination, energy, and talent to exercise necessary leadership. Without that, no amount of structural support will produce a leader. However, the method of selection and the statement of responsibilities provided in the charter should help ensure the selection of a capable person with recognized leadership abilities who will make a significant contribution to the operation of the city.

Section 2.04. Compensation; Expenses.

The city council may determine the annual salary of the mayor and council members by ordinance, but no ordinance increasing such salary shall become effective until the date of commencement of the terms of council members elected at the next regular election. The mayor and council members shall receive their actual and necessary expenses incurred in the performance of their duties of office.

Commentary.

Under the Model, council members are part-time officials and do not direct city departments. Council salary level depends on a variety of factors specific to each community, including the part-time nature of

the position and the emphasis on policy-making rather than administration. The city should reimburse council members for expenses incurred in performing their duties, e.g., travel to the state capital to testify on behalf of the city. The Model rejects the setting of the actual amount of compensation in the charter except for the salary of the first council after the charter goes into effect (see § 10.05(f)). The delay in the effective date of any salary increases provides ample protection. The city should provide extra compensation for the mayor because, in addition to regular responsibilities as a council member, the mayor has intergovernmental, ceremonial, and city-related promotional responsibilities.

Section 2.05. Relationship to City Manager.

As explained in Article III, the city council hires the city manager to serve as the chief executive of the city government and may terminate the appointment of the city manager at any time. It is an ongoing responsibility of the city council to assure that the city manager and staff are accountable for their actions. The council shall formally evaluate the city manager's performance on an annual basis. The council shall also monitor the policy proposals submitted by the city manager and the administrative actions taken by the city manager and staff to ensure that the council's expectations are being met and that acceptable standards are being maintained.

Commentary.

Advocates of the strong mayor-council form of government claim that direct election of the chief executive makes city government more accountable but using the electoral process for accountability is a slow process and not necessarily available. The council-manager form has a chief executive who is continuously accountable to the city council. It is necessary to wait up to four years until the next election to hold the strong mayor accountable for poor performance, and accountability disappears in the mayor's final term. If a recall of the mayor is possible, this requires a large-scale collection of signatures on a recall petition and is very disruptive to city. Typically, chief administrative officers in mayor-council cities are neither independent nor accountable to the council. In contrast, the city manager in the council-manager form is independent but continuously accountable. The manager's performance should be evaluated regularly by the council, and the manager can be removed by the council at any time if his/her performance is not acceptable.

Section 2.06. Prohibitions.

(a) Holding Other Office. Except where authorized by law, no council member shall hold any other elected public office during the term for which the member was elected to the council. No council member shall hold any other city office or employment during the term for which the member was elected to the council. No former council member shall hold any compensated appointive office or employment with the city until one year after the expiration of the term for which the member was elected to the council, unless granted a waiver by the Board of Ethics. Nothing in this section shall be construed to prohibit the council from selecting any current or former council member to represent the city on the governing board of any regional or other intergovernmental agency.

(b) Appointments and Removals. Neither the city council nor any of its members shall in any manner control or demand the appointment or removal of any city administrative officer or employee whom the city manager or any subordinate of the city manager is empowered to appoint, but the council may express its views and fully and freely discuss with the city manager anything pertaining to appointment and removal of such officers and employees.

(c) Interference with Administration. Except for the purpose of inquiries, and investigations under § 2.10, the council or its members shall deal with city officers and employees who are subject to the direction and supervision of the city manager solely through the city manager, and neither the council nor its members shall give orders to any such officer or employee, either publicly or privately.

Commentary.

(a) This provision prohibits council members from concurrently holding other elective office, such as state legislator, as occurs in some states. Also prohibited is holding any other city office or employment during one's council term or for one year after leaving office. These provisions are designed to avoid conflict of interest situations. The charter is specific, however, that these prohibitions do not restrict any current or former officeholder from service on the boards of regional or other intergovernmental agencies. Such service is particularly valuable in accomplishing the objectives of intergovernmental cooperation.

(b) The prohibition against interference by council members in the appointment and removal of employees and in the administration of city programs does not include the broad language of earlier editions of the Model because it was considered too rigid and unrealistic. This provision, while expressing the general policy of noninterference, does not exclude communication between council members and the manager on questions of appointment and removal. The manager may seek advice from the council regarding appointments. Council members are strictly prohibited from giving orders to city officers or employees. However, the prohibition against interference with administration does not prevent council members from making inquiries of department heads or employees for the purpose of obtaining information needed by them in the discharge of their duties including response to constituent requests. Information provided to one council member should be shared with the entire council as warranted. The council and manager should define the parameters for such requests and establish reasonable boundaries. In some cities, automated information systems make information on aspects of departmental operations readily available to council members on computer terminals.

Section 2.07. Vacancies; Forfeiture of Office; Filling of Vacancies.

(a) Vacancies. The office of a council member shall become vacant upon the member's death, resignation, or removal from office or forfeiture of office in any manner authorized by law.

(b) Forfeiture of Office. A council member shall forfeit that office if the council member:

- (1) Fails to meet the residency requirements,
- (2) Violates any express prohibition of this charter,
- (3) Is convicted of a crime involving moral turpitude, or
- (4) Fails to attend three consecutive regular meetings of the council without being excused by the council.

(c) Filling of Vacancies. A vacancy in the city council shall be filled for the remainder of the unexpired term, if any, at the next regular election following not less than sixty days upon the occurrence of the vacancy, but the council by a majority vote of all its remaining members shall appoint a qualified person to fill the vacancy until the person elected to serve the remainder of the unexpired term takes office. If the council fails to do so within thirty days following the occurrence of the vacancy, the election authorities shall call a special election to fill the vacancy, to be held not sooner than ninety days and not later than 120 days following the occurrence of the vacancy, and to be otherwise governed by law. Notwithstanding the requirement in § 2.12(c), if at any time the membership of the council is reduced to less than _____,

the remaining members may by majority action appoint additional members to raise the membership to _____.

Commentary.

The section specifies the events or conditions, which create a vacancy, the grounds for forfeiture of office, and the manner by which the council shall fill vacancies.

Subsection (b)(3) requires forfeiture of office for crimes involving “moral turpitude.” This is a legal standard that in most jurisdictions means the crime – felony or misdemeanor – violates community standards of morality and involves an element of knowing intent by the perpetrator. Court findings include *In re Flannery*, 334 Or. 224 (2002) (misrepresenting address in renewing driver license to obtain valid license to rent a car was not a crime involving moral turpitude); *Klontz v. Ashcroft*, 37 Fed. Appx. 259 (9th Cir. 2002) (petty theft and grand theft are both crimes of moral turpitude); *Antorietto v. Regents of the University of California*, 2002 WL 1265552 (Cal. App. 4 Dist. June 7, 2002) (misuse of university funds and fraudulent diversion of donor funds intended for the university are crimes that involve moral turpitude). Another approach focuses on felonies, as in Kansas City’s charter, which reads: —No member of the council shall, during the term for which he is elected, be found guilty or enter a plea of guilty or nolo contendere to a felony under the laws of the United States or of any state, even if subsequently followed by the suspended imposition of the sentence. The council shall temporarily fill vacancies until the next regular election, when the voters will fill such vacancies for the remainder of the term (unless that election occurs within sixty days of the vacancy, in which case the candidates would have insufficient time to file). The provision calls for a special election if the council fails to fill a vacancy within thirty days. This provision should ensure that the council will act, but in the event of a deadlock a special election will resolve the situation.

Finally, the section provides for filling vacancies by council action even if the membership falls below the quorum otherwise required for council action by § 2.12(c).

Section 2.08. Judge of Qualifications. The city council shall be the judge of the election and qualifications of its members, and of the grounds for forfeiture of their office. In order to exercise these powers, the council shall have power to subpoena witnesses, administer oaths and require the production of evidence. A member charged with conduct constituting grounds for forfeiture of office shall be entitled to a public hearing on demand and notice of such hearing shall be published in one or more newspapers of general circulation in the city at least one week in advance of the hearing.

Commentary.

This section makes council the judge of qualifications for office and of grounds for forfeiture. It provides procedural safeguards to protect a member charged with conduct constituting grounds for forfeiture. The provision authorizing the council to set additional standards for the conduct of its members empowers the council to impose on itself the highest possible ethical standards.

Section 2.09. City Clerk. The city council or the city manager shall appoint an officer of the city who shall have the title of city clerk. The city clerk shall give notice of council meetings to its members and the public, keep the journal of its proceedings and perform such other duties as are assigned by this charter or by the council or by state law.

Commentary.

See §§ 2.16 and 2.17 for other duties assigned to the city clerk. In a number of states, certain statutory duties may be assigned to the city clerk, even in cities operating with their own charters.

Section 2.10. Investigations. The city council may make investigations into the affairs of the city and the conduct of any city department, office, or agency and for this purpose may subpoena witnesses, administer oaths, take testimony, and require the production of evidence. Failure or refusal to obey a lawful order issued in the exercise of these powers by the council shall be a misdemeanor punishable by a fine of not more than \$_____, or by imprisonment for not more than _____ or both.

Commentary.

This section gives the council, but not the manager, the power to make investigations. The manager has the power to appoint, remove, and suspend officers, but it is inappropriate for the manager to have the power to subpoena witnesses and compel production of evidence.

Section 2.11. Independent Audit. The city council shall provide for an independent annual audit of all city accounts and may provide for more frequent audits as it deems necessary. Such audits shall be carried out in accordance with § 5.12.

Commentary.

The necessity for annual independent audits of the city's financial affairs has long been accepted. This section authorizes and charges the council to conduct them.

Section 2.12. Procedure

(a) Meetings. The council shall meet regularly at least once in every month at such times and places as the council may prescribe by rule. Special meetings may be held on the call of the mayor or of _____ or more members and, whenever practicable, upon no less than twelve hours' notice to each member. Except as allowed by state law, all meetings shall be public; however, the council may recess for the purpose of discussing in a closed or executive session limited to its own membership any matter which would tend to defame or prejudice the character or reputation of any person, if the general subject matter for consideration is expressed in the motion calling for such session and final action on such motion is not taken by the council until the matter is placed on the agenda.

(b) Rules and Journal. The city council shall determine its own rules and order of business and shall provide for keeping a journal of its proceedings. This journal shall be a public record.

(c) Voting. Voting, except on procedural motions, shall be by roll call and the ayes and nays shall be recorded in the journal. _____ members of the council shall constitute a quorum, but a smaller number may adjourn from time to time and may compel the attendance of absent members in the manner and subject to the penalties prescribed by the rules of the council. No action of the council, except as otherwise provided in the preceding sentence and in § 2.07(c), shall be valid or binding unless adopted by the affirmative vote of _____ or more members of the council.

Commentary.

This section sets forth what are, for the most part, standardized and well accepted procedural rules to govern the official action of the council. The frequency of meetings can, of course, be suited to the needs of the particular city. The section contains the important, standard protection that meetings must be public

and that a journal of proceedings be kept as a public record. Most states have open meeting laws which specify the circumstances when closed or executive sessions may be held; such meetings are sometimes necessary for effective council functioning. This charter and state law contain ample safeguards to assure open meetings. All council actions require majority vote, except actions to adjourn, to compel attendance of members in the absence of a quorum, and to appoint additional members if the membership falls below a majority of the total authorized membership as provided in § 2.07(c).

Section 2.13. Action Requiring an Ordinance.

In addition to other acts required by law or by specific provision of this charter to be done by ordinance, those acts of the city council shall be by ordinance which:

- (1) Adopt or amend an administrative code or establish, alter, or abolish any city department, office, or agency;
- (2) Provide for a fine or other penalty or establish a rule or regulation for violation of which a fine or other penalty is imposed;
- (3) Levy taxes;
- (4) Grant, renew, or extend a franchise;
- (5) Regulate the rate charged for its services by a public utility;
- (6) Authorize the borrowing of money;
- (7) Convey or lease or authorize the conveyance or lease of any lands of the city;
- (8) Regulate land use and development;
- (9) Amend or repeal any ordinance previously adopted; or
- (10) Adopt, with or without amendment, ordinances proposed under the initiative power. Acts other than those referred to in the preceding sentence may be done either by ordinance or by resolution.

Commentary.

This section assures that the enumerated types of council action be taken only after compliance with all the procedural safeguards required for passage of an ordinance by the succeeding sections.

Other subjects requiring an ordinance are not mentioned here because the requirement is specifically stated elsewhere in the charter. These include adoption of codes of technical regulations (§ 2.16), appropriation and revenue ordinances (§ 5.06), supplemental and emergency appropriations and reduction of appropriations (§ 5.07), and creation of a charter commission or proposal of charter amendments (§ 9.01). Council may act via ordinance or resolution on matters other than those enumerated in this section or as required by law or by specific provision in the charter to be by ordinance. This does not preclude motions relating to matters of council procedure, which may involve even less formality than resolutions.

Section 2.14. Ordinances in General

(a) Form. Every proposed ordinance shall be introduced in writing and in the form required for final adoption. No ordinance shall contain more than one subject, which shall be clearly expressed in its title. The enacting clause shall be "The city of _____ hereby ordains . . ." Any ordinance which repeals or

amends an existing ordinance or part of the city code shall set out in full the ordinance, sections or subsections to be repealed or amended, and shall indicate matters to be omitted by enclosing it in brackets or by strikeout type and shall indicate new matters by underscoring or by italics.

(b) Procedure. Any member at any regular or special meeting of the council may introduce an ordinance. Upon introduction of any ordinance, the city clerk shall distribute a copy to each council member and to the city manager, shall file a reasonable number of copies in the office of the city clerk and such other public places as the council may designate, and shall publish the ordinance together with a notice setting out the time and place for a public hearing thereon and for its consideration by the council.

The public hearing shall follow the publication by at least seven days, may be held separately or in connection with a regular or special council meeting and may be adjourned from time to time; all persons interested shall have an opportunity to be heard. After the hearing, the council may adopt the ordinance with or without amendment or reject it, but if it is amended as to any matter of substance, the council may not adopt it until the ordinance or its amended sections have been subjected to all the procedures herein before required in the case of a newly introduced ordinance. As soon as practicable after adoption, the clerk shall have the ordinance and a notice of its adoption published and available at a reasonable price.

(c) Effective Date. Except as otherwise provided in this charter, every adopted ordinance shall become effective at the expiration of 30 days after adoption or at any later date specified therein.

(d) "Publish" Defined. As used in this section, the term "publish" means to print in the contemporary means of information sharing, which includes but is not limited to, one or more newspapers of general circulation in the city, and, if available, in a web site: (1) the ordinance or a brief summary thereof, and (2) the places where copies of it have been filed and the times when they are available for public inspection and purchase at a reasonable price.

Commentary.

This section dispenses with the unnecessary and cumbersome requirements of a full reading of all ordinances and publication of their full text both before and after adoption. Distribution of a copy to each council member obviates the need for a full reading. Permitting the printing of a brief summary, together with notice of the times and places where copies are available for public inspection, simplifies publication.

Further simplification occurs in §§ 2.15 and 2.16, which contain special provisions for expeditious handling of emergency ordinances and for adoption by reference of standard codes of technical regulations. The section retains the basic safeguards of a public hearing following notice by publication, and a second publication with notice of adoption. It does not go so far as charters that dispense with publication or that permit adoption at the same meeting at which a non-emergency ordinance is introduced. It retains protective features deemed necessary for full and careful consideration. Section 2.15 provides sufficient leeway for emergency situations.

Section 2.15. Emergency Ordinances.

To meet a public emergency affecting life, health, property or the public peace, the city council may adopt one or more emergency ordinances, but such ordinances may not levy taxes, grant, renew or extend a franchise, regulate the rate charged by any public utility for its services or authorize the borrowing of money except as provided in § 5.07(b). An emergency ordinance shall be introduced in the form and manner prescribed for ordinances generally, except that it shall be plainly designated as an emergency ordinance and shall contain, after the enacting clause, a declaration stating that an emergency exists and

describing it in clear and specific terms. An emergency ordinance may be adopted with or without amendment or rejected at the meeting at which it is introduced, but the affirmative vote of at least _____ members shall be required for adoption.

After its adoption, the ordinance shall be published and printed as prescribed for other adopted ordinances. It shall become effective upon adoption or at such later time as it may specify. Every emergency ordinance except one made pursuant to § 5.07(b) shall automatically stand repealed as of the sixty-first day following the date on which it was adopted, but this shall not prevent re-enactment of the ordinance in the manner specified in this section if the emergency still exists. An emergency ordinance may also be repealed by adoption of a repealing ordinance in the same manner specified in this section for adoption of emergency ordinances.

Commentary.

To facilitate timely action, the charter permits an extraordinary majority to introduce and adopt such ordinances at the same meeting. Ordinances passed pursuant to this section may also have an immediate effective date.

Section 2.16. Codes of Technical Regulations.

The city council may adopt any standard code of technical regulations by reference thereto in an adopting ordinance. The procedure and requirements governing such an adopting ordinance shall be as prescribed for ordinances generally except that:

- (1) The requirements of § 2.14 for distribution and filing of copies of the ordinance shall be construed to include copies of the code of technical regulations as well as of the adopting ordinance, and
- (2) A copy of each adopted code of technical regulations as well as of the adopting ordinance shall be authenticated and recorded by the city clerk pursuant to § 2.17(a).

Copies of any adopted code of technical regulations shall be made available by the city clerk for distribution or for purchase at a reasonable price.

Commentary

This provision permits adoption of standard and often lengthy, detailed, and technical regulations, such as building and sanitary codes, by an ordinance which simply incorporates and adopts the code by reference. Publication of the adopting ordinance satisfies publication requirements. The adopting ordinance should indicate the nature of the code. The council is not required to include all such technical codes in the general city code pursuant to § 2.16. This approach minimizes burden and expense while at the same time preserving the essential safeguards of the general ordinance procedure of § 2.13.

Section 2.17. Authentication and Recording; Codification; Printing of Ordinances and Resolutions.

(a) Authentication and Recording. The city clerk shall authenticate by signing and shall record in full in a properly indexed book kept for the purpose all ordinances and resolutions adopted by the city council.

(b) Codification. Within three years after adoption of this charter and at least every ten years thereafter, the city council shall provide for the preparation of a general codification of all city ordinances and resolutions having the force and effect of law. The general codification shall be adopted by the council by ordinance and shall be published, together with this charter and any amendments thereto, pertinent

provisions of the constitution and other laws of the State of _____, and such codes of technical regulations and other rules and regulations as the council may specify. This compilation shall be known and cited officially as the _____ city code. Copies of the code shall be furnished to city officers, placed in libraries, public offices, and, if available, in a web site for free public reference and made available for purchase by the public at a reasonable price fixed by the council.

(c) Printing of Ordinances and Resolutions. The city council shall cause each ordinance and resolution having the force and effect of law and each amendment to this charter to be printed promptly following its adoption, and the printed ordinances, resolutions and charter amendments shall be distributed or sold to the public at reasonable prices as fixed by the council. Following publication of the first _____ city code and at all times thereafter, the ordinances, resolutions and charter amendments shall be printed in substantially the same style as the code currently in effect and shall be suitable in form for integration therein. The council shall make such further arrangements as it deems desirable with respect to reproduction and distribution of any current changes in or additions to the provisions of the constitution and other laws of the state of _____, or the codes of technical regulations and other rules and regulations included in the code.

Commentary.

Subsections (a) and (c) of this section state essential procedures for maintaining legally authenticated records of all ordinances and resolutions and for making them available to the public. The merits of the general codification provided for in subsection (b) speak for themselves. The Model provides for inclusion of pertinent parts of the constitution and state statutes, thus envisioning a city code to which people may turn for all state and local legislation governing the city. This contrasts to the situation still existing in many cities where much of this legislation, particularly state laws of limited application, are nowhere collected and are often out of print, unavailable, or difficult to find.

Article III CITY MANAGER

Introduction.

In the council-manager plan, the city manager is continuously responsible to the city council, the elected representatives of the people.

Section 3.01. Appointment; Qualifications; Compensation.

The city council by a majority vote of its total membership shall appoint a city manager for an indefinite term and fix the manager's compensation. The city manager shall be appointed solely on the basis of education and experience in the accepted competencies and practices of local government management. Attention should be given to how the city manager expresses support for and enacts social equity. The manager need not be a resident of the city or state at the time of appointment but may reside outside the city while in office only with the approval of the council.

Commentary.

Six of the twelve items in the Code of Ethics established by the International City/County Management Association (ICMA) for members of the city management profession refer to the manager's relationships to the popularly elected officials and to the community: ⁶

We believe professional management is essential to efficient and democratic local government by elected officials.

Demonstrate by word and action the highest standards of ethical conduct and integrity in all public, professional, and personal relationships in order that the member may merit the trust and respect of the elected and appointed officials, employees, and the public.

Submit policy proposals to elected officials; provide them with facts, and technical and professional advice about policy options; and collaborate with them in setting goals for the community and organization.

Recognize that elected representatives are accountable to their community for the decisions they make; members [of ICMA, i.e., city managers] are responsible for implementing those decisions.

Refrain from all political activities, which undermine public confidence in professional administrators. Refrain from participation in the election of the members of the employing legislative body [including the mayor].

Keep the community informed on local government affairs; encourage communication between residents and all local government officers; emphasize friendly and courteous service to the public; and seek to improve the quality and image of public service.

(The ICMA Code of Ethics can be found online at <https://icma.org/icma-code-ethics-guidelines>. The other items in the code refer to the manager's personal and professional beliefs and conduct.)

⁶ The review of the ICMA Code now in progress would add language related to equity, diversity, inclusion, and engagement. It will be early to mid-2022 before the revision is completed. This language reflects the 2020 version.

The ethical commitments of members of ICMA advance the values promoted in the Model City Charter.

As a professional administrator, the manager must be trained and experienced in the effective and equitable management of public service delivery. The manager must use this expertise to efficiently and effectively execute the policies adopted by the elected city council. Furthermore, the manager's breadth of knowledge and experience in the increasingly complex areas of local government operations obligates him or her to assist the elected council in the policy-making process. The policy role of managers has been central to the definition of the manager's position from the beginning and continues to be readily acknowledged.

Appointment of the manager by majority vote of the entire membership of the council, not simply a majority of a quorum, assures undisputed support for the appointee. Appointment "for an indefinite term" discourages contracting for a specified term or an arrangement that reduces the discretion of the council to remove a manager.

The requirement that the manager be "appointed solely on the basis of education and experience in the accepted competencies and practices of local public management" was added to the Eighth Edition to stress the basic principle of the council-manager form that the manager is a qualified professional executive. The precise level of education and experience required for the manager will vary from one municipality to the other depending on such factors as size of population and finances.

A useful guideline for the minimum qualifications for a city manager would be:

A master's degree with a concentration in public administration, public affairs or public policy and two years' experience in an appointed managerial or administrative position in a local government or a bachelor's degree and 5 years of such experience (for more information see ICMA's voluntary credentialing program at www.icma.org).

While it is preferable for a manager to live in the community during employment, the Model does not require it. This flexible approach allows communities to attract and retain the most qualified individuals and accommodates the problem of housing availability and cost. It also enables two or more communities to employ a single manager.

Increasingly, appointment of the manager involves an employment agreement between the municipality and the manager. These agreements can cover all aspects of the manager's job, including salary, other forms of compensation, duties, performance standards, evaluation, and severance procedures. Employment agreements provide mutual protection for the manager and the local government. However, they are not tenure agreements and do not impede the council's power to remove the manager. (A model employment agreement can be found at <https://icma.org/documents/icma-model-employment-agreement-editable>)

Section 3.02. Removal.

If the city manager declines to resign at the request of the city council, the city council may suspend the manager by a resolution approved by the majority of the total membership of the city council. Such resolution shall set forth the reasons for suspension and proposed removal. A copy of such resolution shall be served immediately upon the city manager. The city manager shall have fifteen days in which to reply thereto in writing, and upon request, shall be afforded a public hearing, which shall occur not earlier than ten days nor later than fifteen days after such hearing is requested. After the public hearing, if one is requested, and after full consideration, the city council by a majority vote of its total membership may

adopt a final resolution of removal. The city manager shall continue to receive full salary until the effective date of a final resolution of removal.

Commentary.

This section provides an orderly removal procedure when a manager declines to resign at the request of the council. This section does not protect the city manager's tenure. However, it assures that any unjust charges will come to light and be answered, by providing for presentation to the manager of a statement of reasons for removal in the preliminary resolution and the opportunity for the manager to be heard if he or she so requests. As an additional protection, this section requires a vote of a majority of all the members to pass a removal resolution, thereby preventing a minority from acting as the majority in a quorum. The council may delay the effective date of the final removal resolution in order to provide for termination pay. When an employment agreement exists between the city and the city manager, termination pay should be covered in that agreement.

Section 3.03. Acting City Manager.

By letter filed with the city clerk, the city manager shall designate a city officer or employee to exercise the powers and perform the duties of city manager during the manager's temporary absence or disability; the city council may revoke such designation at any time and appoint another officer of the city to serve until the city manager returns.

Commentary.

To remove doubt as to the identity of the acting city manager, the manager must designate a city officer or employee to serve as acting city manager during the temporary absence or disability of the manager. The council is free, of course, to replace the acting city manager if it is dissatisfied with performance. The acting city manager is not entitled to the protection of the removal procedure afforded the manager by § 3.02.

Section 3.04. Powers and Duties of the City Manager.

The city manager shall be the chief executive officer of the city, responsible to the council for the management of all city affairs placed in the manager's charge by or under this charter. The city manager shall:

- (1) Appoint and suspend or remove all city employees and appointive administrative officers provided for by or under this charter, except as otherwise provided by law, this charter or personnel rules adopted pursuant to this charter. The city manager may authorize any administrative officer subject to the manager's direction and supervision to exercise these powers with respect to subordinates in that officer's department, office or agency;
- (2) Direct and supervise the administration of all departments, offices and agencies of the city, except as otherwise provided by this charter or by law;
- (3) Attend all city council meetings. The city manager shall have the right to take part in discussion but shall not vote;
- (4) See that all laws, provisions of this charter and acts of the city council, subject to enforcement by the city manager or by officers subject to the manager's direction and supervision, are faithfully executed;

- (5) Prepare and submit the annual (or biennial) budget and capital program to the city council, and implement the final budget approved by council to achieve the goals of the city;
- (6) Submit to the city council and make available and accessible to the public a complete report on the finances and administrative activities of the city as of the end of each fiscal year and provide information needed by the council for its annual evaluation of performance;
- (7) Make available and accessible such other reports as the city council may require concerning operations;
- (8) Keep the city council fully advised as to the financial condition and future needs of the city;
- (9) Make recommendations to the city council concerning the affairs of the city and facilitate the work of the city council in developing policy;
- (10) Provide staff support services for the mayor and council members;
- (11) Assist the council to develop long term goals for the city and strategies to implement these goals;
- (12) Encourage and provide staff support for partnerships with community organizations and for regional and intergovernmental cooperation and equitable programming;
- (13) Promote partnerships among council, staff, and community members in developing public policy and building a sense of community; and
- (14) Perform such other duties as are specified in this charter or may be required by the city council.

Commentary.

Although this section equips the manager with the necessary legal authority to discharge administrative responsibilities, the manager's authority may be limited in some states by provisions of state constitutions or laws. The listing of the manager's powers and duties assumes that the manager will not only perform managerial duties in the city's operations but will also have a significant role in the development of policy. There are important policy implications in the manager's duties to prepare and submit the budget; to report on the city's finances, administrative activities, departmental operations and future needs; and to make recommendations on city affairs. The duty to provide staff support for the mayor and council members includes providing information on policy issues before the council.

The expanded duties listed in items 9, 11, and 13 of the eighth edition reflect the complex responsibilities assigned to managers to make the processes of governance work in the community. Constructive interactions among the local government, businesses, non-profits, faith-based and special interest organizations and neighborhood groups define a successful community. In a similar manner, the responsibilities anticipated in item 12 charge the manager with placing each community in the context of its region and promoting both community and regional interests. Managers must inform and receive input from members of the community but also encourage their active engagement in city affairs.

Article IV

DEPARTMENTS, OFFICES, AND AGENCIES

Introduction.

This Article provides for the creation of the departments, offices, and agencies which perform the day-to-day operations of the city. It provides that the city manager appoint and supervise department heads. It makes exceptions in the case of the city attorney, acknowledging the close relationship of the department of law and the city council in some cities. Finally, the Article addresses planning, focusing on environmentally sensitive planning that takes the needs of the surrounding region into account, and social equity, paying careful attention to race, ethnicity, and other social characteristics when analyzing problems, looking for solutions, and defining success throughout the organization.

Section 4.01. General Provisions.

(a) Creation of Departments. The city council may establish city departments, offices, or agencies in addition to those created by this charter and may prescribe the functions of all departments, offices, and agencies. No function assigned by this charter to a particular department, office, or agency may be discontinued or, unless this charter specifically so provides, assigned to any other.

(b) Direction by City Manager. All departments, offices, and agencies under the direction and supervision of the city manager shall be administered by an officer appointed by and subject to the direction and supervision of the manager. With the consent of council, the city manager may serve as the head of one or more such departments, offices, or agencies or may appoint one person as the head of two or more of them.

Commentary.

This section authorizes the city council to establish city departments, offices, and agencies. It neither enumerates the operating departments nor details their internal organization. It provides that the manager appoint, direct, and supervise the officer who administers city departments, thus precluding administration by a board or commission. The number of departments will vary in accordance with local needs as well as the distribution of functions among units of local government; for example, in some cases, cities or special districts will be responsible for services elsewhere performed by counties.

An administrative code adopted by the council is the appropriate place for the details of departmental organization and operating rules and regulations; this allows for change without necessitating a charter amendment. In addition, many aspects of the internal organization of specific departments or divisions should be governed by administrative order rather than by council action.

In a full-service city, operating departments typically will include public works, parks and recreation, police, fire, health, library, water and other utilities. In large cities, public works may be subdivided into separate departments such as transportation, buildings, and sanitation. State law generally will prescribe the organizational arrangement for housing and urban renewal functions.

The staff departments—such as finance, personnel, planning and law—likewise should be covered by the administrative code. To varying degrees, their organization may depend upon state law. For example, it may not be possible to provide for an integrated finance department which includes all aspects of finance administration. Instead, it may be necessary to provide for a city assessor and tax collector.

Adopting an equity lens will reshape decisions and activities across all departments and programs, and advancing equity through local governments requires a fundamental reorientation of day-to-day operations. To support such efforts, municipalities may consider creating a department, office, or agency whose sole task is to provide support to other divisions in local government with respect to the adoption of an equity lens. Given the breadth of implementation required for an equity lens – and the stated urgency of the issue – an equity office is best organized as a direct report to the City Manager’s office.

Social equity will be best advanced through the organization if each unit has designated an individual or a small team to serve as a lead resource within their department and a liaison to the City Manager’s equity office. This office should be tasked with supporting the implementation of an equity lens, through the development of trainings, tools, communications, and other activities related to equity. The city manager is the chief equity officer, and that role could be delegated to another office of the organization as appropriate. Still, the city manager should be the person responsible for equitable administration.

Section 4.02. Personnel System.

(a) Merit Principle. All appointments and promotions of city officers and employees shall be made solely on the basis of merit and fitness demonstrated by a valid and reliable examination or other evidence of competence.

(b) Merit System. Consistent with all applicable federal and state laws, the city council shall provide by ordinance for the establishment, regulation, and maintenance of a merit system governing personnel policies necessary to effective administration of the employees of the city's departments, offices and agencies, including but not limited to classification and pay plans, examinations, force reduction, removals, working conditions, provisional and exempt appointments, in-service training, grievances and relationships with employee organizations.

Commentary.

The personnel provisions are designed to provide a flexible system which will encourage the development of competent staff. As personnel systems are increasingly controlled by state law and are subject to federal regulatory authority, the charter should not impose additional constraints and details affecting personnel administration. It should, however, strongly state the commitment to the merit principle. The Model states that commitment and calls on the council to provide, by ordinance, for the organization and procedures of the personnel system. It lists subjects that may be covered by personnel policies. Particularly in smaller jurisdictions, state law may cover some of these adequately, and their inclusion in the local ordinance could be unnecessary. Cities should consider conducting an equity analysis in its personnel system, for example in terms of recruitment, retention, hiring, and promotion policies and practices. This type of audit can highlight the gaps in human resources that limit or undermine diversity and inclusion.

Section 4.03. City Attorney.

Alternative I – Full time City Attorney – sole counsel to city.

The city manager shall appoint a city attorney, subject to confirmation by the council. The city attorney shall be the chief legal officer of the city, conduct all the law business of the city, be the legal advisor to the council, the city manager, all departments, and other instrumentalities of the city government. The city attorney shall represent the city in all actions in which the city is a party and shall have the authority to settle claims and compromise debts in amounts not to exceed {***} and to settle claims and compromise debts in greater amounts with the consent of the city manager. The city attorney and the staff of the office

shall engage in no other law practice. The city attorney may, with the approval of the council, temporarily employ special legal counsel to work on problems of an extraordinary nature when the work to be done is of such character or magnitude as to require services in addition to those regularly provided by the city attorney. The city attorney shall serve until removed from office by the joint action of the city manager and the Council.

Alternative II – Full time City Attorney – sole counsel to city – removal by Council only.

The city manager shall appoint a city attorney, subject to confirmation by the council. The city attorney shall be the chief legal officer of the city, conduct all the law business of the city, be the legal advisor to the council, the city manager, all departments, and other instrumentalities of the city government. The city attorney shall represent the city in all actions in which the city is a party and shall have the authority to settle claims and compromise debts in amounts not to exceed {***} and to settle claims and compromise debts in greater amounts with the consent of the city manager. The city attorney and the staff of the office shall engage in no other law practice. The city attorney may, with the approval of the council, temporarily employ special legal counsel to work on problems of an extraordinary nature when the work to be done is of such character or magnitude as to require services in addition to those regularly provided by the city attorney. The city attorney shall serve until removed from office by the council.

Alternative III – Part time City Attorney

The City Manager shall appoint an attorney or law firm as independent contractors to act as city attorney, subject to confirmation by the council. When a law firm is hired as city attorney, the firm must designate an attorney to act as the city attorney for purposes of any requirement in law or otherwise that the city have a person filling that office; the person so designated must be approved by both the city manager and council. The city attorney shall be the chief legal officer of the city, conduct all the law business of the city, be the legal advisor to the council, the city manager, all departments, and other instrumentalities of the city government. The city attorney shall represent the city in all actions in which the city is a party and shall have the authority to settle claims and compromise debts in amounts not to exceed {***} and to settle claims and compromise debts in greater amounts with the consent of the city manager. The city attorney may, with the approval of the council, temporarily employ special legal counsel at other law firms to work on problems of an extraordinary nature when the work to be done is of such character or magnitude as to require services in addition to those regularly provided by the city attorney. The city attorney shall serve until removed from office by the joint action of the city manager and the council.

Alternative IV – Part time City Attorney- removal by Council action only

The city manager shall appoint an attorney or law firm as independent contractors to act as city attorney, subject to confirmation by the council. When a law firm is hired as city attorney, the firm must designate an attorney to act as the city attorney for purposes of any requirement in law or otherwise that the city have a person filling that office; the person so designated must be approved by both the city manager and council. The city attorney shall be the chief legal officer of the city, conduct all the law business of the city, be the legal advisor to the council, the city manager, all departments, and other instrumentalities of the city government. The city attorney shall represent the city in all actions in which the city is a party and shall have the authority to settle claims and compromise debts in amounts not to exceed {***} and to settle claims and compromise debts in greater amounts with the consent of the city manager. The city attorney may, with the approval of the council, temporarily employ special legal counsel at other law firms to work on problems of an extraordinary nature when the work to be done is of such character or magnitude as to require services in addition to those regularly provided by the city attorney. The city attorney shall serve until removed from office by the council.

Commentary.

The role of the city attorney fulfills both the legal requirement and the practical requirement that the legal entity have counsel. As counsel to the organization, the attorney must offer legal counsel to the organization as a legal entity and not to the council, manager, or agencies of the government as separate clients. The Rules of Professional Conduct for Lawyers, as adopted throughout the United States in various forms and versions, considers in Rule 1.13 these duties and obligations and offers the ethical rubric under which attorneys must act. Obligating the attorney to act on behalf of the organization rather than individual constituent members of the organization requires the attorney to provide counsel in the best interest of the entity, not the interest of one inquiring source.

- a. Models 1 & 3 require that the attorney be nominated by the manager and confirmed by the council and serve until removed by the joint action of both council and manager. Requiring action by both council and manager is designed to limit concern that the attorney's advice is tilted to either the legislative or executive branch. Oftentimes, a council or manager will ask for the attorney's legal opinion and this requirement provides an element of protection for the attorney when that advice conflicts with the goals of either the council or the manager. In any of these options mayor can be substituted for manager.
- b. Models 2 & 4 require that the attorney be nominated by the manager and confirmed by the council and serve until removed by the council. These models are the more common practice but create conflicts between the attorney's duty to the organization as the legislative and executive branches may disagree on whether the attorney's advice favors one branch or the other. In any of these options Mayor can be substituted for manager.
- c. Where the position is full-time, the attorney should not be allowed to have a private practice but may be able to engage in other activities such as teaching or charitable work subject to the city's ethics laws.
- d. In option 1, the city attorney holds sole responsibility for the legal work of the city. This option offers the city a single resource for legal analysis and advice. Should agencies, including the council or manager, feel they need a second opinion from another source, they must get both the approval of the city attorney and the council. By creating this process, shopping for legal opinions will be constricted but will also be available when appropriate and necessary.
- e. Options 3 & 4 address part time city attorneys who represent the city as part of a private practice.
- f. Each option includes an authority to settle or compromise claims and debts. Those matters should be handled by the attorney with some specific authority and by both the attorney and manager beyond that authority. There may be a need to address the issue in the Finance section as well. Moving settlements of cases outside the council process can help to resolve more claims and eliminate the political posturing in cases of sensitivity.

Section 4.04. Land Use, Development, and Environmental Planning.

Consistent with all applicable federal and state laws with respect to land use, development, and environmental planning, the city council shall:

- (1) Designate an agency or agencies to carry out the equitable planning function and such decision-making responsibilities as may be specified by ordinance;

- (2) Adopt an inclusive and comprehensive plan and determine to what extent zoning and other land use control ordinances must be consistent with the plan;
- (3) Determine to what extent an inclusive and comprehensive plan and zoning and other land use ordinances must be consistent with regional plan(s); and
- (4) Adopt development regulations, to be specified by ordinance, to implement the plan.

The designated agency, the city manager, and the mayor and council shall seek to act in cooperation with other jurisdictions and organizations in their region to promote integrated approaches to regional issues.

Commentary.

Regulation of land use and development is a council function and an important aspect of home rule, allowing local governments to manage growth and enhance quality of life in the community. However, land use and development decisions have not always been made through a social equity lens, which has resulted in differential benefits and burdens for community members. Furthermore, in many instances land use regulations have been employed to, explicitly, exclude marginalized groups. Therefore, we recommend that the designated agency, the city manager, and the mayor and council incorporate social equity concerns into land use, development, and environmental planning activities. For example, comprehensive plans, land use ordinances, zoning codes, and development decisions, should be assessed in terms of the impact they have on disenfranchised groups, particularly neighborhoods and people of color. Moreover, federal and state laws on land use, development, and environmental protection impose not only regulation, but also, in some cases, specific procedures on local governments. The Model provision provides the needed flexibility for the city to establish workable structures and procedures.

Article V

FINANCIAL MANAGEMENT

Introduction.

This article provides for the development of a comprehensive financial program, allowing maximum flexibility within the boundaries of sound fiscal practices. The budget and the budget approval process constitute the most visible and important activity undertaken by the government. The annual (or biennial) operating budget and multi-year capital plan are the products of the translation of disparate and often conflicting community goals and objectives into comprehensive financial documents. The financial planning process establishes a set of short- and long-term goals for the community and aids in resolving disagreements that arise in the execution of the operations of the government.

The complete financial plan involves two major elements: 1) the current annual (or biennial) budget, and 2) the multi-year capital program which is coordinated with the budget.

Section 5.01. Fiscal Year.

The fiscal year of the city shall begin on the first day of _____ and end on the last day of _____.

Commentary.

It is strongly recommended that the fiscal year be set so that fiscally sound municipalities will not have to borrow for short terms in anticipation of taxes except in emergency situations. It is recognized, however, that before changes in the fiscal year can be made consideration must be given to the fiscal patterns of the other taxing jurisdictions affecting the city. The dates when the state usually pays significant amounts of grants in aid to the municipality should also be considered in developing an advantageous fiscal calendar.

Section 5.02. Submission of Budget and Budget Message.

On or before the _____ day of _____ of each year, the city manager shall submit to the city council a budget for the ensuing fiscal year and an accompanying message.

Commentary.

The specific submission date will depend upon the fiscal year but, in any case, it is suggested that it be at least 45 days prior to the beginning of the fiscal year to allow time for public input and council deliberation.

Section 5.03. Budget Message.

The city manager's message shall explain the budget both in fiscal terms and in terms of the work programs, linking those programs to organizational goals and community priorities. It shall outline the proposed financial policies of the city for the ensuing fiscal year and the impact of those policies on future years. It shall describe the important features of the budget, indicate any major changes from the current year in financial policies, expenditures, and revenues together with the reasons for such changes, summarize the city's debt position, including factors affecting the ability to raise resources through debt issues, and include such other material as the city manager deems desirable.

Commentary.

The budget message should clearly present the manager's program for accomplishing the council's

goals and priorities for the community for the coming year as translated into financial terms. Programs of the various city departments should be explained and the city's debt position summarized. From a careful reading of the budget message, members of the council and residents should be able to obtain a clear and concise picture of what the manager expects to accomplish in the coming year, the estimated cost, sources of revenue and changes in the city debt.

In Section 5.04. Budget.

The budget shall provide a complete financial plan of all city funds and activities for the ensuing fiscal year and, except as required by law or this charter, shall be in such form as the city manager deems desirable or the city council may require for effective management and an understanding of the relationship between the budget and the city's strategic goals. The budget shall begin with a clear general summary of its contents; shall show in detail all estimated income, indicating the proposed property tax levy, and all proposed expenditures, including debt service, for the ensuing fiscal year; and shall be so arranged as to show comparative figures for actual and estimated income and expenditures of the current fiscal year and actual income and expenditures of the preceding fiscal year. It shall indicate in separate sections:

- (1) The proposed goals and expenditures for current operations during the ensuing fiscal year, detailed for each fund by department or by other organization unit, and program, purpose or activity, method of financing such expenditures, and methods to measure outcomes and performance related to the goals;
- (2) Proposed longer-term goals and capital expenditures during the ensuing fiscal year, detailed for each fund by department or by other organization unit when practical, the proposed method of financing each such capital expenditure, and methods to measure outcomes and performance related to the goals; and
- (3) The proposed goals, anticipated income and expense, profit and loss for the ensuing year for each utility or other enterprise fund or internal service fund operated by the city, and methods to measure outcomes and performance related to the goals. For any fund, the total of proposed expenditures shall not exceed the total of estimated income plus carried forward fund balance exclusive of reserves.

Commentary.

The budget is the translation of disparate and often conflicting community aspirations into a comprehensive financial document that reflects the governing body's goals. It is a complete financial plan for all funds and activities that includes both revenues and expenditures. Expenditures for current operations and capital outlays should be shown separately with the source of financing indicated.

The Model does not provide a detailed classification of revenues, expenditures, and specific funds because classifications will be developed by ordinance or administrative order, if they are not established by state agencies concerned with local finance as part of a uniform accounting system. Proposed current expenditures are to be presented in terms of the work programs of the respective offices, departments, and agencies; this approach is the fundamental feature of program or performance budgeting.

Traditional performance measures used in the budget may include input, output, efficiency, and outcome measures with comparisons over time to encourage the government to benchmark its performance for continuous improvement. However, cities should consider adding new performance measures around

social equity, particularly in terms of the measurement, allocation, and impacts of resources. The city should determine whether there is equal access to programs and services, the same quality of services for all groups and all parts of the city, and fair and consistent law enforcement. A city should strive toward development of outcome measures which reflect actual impact of a program, service, or project on its residents, as well as the equitable distribution of impacts. Community members, council, and city staff should work together to undertake performance measurement subject to the year-to-year needs and demands of the community.

Section 5.05. City Council Action on Budget.

(a) Notice and Hearing. The city council shall publish the general summary of the budget and a notice stating:

- (1) The times and places where copies of the message and budget are available for inspection by the public, and
- (2) The time and place, not less than two weeks after such publication, for a public hearing(s) on the budget.

(b) Amendment Before Adoption. After the public hearing, the city council may adopt the budget with or without amendment. In amending the budget, it may add or increase programs or amounts and may delete or decrease any programs or amounts, except expenditures required by law or for debt service or for an estimated cash deficit, provided that no amendment to the budget shall increase the authorized expenditures to an amount greater than total estimated income.

(c) Adoption. The city council shall adopt the budget on or before the ___ day of the ___ month of the fiscal year currently ending. If it fails to adopt the budget by this date, the budget proposed by the city manager shall go into effect.

(d) "Publish" defined. As used in this article, the term "publish" means to print in the contemporary means of information sharing, which includes but is not limited to, one or more newspapers of general circulation in the city, and, if available, in a web site.

Commentary.

The only restrictions placed on the council with respect to action on the budget are those governing the adoption procedure, the requirement that certain mandatory expenditures may not be decreased or deleted, and the requirement that total authorized expenditures may not exceed the total of estimated income.

No specific date as the deadline for adoption of the budget has been included. Setting a deadline for adoption does not preclude the earlier completion of action on the budget with ample time for public hearings and council consideration of the budget if the manager submits it early enough.

When amendments are made following public hearing but before adoption that result in significant changes in the budget which the public would not have anticipated, the council should consider holding an additional public hearing to consider the amendments.

The Model promotes a favored course of action for dealing with the failure of the council to adopt the budget by the prescribed deadline. It recommends that the budget as submitted by the manager be deemed adopted. Among other possibilities in such a situation are (1) for the amounts appropriated for operations in the current fiscal year to be deemed adopted; (2) for the manager's budget to be deemed

adopted but with amendments by the council being permitted during the first month of the new fiscal year; (3) to authorize the council to make temporary appropriations for a period not to exceed one month, during which time it would presumably complete adoption of the budget for the remainder of the fiscal year; and (4) to provide that the budget of the preceding fiscal year should be applicable automatically for the first month of the ensuing year, with the presumption that action will be completed during that time.

The city is required to publish and make the budget publicly available. In doing this, as with any publishing, the city should also consider translating the budget into other languages to communicate better with residents if necessary.

Section 5.06. Appropriation and Revenue Ordinances.

To implement the adopted budget, the city council shall adopt, prior to the beginning of the fiscal year:

- (a) an appropriation ordinance making appropriations by department, fund, service, strategy or other organizational unit and authorizing an allocation for each program or activity;
- (b) a tax levy ordinance authorizing the property tax levy or levies and setting the tax rate or rates; and
- (c) any other ordinances required to authorize new revenues or to amend the rates or other features of existing taxes or other revenue sources.

Commentary.

The previous edition of the Model in the adoption subsection provided: “Adoption of the budget shall constitute appropriations of amounts specified therein as expenditures from the funds indicated and shall constitute a levy of the property tax therein proposed.” It took note that some states required that appropriations and the tax levy be by ordinance. Alternative language to cover that requirement was included. This edition specifically calls for appropriation ordinances and revenue ordinances and that appropriations be by department, fund, service, strategy or major organizational unit within each fund. The appropriations for each department or unit would not be broken down in the same detail as the budget. There would be a property tax levy ordinance and other revenue ordinances authorizing revenues from non-property taxes.

Section 5.07. Amendments after Adoption.

(a) Supplemental Appropriations. If during or before the fiscal year the city manager certifies that there are available for appropriation revenues in excess of those estimated in the budget, the city council by ordinance may make supplemental appropriations for the year up to the amount of such excess.

(b) Emergency Appropriations. To address a public emergency affecting life, health, property or the public peace, the city council may make emergency appropriations. Such appropriations may be made by emergency ordinance in accordance with the provisions of § 2.15. To the extent that there are no available unappropriated revenues or a sufficient fund balance to meet such appropriations, the council may by such emergency ordinance authorize the issuance of emergency notes, which may be renewed from time to time, but the emergency notes and renewals of any fiscal year shall be paid or refinanced as long- term debt not later than the last day of the fiscal year next succeeding that in which the emergency appropriation was made.

(c) Reduction of Appropriations. If at any time during the fiscal year it appears probable to the city

manager that the revenues or fund balances available will be insufficient to finance the expenditures for which appropriations have been authorized, the manager shall report to the city council without delay, indicating the estimated amount of the deficit, any remedial action taken by the manager and recommendations as to any other steps to be taken. The council shall then take such further action as it deems necessary to prevent or reduce any deficit and for that purpose it may by ordinance reduce or eliminate one or more appropriations.

(d) Transfer of Appropriations. At any time during or before the fiscal year, the city council may by resolution transfer part or all of the unencumbered appropriation balance from one department, fund, service, strategy or organizational unit to the appropriation for other departments or organizational units or a new appropriation. The manager may transfer funds among programs within a department, fund, service, strategy or organizational unit and shall report such transfers to the council in writing in a timely manner.

(e) Limitation; Effective Date. No appropriation for debt service may be reduced or transferred, except to the extent that the debt is refinanced and less debt service is required, and no appropriation may be reduced below any amount required by law to be appropriated or by more than the amount of the unencumbered balance thereof. The supplemental and emergency appropriations and reduction or transfer of appropriations authorized by this section may be made effective immediately upon adoption.

Commentary.

Supplemental appropriations, which can be the bane of any good budget procedure, are restricted to situations in which the manager certifies to council the availability of money in excess of the total revenues estimated in the budget. Another possibility for use of such “windfall” sums is to require their use in the succeeding year's budget as revenue, which would have the effect of reducing the tax levy. Supplemental appropriations may be made only by ordinance and all the provisions regarding publication, notice of hearing, etc., applicable to other ordinances must be followed. Emergency appropriations may be budgeted in accordance with the procedure for emergency ordinances.

Provision is made for reduction of appropriations when the manager believes available revenues will not cover appropriations and a deficit is likely. The primary responsibility is clearly the manager's, but it is his or her duty to inform the council and then implement any ordinances or resolutions the council may enact.

With appropriations being made by departments, funds, services, strategies and major organizational units and not by objects, the manager has the freedom to make transfers from unencumbered balances within departments of units but must notify the council of transfers. When an unencumbered balance exists in one department or unit, all or part of it may be transferred to the appropriation of another department or unit by council resolution.

Section 5.08. Administration and Fiduciary Oversight of the Budget.

The city council shall provide by ordinance the procedures for administration and fiduciary oversight of the budget.

Commentary.

The council will by ordinance establish the procedures and controls for implementation of the budget. The council is entrusted with the fiduciary responsibility for the city and as such must provide review and oversight of the budget. The city manager administers the budget and manages the work programs

and spending by departments within the policy goals and appropriations set by the council.

Proposed work programs and requested allotments should be submitted to the manager by department heads following adoption of the budget. The manager should review the programs and allot portions of the total appropriation based upon the work expected to be performed during a particular period of time, usually three months. As chief administrator, the manager must have the authority to revise the allotments at any time during the year and for any reason.

Section 5.09. Capital Program.

(a) Submission to City Council. The city manager shall prepare and submit to the city council a multi-year capital program no later than three months before the final date for submission of the budget.

(b) Contents. The capital program shall include:

- (1) A clear general summary of its contents;
- (2) Identification of the long-term goals of the community;
- (3) A list of all capital improvements and other capital expenditures which are proposed to be undertaken during the fiscal years next ensuing, with appropriate supporting information as to the necessity for each;
- (4) Cost estimates and recommended time schedules for each improvement or other capital expenditure;
- (5) Method of financing upon which each capital expenditure is to be reliant;
- (6) The estimated annual cost of operating and maintaining the facilities to be constructed or acquired;
- (7) A commentary on how the plan addresses the sustainability of the community and the region of which it is a part; and
- (8) Methods to measure outcomes and performance of the capital plan related to the long-term goals of the community.

The above shall be revised and extended each year with regard to capital improvements still pending or in process of construction or acquisition.

Commentary.

The Model's multi-year capital program provisions should compel long-range, goal-oriented, regionally sensitive planning of capital improvements. They should also help develop a meaningful relationship between capital and current operating expenditures. Finally, they should provide adequate time for systematic consideration of capital projects by the council.

The Model requires that the manager submit the capital program three months prior to the final date for submission of the budget. This gives the council an opportunity to review the proposed projects and their cost and the methods of finance before the manager submits the annual budget. Actual capital expenditures are carried each year as the capital outlay section of the current budget. These expenditures may be in the form of direct capital outlays from current revenues or debt service payments.

A sixth edition innovation continued in the seventh and eighth editions requires that the capital program include estimated operating and maintenance costs of proposed capital facilities. This forces more realistic projections of expenditures, because sometimes the operating cost of a facility will exceed the amortized annual capital charge. It also discourages neglect of maintenance.

Section 5.10. City Council Action on Capital Program.

(a) Notice and Hearing. The city council shall publish the general summary of the capital program and a notice stating:

- (1) The times and places where copies of the capital program are available for inspection by the public, and
- (2) The time and place, not less than two weeks after such publication, for a public hearing(s) on the capital program.

(b) Adoption. The city council by resolution shall adopt the capital program with or without amendment after the public hearing and on or before the ___ day of the ___ month of the current fiscal year.

Commentary.

The capital program's adoption, which must be preceded by required publication, notice and hearing, means a positive commitment by the council to undertake a scheduled multi-year capital improvement program. The methods of financing the improvements will be detailed. Bond issues authorized by either a bond ordinance or by a popular referendum will finance major improvements. Most projects requiring bond issues will extend over a period of more than one year.

Other projects, to be financed from current income, also may extend over more than one year and will normally involve construction contracts with adequate safeguards for both parties. Still other capital projects may be completed within a single fiscal period as part of the work program of various city departments. In all cases, actual disbursements for capital items during a single fiscal year, whether in the form of debt service or direct outlays, are carried as the capital outlay section of the budget for that year.

The requirement that the capital program each year be submitted well in advance of the budget enables the council to consider the proposed improvements, the methods for financing them, and the recommended priorities in sufficient time to make decisions on capital items which will be subsequently reflected in the budget. The fact that most capital improvement decisions must be made well in advance of actual disbursements means that the bulk of the capital items in a particular budget will be the result of decisions made several years earlier. Changes, often of a relatively minor nature, may be made each year.

Because all states regulate borrowing for capital improvements by general legislation, no article on this subject is included.

Section 5.11 Independent Audit.

The city council shall provide for an independent annual audit of all city accounts and may provide for more frequent audits as it deems necessary. An independent certified public accountant or firm of such accountants shall make such audits. Such audits should be performed in accordance with Generally Accepted Auditing Standards (GAAS) and Generally Accepted Governmental Auditing Standards (GAGAS).

The Council shall designate no fewer than three of its members to serve as an Audit Committee. This Committee shall:

- (1) Lead the process of selecting an independent auditor;
- (2) Direct the work of the independent auditor as to the scope of the annual audit and any matters of concern with respect to internal controls; and
- (3) Receive the report of the internal auditor and present that report to the council with any recommendations from the Committee.

The council shall, using competitive bidding, designate such accountant or firm annually, or for a period not exceeding five years, but the designation for any particular fiscal year shall be made no later than 30 days after the beginning of such fiscal year. The standard for independence is that the auditor must be capable of exercising objective and impartial judgment on all issues encompassed within the audit engagement. No accountant or firm may provide any other services to the city during the time it is retained to provide independent audits to the city. The city council may waive this requirement by a majority vote at a public hearing. If the state makes such an audit, the council may accept it as satisfying the requirements of this section.

Commentary.

Since the value of independent audits is directly related to the caliber of those who conduct them, it is provided that certified public accountants be retained, except when a state audit is required.

Selection of a professional accountant or firm does not lend itself to the usual requirement, however, of choosing the “lowest responsible bidder.” While the council should not disregard cost, this is a case where the factors of competence, reliability and reputation are more significant. For an audit to be most beneficial, some of it must extend over the entire year, which necessitates designation of the auditor during the first month. If the state conducts periodic audits of the city's finances that meet council-established requirements, the state audit may be an acceptable and money-saving substitute for an audit by a private firm.

While the Model emphasizes financial audits, the council also has a responsibility to institute performance and management audits to evaluate the operations of departments, services, and programs.

Section 5.12. Public Records.

Copies of the budget, capital program, independent audits, and appropriation and revenue ordinances shall be public records.

Commentary.

In addition to compliance with the formal legal requirement that copies of the budget document and capital program be made available, many cities prepare and widely distribute popular summaries, which provide residents with essential general information.

Article VI ELECTIONS

Introduction.

Previous editions of the Model contained detailed provisions on the nomination and election process. Since the election laws of each state apply to municipalities whether or not they operate with a local charter, these provisions from earlier editions have been removed. The text on methods of electing council members that appears below has been moved from Article II in the earlier editions of the Model. Provision for nonpartisan elections and control over the timing of elections are among the few aspects of elections that remain under local discretion. Operating within the limitations imposed by state law, the city may by ordinance adopt regulations deemed desirable.

Section 6.01. City Elections.

(a) Regular Elections. The regular city election shall be held [at the time established by state law] on the first _____ [day of week], in _____ [fall or spring month of odd-or even- numbered year], and every 2 years thereafter.

(b) Registered Voter Defined. All residents legally registered under the constitution and laws of the state of _____ to vote in the city shall be registered voters of the city within the meaning of this charter.

(c) Conduct of Elections. The provisions of the general election laws of the state of _____ shall apply to elections held under this charter. All elections provided for by the charter shall be conducted by the election authorities established by law. Candidates shall run for office without party designation. For the conduct of city elections, for the prevention of fraud in such elections and for the recount of ballots in cases of doubt or fraud, the city council shall adopt ordinances consistent with law and this charter, and the election authorities may adopt further regulations consistent with law and this charter and the ordinances of the council. Such ordinances and regulations pertaining to elections shall be publicized in the manner of city ordinances generally.

(d) Ranked-Choice Voting or Proportional Representation. The council may be elected in a single election by the method of ranked-choice voting or the single transferable vote form of proportional representation.

(e) Beginning of term. The terms of council members shall begin the __ day of __ after their election.

Commentary.

(a-c) Although most states regulate local elections entirely or to a very substantial extent by state statutes, a local charter may provide certain variations. For example, home rule charters may provide for nonpartisan local elections as provided in this section. Traditionally, the Model has advocated separating municipal elections from state and national elections to allow a clear focus on local issues. State election laws and city charters frequently schedule municipal elections in the fall of odd-numbered years or in the spring of the year. Evidence suggests that turnout is higher during state and national elections, and some now advocate moving local elections to coincide with state and national elections to increase participation in local races. Although the Eighth Edition did not make a choice regarding holding local elections at the same time as state and national elections or in separate years, the preference for off-year elections has been reasserted by the Committee. There is an increasing risk that partisan polarization will carry over from the higher-level races to the local races even if they are supposedly nonpartisan when all elections are held at the same time. The focus on local issues is difficult to achieve with the attention being given

to higher level races. Introducing methods to increase turnout in a single local election such as ranked-choice voting (RCV) is preferable to holding elections for offices at all levels of government at one time.

(d) Since the sixth edition, proportional representation (PR) via the single transferable vote method has been advocated as an alternative means for electing the council. Until 1964 (when the sixth edition of the Model City Charter was published), the Model recommended the Hare system (also known as preference voting, choice voting, and the single transferable vote system) of PR as the preferred method of electing city councils. It had been used in 22 American cities but by the early 1960s had been discarded in all but Cambridge, Massachusetts, where it is still used to elect the city council and school committee.

Unquestionably, PR provides the greatest equity in representing all sectors of the community. However, the relative complexity of PR when using antiquated voting procedures and the long and expensive process of counting ballots by hand concerned some voters where it was used and initially prevented it from becoming a widespread reform measure. Now referred to as ranked-choice voting, it is used in 21 local government elections in 2021. It is a local option for adoption by local governments in Colorado, New Mexico, Utah, and Virginia.

Ranked-choice voting addresses a common issue when elections are a two-stage process with either a primary before or a runoff after the general election—uneven turnout. The turnout for the primaries that narrow the field of candidates or for run-off elections if no candidate receives a majority of votes is generally lower than the general election. The use of ranked-choice voting provides an “instant runoff” that determines winners in a single election, and the Charter Committee recommends that local governments consider adopting this type of election. In 2002, San Francisco became the first major U.S. city to adopt instant runoff voting to elect its mayor, board of supervisors, district attorney, city attorney, treasurer, sheriff, assessor-recorder and public defender.

There is an interest in RCV because of its potential to assure representation of minority populations and because technological developments now allow a computerized voting and counting system, thus eliminating the major objection to RCV. Voters rank candidates by preference. The method depends on creation of a winning threshold—a share of votes that each council member must receive to be elected. Election officials determine the threshold after all votes are counted, using a formula to determine the fewest number of votes that only the winning number of candidates can receive.

In Cambridge, for example, officials divide the total number of valid ballots cast by the number of positions to be elected plus one. Under this approach, in an election for nine council seats where voters cast 15,000 valid ballots, the winning threshold is 1,501, or 15,000 divided by ten, plus one. Ten candidates theoretically could receive 1,500 votes, but only nine can obtain 1,501. Once a particular candidate receives the designated threshold of first choices, ballot counters redistribute any surplus votes for that candidate to another candidate based upon the voter’s preferential ranking. After all surplus votes are redistributed, the weakest candidate is eliminated, and ballots from that candidate are counted for the next choice candidate on those voters’ ballots. This process of redistributing votes from winning candidates and weak candidates continues until the necessary number of candidates have reached the threshold, or only nine candidates remain. In Cambridge, this has consistently led to ninety percent of voters helping to elect a candidate, more than sixty-five percent of voters having their first choice candidate win, and more than ninety-five percent of voters seeing one of their top three choices win.

There is evidence that RCV contributes to the civility of campaigning. Instead of candidates focusing on attacking their opponents, candidates perform better when they reach out positively to as many voters as possible, including those supporting their opponents. Even though they may not get the first vote from

these voters, they may get a high-ranked vote. Campaigns may be friendlier as a result. Reports on the impact of ranked-choice voting on civility in elections are [available from FairVote](#).^[7]

More information about the mechanics of RCV can be obtained from the Ranked Choice Voting Resource Center, www.rcvresources.org.

Section 6.02. Council Districts; Adjustment of Districts (for use with Alternatives II, III and IV of § 6.03).

(a) Number of Districts. There shall be _____ city council districts.

(b) Districting Commission; Composition; Appointment; Terms; Vacancies; Compensation.

- (1) There shall be a districting commission consisting of five members. No more than two commission members may belong to the same political party. The city council shall appoint four members. These four members shall, with the affirmative vote of at least three, choose the fifth member who shall be chairperson.
- (2) No member of the commission shall be employed by the city or hold any other elected or appointed position in the city.
- (3) The city council shall appoint the commission no later than one year and five months before the first general election of the city council after each federal decennial census. The commission's term shall end upon adoption of a districting plan, as set forth in § 6.02(c).
- (4) In the event of a vacancy on the commission by death, resignation or otherwise, the city council shall appoint a new member enrolled in the same political party from which his or her predecessor was selected to serve the balance of the term remaining.
- (5) No member of the districting commission shall be removed from office by the city council except for cause and upon notice and hearing.
- (6) The members of the commission shall serve without compensation except that each member shall be allowed actual and necessary expenses to be audited in the same manner as other city charges.
- (7) The commission may hire or contract for necessary staff assistance and may require agencies of city government to provide technical assistance. The commission shall have a budget as provided by the city council.

(c) Powers and Duties of the Commission; Hearings, Submissions and Approval of Plan.

- (1) Following each decennial census, the commission shall consult the city council and shall prepare a plan for dividing the city into districts for the election of council members. In preparing the plan, the commission shall be guided by the criteria set forth in § 6.02(d). The report on the plan shall include a map and description of districts recommended.

⁷ https://www.fairvote.org/research_rcvcampaigncivility

- (2) The commission shall hold one or more public hearings not less than one month before it submits the plan to the city council. The commission shall 39 make its plan available to the public for inspection and comment not less than one month before its public hearing.
- (3) The commission shall submit its plan to the city council not less than one year before the first general election of the city council after each decennial census.
- (4) The plan shall be deemed adopted by the city council unless disapproved within three weeks by the vote of the majority of all members of the city council. If the city council fails to adopt the plan, it shall return the plan to the commission with its objections and with the objections of individual members of the council.
- (5) Upon rejection of its plan, the commission shall prepare a revised plan and shall submit such revised plan to the city council no later than nine months before the first general election of the city council after the decennial census. Such revised plan shall be deemed adopted by the city council unless disapproved within two weeks by the vote of two-thirds of all of the members of the city council and unless, by a vote of two-thirds of all of its members, the city council votes to file a petition in the _____ Court, _____ County, for a determination that the plan fails to meet the requirements of this charter. The city council shall file its petition no later than ten days after its disapproval of the plan. Upon a final determination upon appeal, if any, that the plan meets the requirements of this charter, the plan shall be deemed adopted by the city council and the commission shall deliver the plan to the city clerk. The plan delivered to the city clerk shall include a map and description of the districts.
- (6) If in any year population figures are not available at least one year and five months before the first general election following the decennial census, the city council may, by local law, shorten the time periods provided for districting commission action in paragraphs (2), (3), (4), and (5) of this subsection.

(d) Districting Plan; Criteria.

- (1) In preparation of its plan for dividing the city into districts for the election of council members, the commission shall apply the following criteria which, to the extent practicable, shall be applied and given priority in the order in which they are herein set forth.
- (2) Districts shall be equal in population except where deviations from equality result from the application of the provisions hereinafter set forth, but no such deviation may exceed five percent of the average population for all city council districts according to the figures available from the most recent census.
- (3) Districts shall consist of contiguous territory; but land areas separated by waterways shall not be included in the same district unless said waterways are traversed by highway bridges, tunnels or regularly scheduled ferry services both termini of which are within the district, except that, population permitting, islands not connected to the mainland or to other islands by bridge, tunnel or regular ferry services shall be included in the same district as the nearest land area within the city and, where such subdivisions exist, within the same ward or equivalent subdivision as described in paragraph (5) below.

- (4) In cities whose territory encompasses more than one county or portions of more than one county, the number of districts, which include territory in more than one county, shall be as small as possible.
- (5) In the establishment of districts within cities whose territory is divided into wards or equivalent subdivisions whose boundaries have remained substantially unaltered for at least fifteen years, the number of such wards or equivalent subdivisions whose territory is divided among more than one district shall be as small as possible.
- (6) Consistent with the foregoing provisions, the aggregate length of all district boundaries shall be as short as possible.

(e) Effect of Enactment.

The new city council districts and boundaries as of the date of enactment shall supersede previous council districts and boundaries for all purposes of the next regular city election, including nominations. The new districts and boundaries shall supersede previous districts and boundaries for all other purposes as of the date on which all council members elected at that regular city election take office.

Commentary.

With two of the three alternatives provided for the election of the city council involving districts, the provision for drawing and redrawing district lines assumes particular importance.

The process of drawing districts described in this edition and in the seventh and eighth editions differs from that of earlier editions, in response to the Voting Rights Act and related court decisions. Rather than a two-part process with an advisory commission recommending a plan, followed by city council passage of a plan (which might or might not resemble that of the advisory commission), the Model provides for a more direct process – redistricting by an independent commission. The lead time for redistricting should provide sufficient time to resolve some of the increasing number of local government redistricting suits and allow sufficient time to comply with the requirements of § 5 of the Voting Rights Act if applicable. In addition, the Model provides for ordered, specific criteria for redistricting based on population rather than the “qualified voter” standard of the sixth edition.

The Model provides for a bipartisan commission. Even cities with nonpartisan elections may have problems with political parties (either local or national) wanting to dominate the process to achieve advantage. To facilitate the commission’s ability to work together despite partisan differences, the Model recommends that the four council appointees (and mandates that at least three of the four) agree on the choice of chairman. Once the bipartisan commission submits its plan to the city council, the council can neither approve nor veto the result. This avoids the conflict of interest created when council members consider new districts whose lines may materially affect their political futures. The council may, however, prevent implementation of the plan if it finds the plan in violation of the charter and files with the courts for such a determination.

Subsection (d) lists the criteria that the commission must abide by when it draws the new districts. The criteria are designed to preclude gerrymandering that either protects or punishes incumbents or that prevents particular voting groups from gaining power. With the proper ordered criteria, the redistricting process is less open to manipulation. Flagrant gerrymandering will be almost impossible without a clear violation of the mandated criteria. The criteria concerning waterways and islands should be included in charters where appropriate. The exact terminology for election administration subdivisions (e.g., wards or

equivalent subdivisions) should be adjusted to conform to state law. Depending on the jurisdiction, wards and districts sometimes have the same meaning and sometimes have different meanings.

Some cities prefer that the city council perform redistricting. This may stem from a belief that the redistricting process essentially involves a series of political decisions, and that attempts to separate the process from the politics is futile and foolish. Or, where the city council has historically performed this function without causing unrest, such a preference may derive from the sense that there is no need for change. When a city opts for redistricting by the city council, the following provisions should be substituted in § 6.02(b) and (c) and a new § 6.02(d) be added as follows.

(b) Council to Redistrict. Following each decennial census, the city council shall, by ordinance, adjust the boundaries of the city council districts using the criteria set forth in § 6.02(e).

(c) Procedures.

- (1) The city council shall hold one or more public hearings prior to bringing any proposed plan to a vote. Proposed plans must be available to the public for inspection and comment not less than one month before the first public hearing on said plan. The plan shall include a map and description of the districts recommended.
- (2) The city council shall approve a districting plan no later than 10 months (300 days) prior to the first regular city election following the decennial census.

(d) Failure to Enact Ordinance. If the city council fails to enact a redistricting plan within the required time, the city attorney shall, the following business day, inform the _____ Court, _____ County, and ask that a special master be appointed to do the redistricting. The special master shall, within sixty days, provide the Court with a plan drawn in accordance with the criteria set forth in § 6.02(e). That plan shall have the force of law unless the court finds it does not comply with said criteria. The court shall cause an approved plan to go into effect no later than 210 days prior to the first regular city election after the decennial census. The city shall be liable for all reasonable costs incurred by the special master in preparing the plan for the court.

Subsections 6.03(d) and (e) of the Model should be retained, relettered (e) and (f), respectively, and the words “city council” substituted for “commission.”

Subsection 6.03(d) of the substitute language (Failure to Enact Ordinance) gives incentive for the council to complete redistricting on time. Failure to redistrict will not result in another election using the old districts, as earlier editions provided. Even the most divided of city councils would probably prefer to compromise than have a special master redistrict for them—and few would want to explain the additional cost of paying someone else to draw up a plan that probably would not improve upon their own compromise.

Section 6.03. Methods of Electing Council Members.

The text in this section complements the information on the composition of the council found in Article II, § 2.02(c).

Alternative I –Mixed At-Large and Single Member District System; Mayor Elected Separately

At the first election under this charter _____ council members shall be elected; all district candidates and the _____ at-large candidates receiving the greatest number of votes shall serve for terms of four years, and the _____ at-large candidates receiving the next greatest number of votes shall serve for terms of

two years. Commencing at the next regular election and at all subsequent elections, all council members shall be elected for four-year terms.

Alternative II – Single-Member District System; Mayor Elected Separately.

At the first election under this charter _____ council members shall be elected; council members from odd-numbered districts shall serve for terms of two years, and council members from even-numbered districts shall serve for terms of four years. Commencing at the next regular election and at all subsequent elections, all council members shall serve for terms of four years.

Limited Alternative III – Council Elected At Large; Mayor Elected Separately.

At the first election under this charter _____ council members shall be elected; the _____ [one-half the number of council members] candidates receiving the greatest number of votes shall serve for terms of four years, and the _____ [one-half the number of council members] candidates receiving the next greatest number of votes shall serve for terms of two years. Commencing at the next regular election and at all subsequent elections, all council members shall be elected for four-year terms.

Commentary.

In all the alternatives, the mayor is elected at large as provided in Alternative II of § 2.03. The preferred alternatives include district representation to ensure that all parts of the community are represented and have a voice on the council. In most cities, racial minorities and lower-income groups are concentrated in selected neighborhoods, so districts elections are crucial to representativeness. There are advantages in having a minority of members who represent the city as a whole. Some cities nominate the candidates for district representation in a primary open only to voters within each district but use a general election in which all voters in the city choose which nominee will be elected to the council from each district. This method obviously strengthens the at-large orientation of the city council while assuring that council members live in all the council districts. Cities that use or consider using this method should be aware of the possibility that the candidate preferred in the district or representing the majority racial or ethnic group in the district may not be chosen by the voters citywide. The same majority can elect all the members of the council. This method also requires a two-election process and precludes a single election with an instant runoff. The totally at-large council is called a limited alternative III because it should only be used in small and homogeneous cities or one in which all segments of the population are intermixed in all parts of the city. Even in a city that is fully integrated, using ranked-choice voting can help to ensure that diverse perspectives are represented on the council.

Section 6.04. Initiative, Referendum, and Recall.

(a) Alternative I – Provisions Provided by State Law. The powers of initiative, referendum, and recall are hereby reserved to the electors of the city.

Alternative II - General Authority for Initiative, Referendum, and Recall.

- (1) **Initiative.** The registered voters of the city shall have power to propose legislation and charter amendments to the council and, if the council fails to adopt legislation or charter amendment so proposed without any change in substance, to adopt or reject it at a city election, but such power shall not extend to the budget or capital program or any ordinance relating to appropriation of money, levy of taxes, salaries of city officers or employees or effect any existing contract the city is party to, including Collective Bargaining Agreements or other contracts between the city and its officers and

employees. Proposed legislation must not violate the Constitution, the laws of this State or this Charter and a proposed Charter Amendment must be limited to Charter material and not be legislative in character.

- (2) **Referendum.** The registered voters of the city shall have power to require reconsideration by the council of any adopted legislation and, if the council fails to repeal a legislative ordinance so reconsidered, to approve or reject it at a city election, but such power shall not extend to the budget or capital program or any emergency ordinance or ordinance relating to appropriation of money or levy of taxes or to salaries or benefits of public officers or employees.
- (3) **Recall.** The registered voters of the city shall have power to recall elected officials of the city, but no recall petition shall be filed against any official within six months after the official takes office, nor, in case of a member subjected to a recall election and not removed, until at least six months after the election.

(b) Commencement of Proceeding; Petitioners' Committee; Affidavit. Any five of city's registered voters entitled to vote in city elections may commence initiative, referendum, or recall proceedings by filing with the city clerk an affidavit stating they will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form, stating their names and addresses and specifying the address to which all notices to the committee are to be sent, and setting out in full the proposed initiative ordinance, citing the legislation sought to be reconsidered, or stating the name and title of the officer sought to be recalled accompanied by a statement, not to exceed 200 words, of the reasons for the recall. Grounds for recall should relate to and affect the administration of the official's office and be of a substantial nature directly affecting the rights and interests of the public.

Promptly after receipt of a recall petition, the clerk shall serve, personally or by certified mail, a copy of the affidavit on the elected officer sought to be recalled. Within 10 days of service of the affidavit, the elected officer sought to be recalled may file a statement with the city clerk, not to exceed 200 words, in response. Promptly after the affidavit of the petitioners' committee is filed, and the response, if any, of the elected official sought to be recalled is filed, the clerk shall submit the proposed initiative, proposed referendum petition and recall petition to the city attorney for review.

The city attorney must issue an opinion on the legality of the initiative, referendum, and recall and if the city attorney determines them to be legal shall provide the clerk with a title of the measure to be included on the petition and which will also be the title to be included on any ballot should the petition be sufficient. The clerk shall then issue the appropriate petition blanks to the petitioners' committee for those measures the city attorney determines are legally sufficient.

(c) Petitions.

- (1) **Number of Signatures.** Initiative and referendum petitions must be signed by registered voters of the city equal in number to at least [5 to 10] percent of the total number of registered voters to vote at the last regular election. Recall petitions must be signed by registered voters of the city equal in number to at least [10 to 20] percent of the total number of registered voters to vote at the last regular election.
- (2) **Form and Content.** All papers of a petition shall be uniform in size and style and shall be assembled as one instrument for filing. Each signature shall be executed in ink or indelible pencil and shall be followed by the address of the person signing. Referendum

and Initiative petitions throughout their circulation shall clearly state the title of the legislation, include the city attorney's description of the legislation or Initiative and make available to anyone who asks for it or make available through a link to the city's website (if there is one) the full text of the legislation sought to be reconsidered or the Initiative being proposed.

- (3) **Affidavit of Circulator.** Each paper of a petition shall have attached to it when filed an affidavit executed by the person circulating it stating that he or she is a registered voter of the city entitled to vote in a city election, personally circulated the paper, the number of signatures thereon, that all the signatures were affixed in his or her presence, that he or she believes them to be the genuine signatures of the persons whose names they purport to be and that each signer had an opportunity before signing to read the full text of the legislation proposed or sought to be reconsidered if requested.
- (4) **Time for Filing Referendum and Recall Petitions.** Referendum petitions must be filed within 30 days after adoption by the council of the ordinance sought to be reconsidered. Recall petitions must be filed within [40 to 160] days of the filing of the petitioners' affidavit initiating the recall procedure.

(d) Procedure after Filing.

- (1) **Certificate of Clerk; Amendment.** Within twenty days after the petition is filed, the city clerk shall complete a certificate as to its sufficiency, specifying, if it is insufficient, the particulars wherein it is defective and shall promptly send a copy of the certificate to the petitioners' committee by registered mail. A petition certified insufficient for lack of the required number of valid signatures may be amended once if the petitioners' committee files a notice of intention to amend it with the clerk within two days after receiving the copy of his or her certificate and files a supplementary petition upon additional papers within ten days after receiving the copy of such certificate. Such supplementary petition shall comply with the requirements of paragraphs (2) and (3) of § 6.04(c), and within five days after it is filed the clerk shall complete a certificate as to the sufficiency of the petition as amended and promptly send a copy of such certificate to the petitioners' committee by registered mail as in the case of an original petition. If a petition or amended petition is certified sufficient, or if a petition or amended petition is certified insufficient and the petitioners' committee does not elect to amend or request council review under paragraph (2) of this subsection within the time required, the clerk shall promptly present his or her certificate to the council and the certificate shall then be a final determination as to the sufficiency of the petition.
- (2) **Council Review.** If a petition has been certified insufficient or deemed illegal by the city attorney and the petitioners' committee does not file notice of intention to amend it or if an amended petition has been certified insufficient or deemed illegal by the city attorney, or if the committee disagrees with the title or description provided by the city attorney, the committee may, within two days after receiving the copy of such certificate or notice of the city attorney's determination, file a request that it be reviewed by the council. The council shall review the certificate or determination at its next meeting following the filing of such request and approve or disapprove it or modify the title or description, and the council's determination shall then be a final determination as to the sufficiency of the petition.

- (3) **Court Review; New Petition.** A final determination as to the sufficiency of a petition shall be subject to court review. A final determination of insufficiency, even if sustained upon court review, shall not prejudice the filing of a new petition for the same purpose after the passage of one year from the date of the final determination of insufficiency.

(e) Referendum Petitions; Suspension of Effect of Ordinance.

When a referendum petition is filed with the city clerk, the legislation sought to be reconsidered shall be suspended from taking effect. Such suspension shall terminate when:

- (i) There is a final determination of insufficiency of the petition, or
- (ii) The petitioners' committee withdraws the petition, or
- (iii) The council repeals the legislation, or
- (iv) Thirty days have elapsed after a vote of the city on the legislation.

(f) Action on Petitions.

- (1) **Action by Council.** When a referendum or initiative petition has been finally determined sufficient, the council shall promptly reconsider the referred legislation by voting its repeal or adopting the initiative proposed. If the council fails to repeal the referred legislation or adopt the initiative as proposed within thirty days after the date the petition was finally determined sufficient, it shall submit the referred or initiated legislation to the voters of the city.
- (2) **Submission to Voters of Referred or Initiated Legislation.** The vote of the city on referred or initiated legislation shall be held not less than 30 days and not later than one year from the date of the final council vote thereon. If no regular city election is to be held within the period prescribed in this subsection, the council shall provide for a special election; otherwise, the vote shall be held at the same time as such regular election, except that the council may in its discretion provide for a special election at an earlier date within the prescribed period. Copies of the referred or initiated legislation shall be made available at the polls.
- (3) **Withdrawal of Petitions.** A referendum or initiated petition may be withdrawn at any time prior to a determination that the petition is sufficient. Once determined sufficient, the petition may only be withdrawn if the council enacts the initiated legislation or repeals the referred legislation.

(g) Results of Election.

- (1) **Initiative.** If a majority of the registered voters voting on a proposed initiative ordinance vote in its favor, it shall be considered adopted upon certification of the election results and shall be treated in all respects in the same manner as ordinances of the same kind adopted by the council. If conflicting ordinances are approved at the same election, the one receiving the greatest number of affirmative votes shall prevail to the extent of such conflict.
- (2) **Referendum.** If a majority of the registered voters voting on a referred ordinance vote against it, it shall be considered repealed upon certification of the election results.

- (3) **Recall.** Ballots used at recall elections shall read: —Shall [name] be recalled (removed) from the office of _____? If a majority of the registered voters voting on a proposed recall vote in its favor, the official is removed and the winning candidate for successor, if any, shall be elected as a replacement for the duration of the unexpired term. Otherwise the vacancy shall be filled in accordance with § 2.06 (c).

Commentary.

Unlike other provisions, this article must be completely self-executing. Detail should not be filled in by the council because these devices guard against possible inadequacies of council.

(a) Neither the initiative nor the referendum should be applicable to the budget, capital program, any ordinance relating to the appropriation of money or the levy of taxes, or, of course, to salaries of city officers or employees, for this would interfere with responsible officials striving to achieve a properly balanced long-range fiscal program. Recall should not apply to recently elected officials, because officials need time to establish themselves in office, and because election results should not be promptly challenged by another election.

(b) Requiring a petitioners' committee places clear responsibility for the undertaking of initiative, referendum, or recall proceedings.

(c) The number of signatures required for initiative and referendum petitions in the seventh edition was fifteen percent of the total number registered to vote at the last regular city election. The eighth edition permits charter drafters to decide upon a reasonable threshold for their city, chosen from a range equal to or greater than five percent but less than or equal to ten percent of registered voters to vote at the last city election. The percentage used should neither be too easy nor too burdensome. Communities typically require more signatures for recall petitions than for initiative and referendum petitions. In determining the recall percentage, drafters should consider distinguishing between at-large and district offices. Limiting the period for filing a referendum petition to thirty days after passage insures that the effective date of an ordinance will not be delayed unless the referendum effort is of serious proportions. The timing of the recall procedure prevents the threat of recall from pending without limitation. The time period for signature collection should be reasonably related to the signature requirement and the size of the city, within the provided range of 40 to 160 days.

(d) The mandatory language prevents the city clerk from delaying certification of the sufficiency or insufficiency of petitions beyond the twenty days specified.

(e) The fact that filing a referendum petition with the city clerk suspends the effective date of an ordinance will spur the city clerk and the council into prompt action on the question of sufficiency. When an ordinance is subjected to a referendum vote and the council's action is sustained, termination of the suspension must be delayed until sufficient time has passed for official determination of the election results. This will vary with local practice. The thirty days indicated in § 6.04(e) (iv) is arbitrary. If there is a definite provision for the official reporting of election results, the lifting of the suspension should probably coincide with the reporting.

(f) This section mandates council consideration of the proposed "initiative ordinance" and reconsideration of the "referred ordinance" prior to the circulation of petitions and the ensuing ballot question. The words "adopt a proposed initiative ordinance without any change in substance" permit correction of technical imperfections. If an election is necessary, provisions for submitting a proposed or referred ordinance to the voters, or ordering a recall election, permit considerable latitude as to the election date to encourage

holding the vote at a regular election if possible. One of the most important reasons for requiring a petitioners' committee is to provide a mechanism for withdrawing an initiative, referendum, or recall petition if those originating the proceedings change their minds or feel that action of the council satisfies the need which prompted the petition.

(g) Initiative ordinances approved by the electorate become effective, just as is the case with an ordinance passed by council, in thirty days or at whatever later date is specified.

Article VII

THE ROLE OF PUBLIC ENGAGEMENT IN LOCAL GOVERNANCE

Introduction.

The active, informed, inclusive, and equitable engagement of community members, both individually and collectively, is an essential element of healthy civic life and a thriving local democracy. This article describes the role of public engagement in local governance and establishes the principles for successful engagement.⁸

Effective public engagement activities, whether or not they are designed and convened by government officials, can inform public decisions and further community goals. Consistent with the principles of engagement enumerated in this article, anchor institutions,⁹ community-based organizations, civic associations, community foundations, faith groups, and grassroots activist groups may convene effective public engagement and problem-solving efforts that can inform elected and appointed officials in the pursuit of their duties. Individual residents can be better informed and invited to take part in public affairs.

Local governments can encourage and support these efforts by modeling good engagement practices, by evaluating engagement, by sharing engagement learning among department staff and with appointed and elected officials, and by offering resources on outreach, facilitation, and other skills to members of the community.¹⁰ Local governments also have unique institutional structures, such as council committees, community advisory bodies (CABs), task forces, neighborhood advisory committees, and annual planning and budgeting processes, that can be established and leveraged toward this purpose. In other words, cities can create the foundations for a healthy civic infrastructure throughout the community.

Section 7.01. Public engagement as an essential part of civic infrastructure.

The city shall treat public engagement as an integral part of effective and trusted governance, not just as an occasional process or activity.

The city shall treat engagement as a “multi-channel” endeavor that includes face-to-face meetings, virtual interactions, and other online communications.

The departments of city government shall encourage collaboration in public engagement efforts with other government jurisdictions and authorities, anchor institutions, community-based organizations, civic groups, and individual residents.

⁸ The term “public engagement” is understood to include “public involvement,” “public participation,” “citizen engagement,” “community engagement,” and “stakeholder engagement,” and includes robust forms of in-person, technology-aided, or online communication that provide opportunities for public input, dialogue, or deliberation among participants, so people’s concerns, needs, interests, and values are incorporated into decisions and actions on public matters and issues.

⁹ Anchor institutions are major organizations that can shape the development of the city including universities, hospitals, museums, sports franchises, military installations, and large corporations.
https://www.huduser.gov/portal/pdredge/pdr_edge_hudparttrpt_062211.html.

¹⁰ This term is used instead of citizen. The word “citizen” has a rich history in democracy, but it can also be a confusing term. Sometimes it is defined in a narrow, legal way, meaning only those people who hold U.S. passports or are eligible to vote. In this Charter, reference is made to “community members,” “residents,” or “persons.”

Commentary.

Cities fail to realize the full benefits of engagement when they conduct participation activities on a piecemeal, occasional, or differing department-by-department basis. Public engagement will be more effective, equitable, and efficient if the city treats it as part of the normal governance process and civic infrastructure of the community as a whole.

Public engagement is particularly important in long range planning and annual budgeting processes. For example, participatory budgeting (PB) is a type of engagement in which community members develop projects to improve the community, often in concert with city officials, and then vote on how to allocate public funds among those projects and ideas. Cities throughout the world have instituted annual PB processes.

To ensure that public engagement is accessible and convenient, cities should “meet people where they are,” both geographically (holding meetings in many different locations) and digitally (using different information technology tools and platforms, including neighborhood and community networks).

Furthermore, if cities don’t collaborate with leaders and organizations outside government, leaders may misunderstand community preferences and perspectives. City officials should develop relationships with a wide range of community members and community organizations in order to participate in, respond to, and support engage resident-led initiatives. Government officials should leverage the connections and networks that already exist in the community, rather than treating each engagement initiative as a separate, stand-alone effort.

At the same time, the success of any local government’s engagement efforts is dependent on the recognition by residents of their responsibilities as community members. These responsibilities include voting, volunteering, deliberating respectively with other members of the community, seeking and sharing information honestly, and engaging with local institutions to co-produce public goods and services and address community challenges.

Section 7.02. Institutional structures to support and coordinate engagement.

The city shall establish new institutional structures or adapt existing structures to oversee, support, coordinate, track, and measure engagement on an ongoing basis. These structures can include:

- (1) Council committees that include residents and other stakeholders
- (2) Departments or administrative positions
- (3) Public engagement commissions
- (4) Community advisory boards, including boards designated to address the concerns of specific populations.
- (5) Youth commissions
- (6) Participatory budgeting processes and commissions

Commentary.

By establishing structures to support public engagement, the city can help ensure that engagement is sustained and improved over time through organizational arrangements. These types of institutional

structures provide platforms to hear testimony from experts and support productive deliberation while meeting the requirements of open meeting laws.

Because effective public engagement requires specific types of expertise such as outreach and facilitation, designated departments, and administrative roles, such as an engagement coordinator, can ensure that engagement is well executed. The city manager should be in regular contact with these operational units to ensure that they are investing in robust public engagement consistent with the spirit and principles of this Article. Additionally, descriptions of city manager and department administrator positions may usefully contain language that calls for attention to public engagement-related learning, exemplary practices, and capacity building by, as appropriate, the municipality or department.

A public engagement commission or office can collaborate with city staff to: develop multi-year plans to guide public engagement activities, programs, and policies; develop engagement guidelines and recommendations for city agencies; provide advice and recommendations regarding the implementation of engagement guidelines and practices to staff and stakeholders alike. A public engagement commission could also review process evaluation results to provide advice and recommendations regarding continuous improvement of engagement policies and practices and provide an annual report regarding the status of public engagement in the city and community at large.

Other CABs that address specific policy arenas should actively engage residents in a variety of ways; this responsibility should be reflected in the charter of the CAB and its members. These advisory bodies can be particularly valuable as platforms for broad, early public engagement on important issues and decisions. CABs should be encouraged to adopt public engagement processes in advance of formal deliberation and decision-making efforts. Public engagement staff can provide training and how-to resources to support the engagement work of CABs.

Youth commissions can elevate the voices of young people in city decisions. Like other CABs, youth commissions are most successful if the members engage their peers in dialogue and deliberation, rather than only representing their individual interests. These types of structures can hear testimony from experts and support productive deliberation while meeting the requirements of open meeting laws.

Section 7.03. Principles of public engagement.

To ensure public engagement centers on the needs and goals of community members, the city shall uphold the following principles, using them as the basis of public engagement protocols and in the remits of public engagement structures (as listed in Section 7.02):

(a) Equity in engagement. Principles of justice, equity, diversity, and inclusion should guide the design and execution of public engagement activities, in several ways:

- (1) Government-sanctioned bodies such as CABs may become “gatekeeping” entities that reflect the ideas of self-designated community leaders if they aren’t inclusive, open, and accessible to all members of the public. City officials, therefore, should conduct continual public outreach to bring in new voices.
- (2) When engaging community members, city officials should identify and proactively reach out to the community in its full diversity. To ensure that public engagement activities are not attended only by people already active in local government and politics, city officials should regularly recruit residents through face-to-face or personal written invitations, social media requests, and randomized selection methods. Materials should be written in

plain, comprehensible English, and should also be translated into the other predominant languages that residents speak and read.

- (3) Traditionally excluded and marginalized individuals and communities should be included in ways they themselves identify as authentic and meaningful. City officials should co-design engagement processes with community members to meet the needs of the communities served. Processes should respect a range of values, interests, perspectives, experiences, cultures, and knowledge of those involved.
- (4) The city should expect local the organizations and networks it works with to engage their members in equitable and deliberative ways, so that the input received is representative of their constituents.
- (5) The city should use an equity lens to evaluate data on impacts of engagement, including costs, benefits, and responsibilities.

(b) Accountability in engagement. There should be meaningful opportunities for community members to bring issues, concerns, and priorities to city officials to influence city policy, ordinances, and actions. Public engagement activities should be designed to appropriately fit the legal authority, scope, character, and potential impact of a policy, program, or project. There should be clarity about process sponsorship, purpose, design, and how the results will be used. The purpose and potential influence of each public engagement process should be known by all participants in advance but should be flexible enough to adapt to changing conditions during implementation.

(c) Transparency in engagement. Communications about public issues and public engagement opportunities should ensure community members can engage effectively. Communications should be made in the predominant languages that residents understand. Participants should have the opportunity to bring and share their own experiences as well as information they have gathered about the issues at hand. Full and complete results should be shared and explanations of how the results will be used or how they will influence decisions should be provided to process participants and the broader public.

(d) Accessibility in engagement. Public engagement activities should be broadly accessible in terms of schedule, location, facilities, and information and communication technologies. Schedules should accommodate a variety of participants. Locations should be nearby and reachable via affordable transit, and some engagement activities should be conducted in places where community members already gather regularly. Facilities should be welcoming public spaces and not present physical or cultural barriers to participation. Online engagement opportunities should use technologies that are freely available to residents and attend to barriers people may face, such as: no access to broadband, limited proficiency with technology, and challenges related to deaf-blind accessibility.

(e) Collaboration in engagement. Public engagement efforts should build on and help develop long-term, collaborative working relationships and mutual learning opportunities with residents of all ages, civic groups, organizational partners, and other governments. This may include project-specific or ongoing community engagement initiatives.

(f) Evaluation of engagement activities. Each public engagement activity and the state of engagement overall should be evaluated through participant feedback, analysis, and learning that is shared publicly and broadly. The ideas, preferences, and/or recommendations contributed by participants should be fully documented and be made available to participants and the broader public. Lessons learned should be applied to future public engagement activities and contribute to the city's overall engagement plan.

Commentary.

Elected representatives and city administrators have important roles to play in public engagement. Elected leaders should inspire, encourage, oversee, and (when appropriate) participate in engagement efforts. Perhaps most importantly, they should respond to the input and ideas that emerge from engagement efforts, reacting to policy recommendations and supporting other ways for community members to help solve public problems.

City administrators have many of the same responsibilities as elected officials, plus the duty to help staff, support, and coordinate public engagement efforts. Administrators should ensure that relevant city employees have the right skills, training, and job incentives to work effectively in engagement activities.

To actualize the principles laid out in this article, the city council may need to amend local ordinances to allow for effective public participation processes and structures that differ from the conventional public testimony model. In addition to public participation related to decisions made by city council, in the mayor's office, or in the city administrator's office, each city department or bureau should adopt its own public participation practices that are consistent with the principles established in Article VII.

There are a number of resources that can be helpful to local government officials and staff:

- *Making Public Participation Legal* (National Civic League, 2013), which includes a model ordinance to support more effective engagement.
- *Strengthening and Sustaining Public Engagement: A Planning Guide for Communities* (Public Agenda, 2018).
- *Public Participation for 21st Century Democracy* (Nabatchi and Leighninger, 2015).
- "Repurposing Citizen Advisory Bodies," (Stout, *National Civic Review*, 2014).
- Participedia, the world's largest online database of engagement examples, processes, tools, and organizations.
- The Civic Tech Field Guide, a crowdsourced, global collection of technology for tools and projects.

General Commentary.

Upgrading the engagement capacity of local government is one of the most significant changes to be found in the Ninth Edition of the Model City Charter. Previous editions emphasized the importance of administrative professionalism, efficiency, and ethics in local government. The Ninth Edition continues that tradition but also elevates the importance of just, inclusive, and equitable public engagement; the values of democratic professionalism and ethics; and community-centered governance and problem solving.

There are many reasons for this new emphasis on public engagement, including:

- (1) Local governments face complex challenges. For some of these issues, governments must negotiate tensions and tradeoffs among competing, underlying public values. This work is best done in collaboration with community members, through deliberative problem-solving, planning, and decision-making, rather than solely through technical expertise or adversarial politics.

- (2) Public engagement can bridge divides. While most conventional engagement processes seem to encourage tensions and divisions among community members, and between community members and government, more participatory and equitable practices have achieved success in building mutual understanding and establishing common ground and consensus across different groups of people.
- (3) Community members have tremendous problem-solving capacities. In fact, many public problems simply cannot be addressed without the support of large numbers of people, through changes in their behavior, increased volunteerism, and/or collaboration between community members and government officials.
- (4) Equity and engagement require one another. It is difficult to address issues of race and equity (past and present) without engaging large, diverse numbers of people, and it is difficult to engage large, diverse numbers of people without addressing issues of race and equity. Making public engagement more inclusive and participatory will help produce more equitable outcomes for a wider range of people, as will engaging people in evaluating whether policy outcomes are in fact equitable.
- (5) Civic health matters. Strong, ongoing connections among community members, robust relationships between community members and public institutions, and positive attachments between people and the places they live are highly correlated with a range of positive outcomes, from better physical health to higher employment rates to better resilience in the face of natural disasters.

For all these reasons, public engagement should be pursued in the interest of the health, prosperity, justice, safety, and the general well-being of the community.

Article VIII GENERAL PROVISIONS

Introduction.

All communities should have fully developed provisions dealing with the ethical expectations essential to responsible government. Ethics provisions foster public trust in the integrity of city government and serve as a check on improper or abusive behavior by city officials and employees. Communities should also have a comprehensive campaign finance code requiring, at the least, disclosure of sources of money used in the campaign for city office. The amount of money flowing into local races continues to grow and must be regulated to help avoid the public perception of corruption.

Section 8.01. Conflicts of Interest; Board of Ethics.

(a) Conflicts of Interest. The use of public office for private gain is prohibited. The city council shall implement this prohibition by ordinance, the terms of which shall include, but not be limited to: acting in an official capacity on matters in which the official has a private financial interest clearly separate from that of the general public; the acceptance of gifts and other things of value; acting in a private capacity on matters dealt with as a public official; the use of confidential information; and appearances by city officials before other city agencies on behalf of private interests. This ordinance shall include a statement of purpose and shall provide for reasonable public disclosure of finances by officials with major decision-making authority over monetary expenditures and contractual and regulatory matters and, insofar as permissible under state law, shall provide for fines and imprisonment for violations.

(b) Board of Ethics. The city council shall, by ordinance, establish an independent board of ethics to administer and enforce the conflict of interest and financial disclosure ordinances. No member of the board may hold elective or appointed office under the city or any other government or hold any political party office. Insofar as possible under state law, the city council shall authorize the board to issue binding advisory opinions, conduct investigations on its own initiative and on referral or complaint from officials or resident, subpoena witnesses and documents, refer cases for prosecution, impose administrative fines, and to hire independent counsel. The city council shall appropriate sufficient funds to the board of ethics to enable it to perform the duties assigned to it and to provide annual training and education of city officials and employees, including candidates for public office, regarding the ethics code.

Commentary.

Many states have conflict of interest and financial disclosure laws which include local officials as well as state officials. Cities in these states may wish to modify this section accordingly by either eliminating duplication with state law or providing for local filing of state forms to provide local access to the information.

Instead of providing essentially statutory language, this section mandates council passage of ordinances covering certain basic subjects and which provide for a specific mechanism to administer and enforce the law. This permits amendment as may be required without a referendum, which would be necessary if the charter covered the subject in detail. This provision shows that the charter is serious about the need for dealing with ethics problems but at the same time leaves it to the city council to adopt the formulation most appropriate for the specific situation. It makes a provision for a Board of Ethics but leaves details on the board's composition and procedure to the council.

Other provisions councils could adopt, but not listed in the Model, relate to acting in an official capacity

over any campaign donor who contributes \$__ or more to the official's campaign; the hiring of relatives; acting in an official capacity on matters affecting a prior employer within a designated time period after leaving the employer; accepting outside employment while in office; and accepting employment with an employer over whom the official or employee acted in an official capacity, within a designated time period after leaving office. Westminster, Colorado, pioneered the conflict of interest approach to limiting campaign contributions, via charter amendment, and other cities have expressed interest in following its example either by charter or ordinance. A substantial number of cities restrict hiring of relatives and prior, outside, and subsequent employment arrangements.

Section 8.02. Prohibitions.

(a) Activities Prohibited.

- (1) No person shall be appointed to or removed from, or in any way favored or discriminated against with respect to any city position or appointive city administrative office because of race, gender, age, sexual orientation, disability, religion, country of origin, or political affiliation. The city may adopt policies to increase diversity in employment and contracting and/or to remedy the effects of past discrimination.
- (2) No person shall willfully make any false statement, certificate, mark, rating or report in regard to any test, certification or appointment under the provisions of this charter or the rules and regulations made there under, or in any manner commit or attempt to commit any fraud preventing the impartial execution of such provisions, rules and regulations.
- (3) No person who seeks appointment or promotion with respect to any city position or appointive city administrative office shall directly or indirectly give, render or pay any money, service or other valuable thing to any person for or in connection with his or her test, appointment, proposed appointment, promotion or proposed promotion.
- (4) No person shall knowingly or willfully solicit or assist in soliciting any assessment, subscription or contribution for any political party or political purpose to be used in conjunction with any city election from any city officer or city employee.
- (5) No city officer or city employee shall knowingly or willfully make, solicit, or receive any contribution to the campaign funds of any political party or committee to be used in a city election or to campaign funds to be used in support of or opposition to any candidate for election to city office. Further, no city employee shall knowingly or willfully participate in any aspect of any political campaign on behalf of or opposition to any candidate for city office. This section shall not be construed to limit any person's right to express opinions or to cast a vote nor shall it be construed to prohibit any person from active participation in political campaigns at any other level of government.
- (6) City officers or employees may spend public funds and advocate for the city's position on a city ballot issue when the city is authorized to adopt a position to support or oppose a specific city ballot issue and has formally: adopted a position to support or oppose a specific ballot issue, authorized the expenditure of public funds, or authorized city officers or employees to speak and campaign on its behalf on the measure.

(b) Penalties.

Any person convicted of a violation of this section shall be ineligible for a period of five years following such conviction to hold any city office or position and, if an officer or employee of the city, shall immediately forfeit his or her office or position. The city council shall establish by ordinance such further penalties as it may deem appropriate.

Commentary.

The activities prohibited by this section are antithetical to the maintenance of a sound, permanent municipal service. The prohibition against discrimination states basic municipal policy which applies to all personnel relationships. Prohibiting fraud or attempted fraud and bribery in connection with appointments and promotions by charter provision stresses the importance of maintaining the integrity of the public service. Prohibitions against political solicitation and participation in political campaigns afford protection for the employee as well as the integrity of the system. State law of general application may be sufficiently comprehensive to cover the activities prohibited by this section. If so, the charter need not contain these provisions except to give confirmation of public acceptance of these policies.

In *FOP v. Montgomery County*, <https://mdcourts.gov/data/opinions/coa/2016/45a15.pdf> Maryland's highest court recognized the right of "government speech" in the context of a ballot issue associated with remedying a charter provision that provided for "effects" bargaining in the police department and which inhibited police reform. The Court concluded that who better than the government to speak on issues of its operations and allowed public funds and employees to be used to support the county's position in a referendum that the FOP sought to overturn the charter change. Wording in section 8.02. 5 has been changed in this edition to preserve—in those jurisdictions like Maryland that would allow support of certain ballot initiatives—the authority of employees to act on behalf of the city to support a ballot measure. The Court's opinion was very limited and does not offer support for the view that the government can use public funds or employees to support measures that do not affect the operation of the government. Thus, the language in the proposed amendment provides that this support can only be offered "where authorized."

Section 8.03. Campaign Finance.

(a) Disclosure. The city council shall enact ordinances to protect the ability of city residents to be informed of the financing used in support of, or against, campaigns for locally elected office. The terms of such ordinances shall include, but not be limited to, requirements upon candidates and candidate committees to report in a timely manner to the appropriate city office: contributions received, including the name, address, employer, and occupation of each contributor who has contributed or more; expenditures made; and obligations entered into by such candidate or candidate committee. In so far as is permissible under state law, such regulations shall also provide for fines and imprisonment for violations. The ordinance shall provide for convenient public disclosure of such information by the most appropriate means available to the city.

(b) Contribution and Spending Limitations. In order to combat the potential for, and appearance of, corruption, and to preserve the ability of all qualified community members to run for public office, the city shall, in so far as is permitted by state and federal law, have the authority to enact ordinances designed to limit contributions and expenditures by, or on behalf of, candidates for locally elected office. Ordinances pursuant to this section may include but are not limited to: limitations on candidate and candidate committees that affect the amount, time, place, and source of financial and in-kind contributions; and, voluntary limitations on candidate and candidate committee expenditures tied to financial or non-financial incentives.

Commentary.

This section was added to the eighth edition in recognition of the substantial number of cities that have enacted campaign finance laws since the seventh edition. This trend indicates that increasingly large amounts of private money have permeated local elections and reflects public perception that such money has had a distorting influence on the democratic process.

Section 8.03(a) provides for disclosure of candidate contributions and expenditures. A strong majority of cities in the United States have some form of campaign contribution and expenditure disclosure requirements. This section of the charter requires the city to provide for timely disclosure of such funds. It further requires that disclosure of contributions above a certain threshold include the donor's employer and occupation. Such information allows the public to identify the sources of funding that influence local elections. The requirement that the city provide for "convenient public disclosure" is meant to encourage electronic disclosure over city web sites when such technology and resources are available.

Section 8.03(b) provides the city with express authority, but not a mandate, to enact any of the several innovative campaign finance laws that cities have enacted over the last three decades. This includes options such as contribution limitations, time limits on fund raising, and public financing as an incentive for candidates to adhere to voluntary spending limits.

Article IX CHARTER AMENDMENT

Introduction.

All charters require modification from time to time. In states where the constitution or statutes prohibit cities from adopting their own methods of charter revision, this article cannot be used.

Section 9.01. Proposal of Amendment.

Amendments to this charter may be framed and proposed:

- (a) In the manner provided by law, or
- (b) By ordinance of the council containing the full text of the proposed amendment and effective upon adoption, or
- (c) By report of a charter commission created by ordinance, or
- (d) By the voters of the city.

Proposal of an amendment must be submitted to the Clerk in advance of a petition and reviewed by the City Attorney for conformity with this Charter, legality and for the City Attorney to provide a title to be used on the petition and ballot and a description of the effect of the proposed charter amendment. Upon approval of sufficiency of the proposed amendment, the amendment will be submitted to the voters of the city.

A proposed amendment initiated by the voters shall be by petition containing the description of the amendment and title approved by the City Attorney and on forms issued by the Clerk. The subject matter of a charter amendment must not be legislative and must be directed at the form of government and governance of the city authorizing or limiting its powers and directing the manner of exercise of those powers. The petition must be signed by registered voters of the city equal in number to at least [5 to 10] percent of the total number of those registered to vote at the last regular city election. The petitioners' committee may withdraw the petition at any time before the Clerk certifies the petition for sufficiency.

Commentary.

This article lists four methods for proposing charter amendments. The first references any methods which are provided by state law, and the second is by the council itself. The third is by a charter commission, which in many states may be created by the council. Depending on the state, the procedures binding the charter commission may be found in the constitution or state law. Often the procedures allow formation of the charter commission by petition or by ordinance.

The final method of charter amendment is by a voter-initiated petition. The signature requirement for charter amendment petitions should be a fixed percentage between five and ten percent of registered city voters. It is important that the number of signatures required be substantial. It should be relatively difficult to amend the charter, and charter amendments should not be used to harass officials. Charter Amendments should only include charter material and should not include legislative material. A Charter is intended to be a constitution, not a code of laws.

Section 9.02. Election.

Upon delivery to the city election authorities of the report of a charter commission or delivery by the city clerk of an adopted ordinance or a petition finally determined sufficient, proposing an amendment pursuant to § 9.01, the election authorities shall submit the proposed amendment to the voters of the city at an election. Such election shall be announced by a notice containing the complete text of the proposed amendment and published in one or more newspapers of general circulation in the city at least thirty days prior to the date of the election. The election shall be held not less than 60 and not more than 120 days after the adoption of the ordinance or report or the final determination of sufficiency of the petition proposing the amendment. If no regular election is to be held within that period, the council shall provide for a special election on the proposed amendment; otherwise, the holding of a special election shall be as specified in state law.

Section 9.03. Adoption of Amendment.

If a majority of those voting upon a proposed charter amendment vote in favor of it, the amendment shall become effective at the time fixed in the amendment or, if no time is therein fixed, 30 days after its adoption by the voters.

Article X

TRANSITION AND SEVERABILITY

Introduction.

Many charters do not facilitate transition from an old to a new form of government organization. More than almost any other part of the charter, the article containing transitional provisions needs to be tailored to existing law and organization. The Model makes no claim to being complete in this regard but calls attention to matters that must be considered and provides a basic pattern for a transition article. Care in the preparation of this article will have important benefits. It can disarm arguments that adoption of a new charter will harm existing personnel and the processes of the government. It may also save the city from costly litigation and administrative confusion.

Section 10.01. Officers and Employees.

(a) Rights and Privileges Preserved. Nothing in this charter except as otherwise specifically provided shall affect or impair the rights or privileges of persons who are city officers or employees at the time of its adoption.

(b) Continuance of Office or Employment. Except as specifically provided by this charter, if at the time this charter takes full effect, a city administrative officer or employee holds any office or position which is or can be abolished by or under this charter, he or she shall continue in such office or position until the taking effect of some specific provision under this charter directing that he or she vacate the office or position.

(c) Personnel System. An employee holding a city position at the time this charter takes full effect, who was serving in that same or a comparable position at the time of its adoption, shall not be subject to competitive tests as a condition of continuance in the same position but in all other respects shall be subject to the personnel system provided for in § 4.02.

Section 10.02. Departments, Offices, and Agencies.

(a) Transfer of Powers. If a city department, office or agency is abolished by this charter, the powers and duties given it by law shall be transferred to the city department, office or agency designated in this charter or, if the charter makes no provision, designated by the city council.

(b) Property and Records. All property, records and equipment of any department, office or agency existing when this charter is adopted shall be transferred to the department, office or agency assuming its powers and duties, but, in the event that the powers or duties are to be discontinued or divided between units or in the event that any conflict arises regarding a transfer, such property, records or equipment shall be transferred to one or more departments, offices or agencies designated by the city council in accordance with this charter.

Section 10.03. Pending Matters.

All rights, claims, actions, orders, contracts, and legal administrative proceedings shall continue except as modified pursuant to the provisions of this charter and in each case shall be maintained, carried on or dealt with by the city department, office or agency appropriate under this charter.

Section 10.04. State and Municipal Laws.

(a) In General. All city ordinances, resolutions, orders and regulations which are in force when this

charter becomes fully effective are repealed to the extent that they are inconsistent or interfere with the effective operation of this charter or of ordinances or resolutions adopted pursuant thereto. To the extent that the constitution and laws of the state of _____ permit, all laws relating to or affecting this city or its agencies, officers or employees which are in force when this charter becomes fully effective are superseded to the extent that they are inconsistent or interfere with the effective operation of this charter or of ordinances or resolutions adopted pursuant thereto.

(b) Specific Provisions. Without limitation of the general operation of subsection (a) or of the number of nature of the provisions to which it applies:

- (1) The following laws and parts of laws generally affecting counties or city agencies, officers or employees are inapplicable to the city of _____

or its agencies, officers or employees: [enumeration]
- (2) The following public local laws relating to the city of _____ are superseded: [enumeration]
- (3) The following ordinances, resolutions, orders, and regulations of _____

[former city governing body] are repealed: [enumeration]

Section 10.05. Schedule.

(a) First Election. At the time of its adoption, this charter shall be in effect to the extent necessary in order that the first election of members of the city council may be conducted in accordance with the provisions of this charter. The first election shall be held on the ____ of _____. The [city officials to be designated] shall prepare and adopt temporary regulations that are applicable only to the first election and designed to ensure its proper conduct and to prevent fraud and provide for a recount of ballots in cases of doubt or fraud.

(b) Time of Taking Full Effect. The charter shall be in full effect for all purposes on and after the date and time of the first meeting of the newly elected city council provided in § 9.05(c).

(c) First Council Meeting. On the _____ of _____ following the first election of city council members under this charter, the newly elected members of the council shall meet at _____ [time] at _____ [place]:

- (1) For the purpose of electing the [mayor and] deputy mayor, appointing or considering the appointment of a city manager or acting city manager, and choosing, if it so desires, one of its members to act as temporary clerk pending appointment of a city clerk pursuant to § 2.08; and **Note: Omit bracketed words if § 2.03, Alternative II is used.**
- (2) For the purpose of adopting ordinances and resolutions necessary to effect the transition of government under this charter and to maintain effective city government during that transition.

(d) Temporary Ordinances. In adopting ordinances as provided in § 10.05(c), the city council shall follow the procedures prescribed in § 2.13, except that at its first meeting or any meeting held within sixty days thereafter, the council may adopt temporary ordinances to deal with cases in which there is an urgent need for prompt action in connection with the transition of government and in which the delay incident to the appropriate ordinance procedure would probably cause serious hardship or impairment

of effective city government. Every temporary ordinance shall be plainly labeled as such but shall be introduced in the form and manner prescribed for ordinances generally. A temporary ordinance may be considered and may be adopted with or without amendment or rejected at the meeting at which it is introduced. After adoption of a temporary ordinance, the council shall cause it to be printed and published as prescribed for other adopted ordinances. A temporary ordinance shall become effective upon adoption or at such later time preceding automatic repeal under this subsection as it may specify, and the referendum power shall not extend to any such ordinance. Every temporary ordinance, including any amendments made thereto after adoption, shall automatically stand repealed as of the ninety-first day following the date on which it was adopted, renewed, or otherwise continued except by adoption in the manner prescribed in § 2.13 for ordinances of the kind concerned.

(e) Initial Expenses. The initial expenses of the city council, including the expense of recruiting a city manager, shall be paid by the city on vouchers signed by the council chairman.

(f) Initial Salary of Mayor and Council Members. The mayor shall receive an annual salary in the amount of \$ _____ and each other council member in the amount of \$ _____, until such amount is changed by the council in accordance with the provisions of this charter.

Section 10.06. Severability.

If any provision of this charter is held invalid, the other provisions of the charter shall not be affected. If the application of the charter or any of its provisions to any person or circumstance is held invalid, the application of the charter and its provisions to other persons or circumstances shall not be affected.

Commentary.

A severability clause is a necessary precaution and should be included in every charter.

Appendix 1

OPTIONS FOR MAYOR-COUNCIL CITIES

Since 1915, the Model City Charter has been based on the council-manager form of government. Some cities have a tradition of using or prefer to use the mayor-council form, and in some states the adoption of council-manager government may be limited by state statutes. Cities that use the mayor-council form can make choices to “reform” their city governments within the framework of this form of government. There are structural approaches that can clarify the structure and improve the performance of the mayor-council city government.

The mayor-council form of government is based on principles of separation of powers and checks and balances similar to those found in the national and state governments. Certain powers are assigned to the mayor and others to the council in cities that use this form. In addition, some mayor-council charters provide for other officials such as appointed boards or administrators who have independent authority to make specified decisions. It was common in the nineteenth century for cities to divide authority among many officials in the belief that the more power was divided and the more officials were directly elected, the more democratic the process of city government would be. In practice, complex structures with highly fragmented authority created ineffective government in which it was difficult to hold anyone responsible for the failure of city government as a whole. In certain cities, the fragmented structure created a vacuum that party organizations filled with unified control. In other cities—probably more numerous than those with control by party organizations—the prevailing structure simply contributed to a lack of competent and farsighted leadership and to city governments that were neither effective nor efficient in their delivery of services to citizens. Some cities still retain these features in their charters.

The first Model City Charter proposed replacing the fragmented authority and confused assignment of responsibility of existing nineteenth century city governments with simplified and centralized executive authority exercised by an elected mayor. After the first edition, the model charter assigned this centralized executive authority to an appointed city manager. From the second through the fourth editions of the charter, no provisions were proposed for mayor-council cities. With the fifth edition, the strong mayor-council form from the first edition reappeared as an alternative for those cities that chose not to use the preferred council-manager form with the suggestion that a “vice mayor” or what would later often be called a chief administrative officer (CAO) might be appointed by the mayor. These recommendations appeared in the sixth and seventh editions as well. The approach taken in the Eighth Edition was different. Officials and citizens who are reviewing a mayor-council charter were given analytical questions to guide their assessment of the governmental structure. In contrast to exclusive reliance on the strong mayor alternative, two options for organizing the mayor-council form were proposed. In this edition, the responses to revised analytical questions lead to a different conclusion. One alternative that is consistent with reform ideals is recommended.

Analytical Questions about Mayor-Council Governments

For cities that prefer to use the mayor-council form of government, there are two questions to answer in designing a charter.

- First, should a chief administrative officer be appointed? The model charter recommends the addition of a CAO to all types of mayor-council governments. How the CAO is appointed and the responsibilities of the position determine whether reform values are being advanced.
- Second, how is the CAO chosen?

To provide background information, each of these questions is discussed in more detail. Then the optional approaches and an assessment of them are presented.

A. Should the mayor-council city have a CAO?

An increasing proportion of cities have added a central administrative position occupied by a CAO to their governmental structure.¹¹ Experience has demonstrated that it is beneficial for cities to have an administrative officer. This officer can assist in filling the executive responsibilities of the mayor, such as preparing the budget. The officer will provide central coordination of administrative functions and may also assist the council in handling its policy-making authority. Adding a chief administrative officer to city government is consistent with the longstanding reform principle of providing for both political and professional leadership. A central administrative official is able to contribute to sound governance as well as directing service delivery.

Professional managers serving elected officials and the public bring distinctive values that enrich and elevate the governmental process in both policymaking and service delivery. These professional values include the commitment to basing policy and service delivery on need rather than demand, to stressing the long-term interests of the community as a whole, to promoting equity and fairness, to recognizing the interconnection among policies, and to advancing citizen participation that is broad and inclusive. There are benefits from having a professional chief administrator who channels these values into the governmental process at the highest and most general level through interactions with both the mayor and the council.

There are other advantages as well. It is difficult to find candidates for mayors who are equally adept at providing both political and administrative leadership to city government. Furthermore, it is important for the mayor to devote a substantial amount of time to interacting with the public, making it difficult to devote sufficient attention to policy development, administration, and management. So-called “strong” mayors may actually be overextended mayors. It is also hard for voters to assess the administrative capabilities of candidates before they have served in the mayor’s office. Mayors (except in the largest cities), unlike new presidents and governors, are not supported by large transition teams, nor can they persuade prominent leaders from the public and private sectors to accept key appointments for the duration of that executive’s administration. Adding administrative assistance through a CAO helps to solve these problems. The office of CAO builds into the charter a support position for the mayor and institutionalizes the professional coordination of the departments of city government.

B. How is the CAO chosen?

Among the mayor-council cities with a population of 10,000 or higher, 52 percent have a CAO. There are three methods of appointing the CAO. In 20 percent, the mayor and council jointly fill the position and can be called mayor and council-CAO governments. In 22 percent, the CAO is nominated by the mayor and approved by the council. They can be called mayor-council-CAO governments to signify the council’s role in approving the nomination. Finally, in 11 percent of these cities the mayor appoints the CAO, and these cities can be called the mayor-CAO-council form to signify that the CAO is closely tied

¹¹ Kimberly Nelson and James H. Svara, “Form of Government Still Matters: Fostering Innovation in U.S. Municipal Governments.” *American Review of Public Administration*. 42 (2012), 257-281. The breakdown of types of mayor-council cities without a CAO and with a CAO appointed in different ways come from this source updated with data from 2019 in a dataset maintained by Kimberly Nelson.

to the mayor, and the form is a In a study of differences in adoption of innovative practices based on detailed features of form of government in cities over 10,000 in population, half of the mayor-council cities had a chief administrative officer-- “pure” strong mayor approach that clearly divides powers between the mayor and the council with the CAO being an extension of the mayor’s office.

The participation of the council in the selection of the CAO reflects a form with both separated and shared authority between the mayor and the council. The mayor has separate executive authority but major decisions are either proposed by the mayor and approved by the council or made jointly by the mayor and council. When the mayor proposes and the council approves, the approach is similar to the “advice and consent” authority of the Senate in handling nominations by the President for Supreme Court judges or cabinet secretaries. In other cities in this pattern, the mayor and council make major decisions jointly. Potentially, the CAO chosen jointly serves as a bridge between the mayor and the council. In sum, the standard mayor-council form is characterized by a combination of separated and shared powers. Commonly, the staff support and organizational authority of the mayor and the high visibility of the office make the mayor the recognized leader of city government. Still there is less independent authority concentrated in the mayor’s office than in the strong mayor type, and the presence of the CAO offers professional leadership to both the mayor and the council.

The term weak mayor-council is reserved for cities in which there is substantial fragmentation of authority. Beyond separated and shared authority between the mayor and the council, there are other features that divide authority widely. These include direct election of certain department heads or commissions and the assignment of independent policy-making authority to some commissions. A committee that is controlled by neither the mayor nor the council may formulate the budget. This is the kind of structure that was common in the late nineteenth century. The early municipal reformers sought to overcome the extreme decentralization that characterizes it. Although it is based on the premise that extensive checks will prevent excessive concentration of power and direct election of many offices will promote democratic control, in practice many weak mayor cities functioned poorly and it was difficult to pin down who was responsible for problems in performance. It is difficult to estimate how many cities still use these approaches, but the proportion is fairly small.

Recommended Structure in Mayor-Council Cities

To clarify responsibility and strengthen the governmental process, mayor-council cities should assign policy-making, executive, and oversight authority to the mayor, council, and CAO. Practices associated with traditional weak-mayor forms should be eliminated. These practices include direct election of department heads and commissions, appointment of administrative officials by commissions, having a body other than the mayor and council formulate the budget (e.g., a board of finance), and assigning other policy-making authority to commissions.

The recommended approach in mayor-council cities is to promote shared authority between the mayor and the council along with the separation of powers that defines the mayor-council form. It is recommended that provisions be made for the appointment of a CAO consistent the shared authority between the mayor and the council. In the shared authority mayor-council cities, the CAO is nominated by the mayor and approved by the council or appointed jointly by the mayor and council—similar to the way that the city manager is chosen. This official serves as a bridge between the two sets of officials and is assigned administrative responsibilities. In the strong mayor-council cities where the CAO is appointed by the mayor, the CAO provides professional assistance to the mayor but is not accountable to the council.

Preferred Option: Mayor and Council-CAO and Mayor-Council-CAO government

Among mayor-council cities with a CAO, approximately three quarters have involvement of the council in the appointment. This option is based on the combination of separated and shared powers between the mayor and the council found in most mayor-council cities. When appointed in this way, the CAO helps to link the mayor and council and promotes communication between them. The CAO serves as a bridge to span the separation of powers between the mayor and the council. The CAO provides professional advice and detached assessment regarding key decisions to both the mayor and the council. The CAO can promote a higher level of performance and shared information by both sets of officials.

The CAO assists the mayor in preparing policy recommendations to the council but is cognizant of his or her responsibility to provide information that the council needs to make policy decisions.¹² The CAO is responsible directly to the mayor for administrative matters and to the council for providing information to support their oversight function, i.e., the assessment of how well policies are working and how well services are being delivered. It should be acknowledged that the position occupied by the CAO can be difficult if there is conflict between the mayor and council. The CAO can get caught in the middle. Still, the presence of a CAO who feels a sense of accountability to both the mayor and the council can reduce the level of conflict compared to conditions in mayor-council cities without a CAO.

The mayor-council-CAO government is not a “weak” mayor structure but rather one in which the mayor and council share authority in a number of areas. On the other hand, this option is also not a “strong” mayor structure.

Assessment of the mayor-council-CAO and mayor and council-CAO options

The mayor-council-CAO government combines separation of powers with shared powers, particularly “advice and consent” provisions for top appointments or joint authority for appointments. The mayor and top administrators are made more accountable to the council by shared powers, and the council has a greater opportunity to shape mayoral decisions and oversee administrative performance. Shared power provisions may serve to knit the separate branches more closely together. The CAO, although ultimately accountable to the mayor, serves both sets of officials and can promote closer interaction between them. The option promotes leadership by both the mayor and council and provides for both political and professional leadership.

This approach to appointing the CAO makes this official responsive to both the mayor and the council, since both are involved in the hiring decision. Furthermore, the CAO is given a formal role in budget preparation and appointment of department heads. This approach is advantageous for several reasons. First, accountability is broadened to include the council. Second, the professional qualifications of the person selected may be higher if the council has to approve the choice. The mayor is not free to simply choose a person to advance his or her electoral interests. Third, the professional contributions of the CAO to both the mayor and the council are assured when the CAO fills specified duties. The CAO is involved in important administrative matters.

¹² A survey of CAOs indicates that with nomination by the mayor and approval by the council, the CAO is likely to simultaneously see himself or herself as the agent of the mayor and also as being accountable to both the mayor and the council. Seven in ten CAOs agree with these positions. If the mayor does not nominate the CAO, only thirty-seven percent of the CAOs see themselves as the mayor’s agent. If the council does not approve the appointment, only twenty-eight percent of the CAOs see themselves as accountable to the council. See James H. Svara, “Do We Still Need Model Charters? The Meaning and Relevance of Reform in the Twenty-First Century,” *National Civic Review*. 90 (Spring, 2001), pp. 19-33.

The pure strong-mayor approach concentrates a substantial amount of authority in one office. The approach also limits the contribution of the council to accepting or rejecting policy and budget proposals from the mayor and overriding the mayor's veto. The council is not likely to receive a full and fair assessment of policy options from the CAO, but rather to hear the arguments for the mayor's preferred approach. Although the council has a general oversight role, the fact that the mayor appoints all top administrators may limit the flow of information to the council to support its exercise of this role. There is concentrated power with limited checks on the exercise of the power.

In a study of the adoption of innovations in cities with different variations of the mayor-council forms, it was found that the mayor and council-CAO had the highest score followed by the mayor-council-CAO form. The mayor-CAO-council had less innovation than these two, but all variations of the incorporation of a CAO had higher innovation than mayor-council cities with no CAO.¹³

Election of the mayor and veto are found in both variations of the mayor-council-CAO form.

Election of the mayor and chair of the council

The provisions in the Model City Charter for direct election of the mayor should be used in mayor-council cities (§ 2.03, Alternative I). The council chair and presiding officer should be elected by the council from among its members.

Veto

One basic difference between the mayor-council and council-manager forms of government is the "veto" power for the mayor. This power is not consistent with the basic principle of the council-manager form that all powers are assigned to the council. In the mayor-council form, the mayor has an assigned role in the legislative process and must make a decision on each ordinance to sign it, veto it, or let it become law without signature. The veto should be included in the legislative article of a mayor-council charter and listed among the mayor's powers in the executive article (Article II of the Model City Charter, § 2.03). The council may override the veto by a two-thirds vote of its members.

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¹³In the Nelson and Svara study, a composite adoption rate was calculated for innovations related to e-government, strategic practices, and reinventing government. As noted in the introduction, the highest adoption rates were in council-manager cities with elected mayors followed by council-manager cities with mayors chosen by the council.

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Appendix 2

THE CONTEXT FOR SOCIAL EQUITY AND LOCAL GOVERNANCE

Since 1900, the National Civic League has sought to project the highest standards in local governance by publishing the Model City Charter. A charter is the foundation of a local government and functions as the municipal equivalent of a state or federal constitution, setting forth guiding principles for governance. A charter specifies the most fundamental relationships between a government and its community. It establishes the framework for how a local government operates in terms of its structure, responsibilities, functions, and processes. The way public officials are elected, the form of government, and the role community members play in local government are just a few examples of the important choices articulated in a charter.

Many of the revisions to Ninth Edition of the Model City Charter focus on social equity and inclusive public engagement. The revisions offer guidance on how municipalities can (re)shape their organizations, processes, and programs to address inequities in their communities. In making these changes, it became clear the topic of equity is complex and that public managers, administrators, elected officials, and community members may need additional material to understand both the issue of equity and the rationale for these revisions. This addendum serves that purpose by:

1. Situating equity within the context of this edition of the Model City Charter (i.e. why social equity and why now?),
2. Providing some foundational knowledge about the concept of equity, and,
3. Offering a set of key resources to which managers and elected officials can refer as they implement equity-oriented changes.

Why Equity and Why Now?

Early editions of the Model City Charter were focused on guiding local governments in their efforts to become more efficient, ethical, professional, and accountable. To this end, the League's charters served dual purposes. On the one hand, they reflected core values and principles regarding the best (and better) practices for organizing and operating a municipal government. On the other hand, they were living documents that reflected "current" and/or "timely" ideas that may not have been represented in past editions. Social equity is simultaneously a core value, which early editions overlooked, as well as an issue at the forefront of the current public agenda. These two characteristics of equity—a core value and a timely issue—serve as the primary basis for its emphasis in the ninth edition.

Equity as a Core Value of Public Administration

Historically, the three pillars of public administration have been efficiency, economy, and effectiveness. These three core values have served as guiding principles for the Model City Charter at least since the second edition was developed in 1915, when the council-manager form of local government was first introduced by the League. These three core values stood generally unexamined by scholars of public administration until 1969 when H. George Fredrickson penned his essay *Toward a New Public Administration*. In this essay, Fredrickson argued that social equity had become a fundamental objective for public programs. Public administrators, he stated, ought to move beyond the questions of how effectively and efficiently a public program worked. They also should consider for whom the program worked. Stated differently, public administration, particularly within local governments, had to acknowledge "that many public programs were implemented much more efficiently and effectively for

some citizens than for others.”¹⁵ Over the half century since Fredrickson’s essay, social equity has become recognized as the fourth pillar of public administration alongside efficiency, economy, and effectiveness.

As the intellectual underpinnings of the Model City Charter evolved to include equity, many local governments also embraced equity as a core value. More precisely, the ideas and tools of social equity have become integrated across the departmental units and the decision-making processes of many American local governments. This reality is reflected in the increasing network of equity oriented local governments participating in organizations such as the Government Alliance for Racial Equity. The implementation of equity in local governments has resulted in the creation of new equity-oriented positions, revisions to guiding documents, and the development of new performance metrics. Indeed, many local governments are fundamentally reshaping several parts of their day-to-day operations in their embrace of social equity as a core value.

Equity and Local Governments: the current context

While typically viewed as a national issue, the problems of inequity, whether social, economic, or otherwise, often manifest most clearly at the local level. The challenge of social (in)equity at the local level is reflected in many unfortunate events’ outcomes that emerged before and during the revisions to this edition of the Model City Charter. For example, as this edition was being revised, America, and rest of the world, was beset by the COVID-19 pandemic. The pandemic revealed stark vulnerabilities for disenfranchised communities: the inequities regarding morbidity and mortality from the virus, access to vaccinations, and access to treatment. In addition, several highly publicized killings of African American men and women led to an increased awareness of violence against communities of color. Subsequently, local leaders have called for and were called upon to more critically examine policies, programs, and processes that may ignore or reinforce existing inequities in their communities.

While all levels of government are culpable in having shaped (and continuing to shape) the distribution of (dis)advantage across the United States, most people’s interactions with government occur at the local level, which increases the importance of municipalities in addressing social equity challenges. For example, one need only look to the history of American land use regulations to understand how regulatory tools have been used to segregate communities in ways that limit access to and opportunities for employment, education, and other public services and amenities. Many local government leaders, however, have come to realize that while past decisions and processes helped create inequities, this also means that they have the tools at their disposal to ameliorate and rectify these inequities. The recent and well publicized work of Raj Chetty supports this idea.

In a series of scholarly papers, Raj Chetty and his colleagues demonstrate significant differences in intergenerational mobility between American counties.¹⁶ That is to say, the ability of an individual to “advance” beyond the socio-economic standing of their parents varies significantly based on the county in which they are born. Such mobility (and the lack thereof) is a critical factor in the creation of the long-standing inequity that characterizes the country, and Chetty’s work supports what many local governments already know: inequity is not just reflected in the local community, it is created and

¹⁵ H. George Fredrickson, “The State of Social Equity in Public Administration,” *National Civic Review*, Winter 2005, p. 32.

¹⁶ Chetty, R., Hendren, N., Kline, P., & Saez, E. (2014). Where is the land of opportunity? The geography of intergenerational mobility in the United States. *The Quarterly Journal of Economics*, 129(4), 1553-1623.

perpetuated by the institutional features that shape that community. Simply stated, Chetty’s work supports the timely efforts to address inequity through municipal government.

What is Equity

Providing some “clarity” around the concept of equity is a key objective of this addendum. Equity can be difficult to define, and consequently, difficult to adopt. One key challenge is that policymakers, administrators, and community members often have differing ideas about what equity means and what its implications are. Thus, having agreement on the definition of equity is an important starting point for local government leaders and public managers. This addendum to the Model City Charter offers some insights into the concept of equity by: (1) contrasting equity with equality, (2) describing some ways in which the term can be operationalized in practice, and (3) moving beyond the “what” of equity to the “where.”

Equity vs. Equality

A useful first step in defining equity is to distinguish it from equality. The terms equity and equality are often used interchangeably; however, they differ in important ways. Equality is typically defined as treating everyone the same and giving everyone access to the same opportunities. In contrast, equity is about fairness. It recognizes that some groups face barriers to opportunities that others may not face. Thus, to achieve equity, policies and procedures may result in an “unequal” distribution of resources. Individuals are given more, or less, or different resources depending on their needs so that each can have fair access and a fair opportunity to watch the game. Drawing on this idea of fairness, the National Academy of Public Administration defined “equity” as:

The fair, just and equitable management of all institutions serving the public directly or by contract; the fair, just and equitable distribution of public services and implementation of public policy; and the commitment to promote fairness, justice, and equity in the formation of public policy.

Operationalizing Equity

While this general definition—with its focus on fairness—may be helpful in shaping initial messaging about equity and conversations about advancing the pursuit of equity, it can be difficult to operationalize, especially in a governmental context and may be limiting for administrators implementing equity at the programmatic level. Thus, a more precise and concrete operation definition—one that provides instructions or descriptions of sets of actions, processes, or activities that are designed to link concepts to magnitudes of the world—is needed.

As Brandi Blessett, Marc Fudge, and Tia Sheree Gaynor have noted, the fairness-oriented approach to defining equity can (and should) be refined to advance operational efforts. In particular, they define equity in public administration as:

...policy formulation and implementation, public management practices, the provision of public goods and services, and administrator/resident interactions that reduce (and

ultimately eliminate) disparity, marginalization, and discrimination while increasing social and political inclusion.¹⁷

This definition intentionally avoids terms that are difficult to measure like “fairness” and does not support an ideology grounded within equality. It does, however, incorporate measurable concepts like disparity, discrimination, marginalization, and inclusion.

What vs. Where of Equity

To understand how these concepts are operationalized and transformed into activities and programs, it is useful to review the “what” and “where” of social equity by mapping equity to four programmatic objectives: access, quality, procedural fairness, and outcomes.

Access: Evaluate the extent to which public services and benefits are available to all. Example: Are public meetings held at a time when the public can attend? Is location easy to get to via car, bicycle, or public transit? Are childcare or child-friendly facilities provided? Are there multiple ways for residents to engage?

Quality: Assess the level of consistency in public service delivery to different groups and individuals. Example: Are first responder response times equivalent in all neighborhoods within the jurisdiction?

Procedural fairness: Examine problems in due process, equal protection, public engagement in decision-making, and eligibility criteria for services, public policies, and programs. Example: Is the city issuing warnings for code compliance before issuing citations, thus giving standard times for corrections and responses? Is this process written down for the public to see?

Outcomes: Assess the degree to which policies and programs have the same or disparate impacts on groups and individuals. Example: Do all areas of the community have food access (defined as living over a mile from a large grocery store if in an urban area or over ten miles from a large grocery store if in a rural area)?

As public managers, elected officials, and community members move from the broader definition of equity to its more operational form, the picture of inequity may become clearer. Equity-minded public officials should be able communicate what equity looks like within their communities. The definition—and subsequent operationalization—of equity described above is an important step in that regard.

In efforts to operationalize the values of equity in city operations, it helps to have common understanding of the words that are often used in relation to equity. The City of Mesa, Arizona developed the following glossary.

Glossary

Accessible: A person with a disability is afforded the opportunity to acquire the same information, engage in the same interactions, and enjoy the same services as a person without a disability in an equally effective and integrated manner.

Bias: Prejudice toward one group and its members relative to another group.

¹⁷ Blessett, B., Fudge, M., & Gaynor, T.S. (2017). Moving from Theory to Practice: An Evaluative Assessment of Social Equity Approaches. Submitted to Center for Accountability and Performance and National Academy for Public Administration’s Standing Panel on Social Equity in Governance.

Public Engagement: Active, intentional dialogue between community members and public decision makers.

Discrimination: Unfavorable or unfair treatment toward an individual or group based on the groups, classes, or other categories to which they are perceived to belong.

Diversity: Psychological, physical, and social differences that occur among all individuals. A diverse group, community or organization is one in which a variety of physical, social, and cultural characteristics exist.

Ethics: Moral principles that govern behavior or the conducting of an activity, practice, or policy.

Ethnicity: A social group that shares a common and distinctive culture, religion, language, ancestry, nation, history, and/or traditions.

Equality: The right of different groups of people to receive the same treatment.

Equity: Fairness and justice, especially pertaining to rights and protection under the law. The guarantee of fair treatment, access, opportunity, and advancement while striving to identify and eliminate barriers that prevent the full participation of some groups.

Equity Officer: An executive position that is responsible for providing strategic direction to ensure that equity, equality, and equal access and opportunity is established, maintained, and fostered throughout the organization.

Harassment: Unwelcome, intimidating, or hostile behavior.

Inclusion: The practice or policy of providing equal access to opportunities and resources for people who might otherwise be excluded.

Implicit Bias: Inclinations in judgment or behavior that operate below the conscious level and without intentional control.

Institutional Racism: Policies, practices, and procedures as part of the way an organization or society operates that result in and support a continued unfair advantage or harmful treatment to others based on race.

Justice: Fair, impartial, and moral treatment of people.

Marginalization: A person, group, or concept treated as insignificant or placed in a position of little or no importance, influence, or power.

Race: A grouping of human beings based on a shared geographic dispersion, common history, nationality, ethnicity, or genealogical lineage. Race is also defined as a grouping of human beings determined by distinct physical characteristics that are genetically transmitted.

Racism: Individual and/or institutional practices, behaviors, rules, policies, and so forth that result in a continued unfair advantage for some and unfair or harmful treatment of others based on race.

Socioeconomic Class: Social group based on a combination of factors including income, education level, occupation, and social status in the community.

Tolerance: Recognition and respect of values, beliefs, and behaviors that differ from one's own.

Underserved: People and places that historically and/or currently have not had equitable resources or access to services.

Using the Ninth Edition of the Model City Charter

The Ninth Edition of the Model City Charter was the result of a year-long review and revision process with sharpened focus on equity and inclusive public engagement. The Social Equity Working Group of the Charter Revision Project examined the entire document through an equity lens and developed new language to be interspersed throughout the ninth edition. For instance,

- Article III (City Managers) was revised to underscore the manager’s role in promoting social equity throughout the organization.
- Article IV (Departments, Offices, and Agencies) now includes language on “adopting an equity lens to reshape decisions and activities, including the sections on personnel, land use, development and environmental planning.”
- Article V (Budgets) emphasizes the importance of reflecting social equity in performance assessments and access to services.
- A new section, Article VII (The Role of Public Engagement in Local Governance), states that “principles of justice, equity, diversity, and inclusion” should guide the execution of public engagement activities, in a variety of ways, including outreach, evaluation, and process design.
- The Mayors and Councilmembers Working Group recommended changes to Article VI (Elections) to ensure elected offices are fully representative of the community.

Of course, many cities have already made progress in implementing social equity practices in their agencies and community affairs, though they may not have reflected social equity as a value in their charter. We certainly support the creation of ordinances, policies, rules, guidelines and offices to advance equity, much of which may not be described in the charter. At the same time, for equity to become a long-term value reflected in all city processes, we encourage consideration of the measures outlined above as part of the city’s charter.

Finally, it is important to note that equity may be defined and implemented in a variety of ways, based on the particular characteristics and interests of a community. It is important, therefore, that work to create equity be driven by an inclusive community engagement process to gather insights and direction from the community itself. Many of the resources below start with this process in mind and remind us that the definition of equity should reflect the perceptions of those affected.

Additional Resources

“[The Basics of Equity in Budgeting](#),” Government Finance Officers Association.

“[Racial Equity: Getting to Results](#),” Government Alliance on Racial Equity.

“[Governing for Equity: Implementing an Equity Lens in Local Government](#),” International City/County Management Association.

“[Advancing Racial Equity in Your City: Municipal Action Guide](#),” National League of Cities

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- Robert O'Neill, former Executive Director, International City/County Management Association
- Martha Perego, Director, Membership Services and Ethics, International City/County Management Association
- James Svava, Senior Fellow, School of Government, University of North Carolina at Chapel Hill
- Mark Washington, City Manager, Grand Rapids, Michigan
- Chuck Thompson, Executive Director, International Municipal Lawyers Association

Model City Charter Revision Working Groups

City Managers/Operations/Finance

- James Fisher, City of Brenham, Texas
- Jason Grant, International City/County Management Association
- Kimberly Nelson, University of North Carolina
- Lee R. Feldman, City of Gainesville, Florida
- Peggy Merriss, City of Sandy Springs, Georgia
- Ron Holifield, SGR
- Randall Reid, International City/County Management Association
- Shayne Kavanagh, Government Finance Officers Association
- Zach Walker, City of Independence, Missouri

Community Members/Public Engagement

- Terry Amsler, Indiana University Bloomington
- Albert Dzur, Bowling Green State University

- Teresa Gerton, National Academy of Public Administration
- Mike Huggins, Public Work Academy
- Matt Leighninger, National Conference on Citizenship
- Margaret Stout, West Virginia University
- Wendy Willis, Oregon's Kitchen Table

Legal Issues/City Attorneys/Home Rule

- Chris Balch, City of Brookhaven, Georgia
- Nestor Davidson, Fordham Law School
- William Scheiderich, City of Beaverton, Oregon
- Philip Strom, City of Grand Rapids, Michigan
- Chuck Thompson, International Municipal Lawyers Association
- Kevin Toskey, League of Minnesota Cities
- Will Trevino, Messer, Fort & McDonald

Mayors/City Councils

- Anthony Santiago, Institute for Youth, Education and Families, National League of Cities
- Christine Sederquist, City of Leander, Texas
- Doug Linkhart, National Civic League
- Hon Ronald Loveridge, Center for Sustainable Suburban Development, University of California, Riverside.
- James Svara, University of North Carolina
- John Nalbandian, University of Kansas
- Hon. Patti Garrett, City of Decatur, Georgia
- Tony Peyton, CE&S Foundation

Social Equity Working Group

- Brandi Blessett, University of Cincinnati
- Tom Carroll, Village of Silverton, Ohio
- Teresa Gerton, National Academy of Public Administration
- Benoy Jacob, University of Wisconsin
- Derek Okubo, City and County of Denver
- Tina Nabatchi, Syracuse University

The Ninth Edition

The Model City Charter is used by hundreds of cities to guide their charter language and governance structure. First published in 1900, this is the first full revision of the document since 2000, and includes new language and recommendations in the following areas:

- **Equity:** The Model discusses the need for social equity and contains a separate section on infusing equity into charters as well as other city operational structures.
- **Public Engagement:** The new edition stresses the importance of community engagement and how these principles can be reflected both in a city's charter and in other structures.
- **Mayors:** The document emphasizes the important facilitative roles of the mayor in helping the city council and manager to work together to set goals and work with the community on implementation.
- **City Councils:** The importance of the city council's relationship to the city manager is emphasized, to include hiring and regular evaluation.
- **Elections:** This new edition encourages the direct election of mayors and discusses options for council representation and election timing.

Many thanks to the Murray and Agnes Seasongood Good Government Foundation for their support and to the many individuals and organizations that made this possible, which are listed at the back of the document.

We encourage you to view and use the Model City Charter online at www.ncl.org, where the full text and links to related documents can be found.

[Learn about the **All-America City Award**](#)[BECOME A MEMBER](#)[Sign In](#)[OUR WORK ▾](#)
[SUPPORT ▾](#)[EVENTS & PROGRAMS ▾](#)[RESOURCES ▾](#)[ABOUT ▾](#)

MEMBERSHIP

Support Our Work. Become Part of a Broad Network of Government, Civic and Business Leaders

- ✓ Providing resources – **strategic planning support, cutting-edge research, planning tools and resources** – for supporting and celebrating communities.
- ✓ Informing on promising practices, inspirational examples of innovative community change and the **chance to connect with a network of the country's most effective local leaders.**
- ✓ Helping members build stronger, more engaged communities. **The League is now providing a free community engagement consultations to members.**
- ✓ Working to engage residents in **developing innovative solutions to tough problems.** Awards, grants, events and community assistance services help members thrive.

Racial Profiling Analysis Report

LA MARQUE POLICE DEPT.

01. Total Traffic Stops:	953	
02. Location of Stop:		
a. City Street	633	66.42%
b. US Highway	55	5.77%
c. County Road	32	3.36%
d. State Highway	76	7.97%
e. Private Property or Other	157	16.47%
03. Was Race known prior to Stop:		
a. NO	893	93.70%
b. YES	60	6.30%
04. Race or Ethnicity:		
a. Alaska/ Native American/ Indian	2	0.21%
b. Asian/ Pacific Islander	9	0.94%
c. Black	423	44.39%
d. White	377	39.56%
e. Hispanic/ Latino	142	14.90%
05. Gender:		
a. Female	371	38.93%
i. Alaska/ Native American/ Indian	1	0.10%
ii. Asian/ Pacific Islander	2	0.21%
iii. Black	173	18.15%
iv. White	144	15.11%
v. Hispanic/ Latino	51	5.35%
b. Male	582	61.07%
i. Alaska/ Native American/ Indian	1	0.10%
ii. Asian/ Pacific Islander	7	0.73%
iii. Black	250	26.23%
iv. White	233	24.45%
v. Hispanic/ Latino	91	9.55%
06. Reason for Stop:		
a. Violation of Law	266	27.91%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%

Racial Profiling Analysis Report

iii. Black	129	48.50%
iv. White	99	37.22%
v. Hispanic/ Latino	38	14.29%
b. Pre-Existing Knowledge	40	4.20%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	16	40.00%
iv. White	16	40.00%
v. Hispanic/ Latino	8	20.00%
c. Moving Traffic Violation	404	42.39%
i. Alaska/ Native American/ Indian	2	0.50%
ii. Asian/ Pacific Islander	8	1.98%
iii. Black	162	40.10%
iv. White	176	43.56%
v. Hispanic/ Latino	56	13.86%
d. Vehicle Traffic Violation	243	25.50%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	1	0.41%
iii. Black	116	47.74%
iv. White	86	35.39%
v. Hispanic/ Latino	40	16.46%
07. Was a Search Conducted:		
a. NO	876	91.92%
i. Alaska/ Native American/ Indian	2	0.23%
ii. Asian/ Pacific Islander	9	1.03%
iii. Black	382	43.61%
iv. White	356	40.64%
v. Hispanic/ Latino	127	14.50%
b. YES	77	8.08%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	41	53.25%
iv. White	21	27.27%
v. Hispanic/ Latino	15	19.48%
08. Reason for Search:		
a. Consent	21	2.20%

Racial Profiling Analysis Report

i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	12	57.14%
iv. White	7	33.33%
v. Hispanic/ Latino	2	9.52%
b. Contraband in Plain View	2	0.21%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	2	100.00%
iv. White	0	0.00%
v. Hispanic/ Latino	0	0.00%
c. Probable Cause	20	2.10%
ii. Alaska/ Native American/ Indian	0	0.00%
i. Asian/ Pacific Islander	0	0.00%
iii. Black	14	70.00%
iv. White	3	15.00%
v. Hispanic/ Latino	3	15.00%
d. Inventory	6	0.63%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	1	16.67%
iv. White	1	16.67%
v. Hispanic/ Latino	4	66.67%
e. Incident to Arrest	28	2.94%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	12	42.86%
iv. White	7	25.00%
v. Hispanic/ Latino	9	32.14%
09. Was Contraband Discovered:		
YES	30	3.15%
i. Alaska/ Native American/ Indian	0	0.00%
Finding resulted in arrest - YES	0	
Finding resulted in arrest - NO	0	
ii. Asian/ Pacific Islander	0	0.00%
Finding resulted in arrest - YES	0	
Finding resulted in arrest - NO	0	
iii. Black	18	60.00%

Racial Profiling Analysis Report

Finding resulted in arrest - YES	4	
Finding resulted in arrest - NO	14	
iv. White	7	23.33%
Finding resulted in arrest - YES	0	
Finding resulted in arrest - NO	7	
v. Hispanic/ Latino	5	16.67%
Finding resulted in arrest - YES	2	
Finding resulted in arrest - NO	3	
b. NO	47	4.93%
i. Alaska/ Native American/ Indian	0	0.00%
i. Asian/ Pacific Islander	0	0.00%
iii. Black	23	48.94%
iv. White	14	29.79%
v. Hispanic/ Latino	10	21.28%
10. Description of Contraband:		
a. Drugs	14	1.47%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	8	57.14%
iv. White	3	21.43%
v. Hispanic/ Latino	3	21.43%
b. Currency	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
c. Weapons	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
d. Alcohol	3	0.31%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	1	33.33%
iv. White	2	66.67%

Racial Profiling Analysis Report

v. Hispanic/ Latino	0	0.00%
e. Stolen Property	2	0.21%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	2	100.00%
iv. White	0	0.00%
v. Hispanic/ Latino	0	0.00%
f. Other	13	1.36%
i. Alaska/ Native American/ Indian	0	0.00%
i. Asian/ Pacific Islander	0	0.00%
iii. Black	9	69.23%
iv. White	2	15.38%
v. Hispanic/ Latino	2	15.38%
11. Result of Stop:		
a. Verbal Warning	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
b. Written Warning	246	25.81%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	8	3.25%
iii. Black	100	40.65%
iv. White	94	38.21%
v. Hispanic/ Latino	44	17.89%
c. Citation	646	67.79%
i. Alaska/ Native American/ Indian	2	0.31%
ii. Asian/ Pacific Islander	1	0.15%
iii. Black	294	45.51%
iv. White	261	40.40%
v. Hispanic/ Latino	88	13.62%
d. Written Warning and Arrest	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	

Racial Profiling Analysis Report

e. Citation and Arrest	61	6.40%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	29	47.54%
iv. White	22	36.07%
v. Hispanic/ Latino	10	16.39%
f. Arrest	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
12. Arrest Based On:		
a. Violation of Penal Code	29	3.04%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	15	51.72%
iv. White	9	31.03%
v. Hispanic/ Latino	5	17.24%
b. Violation of Traffic Law	25	2.62%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	10	40.00%
iv. White	10	40.00%
v. Hispanic/ Latino	5	20.00%
c. Violation of City Ordinance	6	0.63%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	3	50.00%
iv. White	3	50.00%
v. Hispanic/ Latino	0	0.00%
d. Outstanding Warrant	1	0.10%
i. Alaska/ Native American/ Indian	0	0.00%
ii. Asian/ Pacific Islander	0	0.00%
iii. Black	1	100.00%
iv. White	0	0.00%
v. Hispanic/ Latino	0	0.00%

Racial Profiling Analysis Report

13. Was Physical Force Used:

a. NO	953	100.00%
i. Alaska/ Native American/ Indian	2	0.21%
ii. Asian/ Pacific Islander	9	0.94%
iii. Black	423	44.39%
iv. White	377	39.56%
v. Hispanic/ Latino	142	14.90%
b. YES	0	0.00%
i. Alaska/ Native American/ Indian	0	
ii. Asian/ Pacific Islander	0	
iii. Black	0	
iv. White	0	
v. Hispanic/ Latino	0	
b 1. YES: Physical Force Resulting in Bodily Injury to Suspect	0	
b 2. YES: Physical Force Resulting in Bodily Injury to Officer	0	
b 3. YES: Physical Force Resulting in Bodily Injury to Both	0	

14. Total Number of Racial Profiling Complaints Received:

2

REPORT DATE COMPILED 02/23/2022

Racial Profiling Report | Full

Agency Name: LA MARQUE POLICE DEPT.
Reporting Date: 02/23/2022
TCOLE Agency Number: 167207

Chief Administrator: GEOFFREY I. PRICE

Agency Contact Information:
Phone: (409) 938-9269
Email: g.price@cityoflamarque.org

Mailing Address:
431 BAYOU RD.
LA MARQUE, TX 77568

This Agency filed a full report

LA MARQUE POLICE DEPT. has adopted a detailed written policy on racial profiling. Our policy:

- 1) clearly defines acts constituting racial profiling;
- 2) strictly prohibits peace officers employed by the LA MARQUE POLICE DEPT. from engaging in racial profiling;
- 3) implements a process by which an individual may file a complaint with the LA MARQUE POLICE DEPT. if the individual believes that a peace officer employed by the LA MARQUE POLICE DEPT. has engaged in racial profiling with respect to the individual;
- 4) provides public education relating to the agency's complaint process;
- 5) requires appropriate corrective action to be taken against a peace officer employed by the LA MARQUE POLICE DEPT. who, after an investigation, is shown to have engaged in racial profiling in violation of the LA MARQUE POLICE DEPT. policy;
- 6) requires collection of information relating to motor vehicle stops in which a warning or citation is issued and to arrests made as a result of those stops, including information relating to:
 - a. the race or ethnicity of the individual detained;
 - b. whether a search was conducted and, if so, whether the individual detained consented to the search;
 - c. whether the peace officer knew the race or ethnicity of the individual detained before detaining that individual;
 - d. whether the peace officer used physical force that resulted in bodily injury during the stop;
 - e. the location of the stop;
 - f. the reason for the stop.
- 7) requires the chief administrator of the agency, regardless of whether the administrator is elected, employed, or appointed, to submit an annual report of the information collected under Subdivision (6) to:
 - a. the Commission on Law Enforcement; and
 - b. the governing body of each county or municipality served by the agency, if the agency is an agency of a county, municipality, or other political subdivision of the state.

The LA MARQUE POLICE DEPT. has satisfied the statutory data audit requirements as prescribed in Article 2.133

(c), Code of Criminal Procedure during the reporting period.

Executed by: GEOFFREY I. PRICE
Lieutenant

Date: 02/23/2022

Total stops: 953

Street address or approximate location of the stop

City street	633
US highway	55
County road	32
State highway	76
Private property or other	157

Was race or ethnicity known prior to stop?

Yes	60
No	893

Race / Ethnicity

Alaska Native / American Indian	2
Asian / Pacific Islander	9
Black	423
White	377
Hispanic / Latino	142

Gender

Female	371
Alaska Native / American Indian	1
Asian / Pacific Islander	2
Black	173
White	144
Hispanic / Latino	51
Male	582
Alaska Native / American Indian	1
Asian / Pacific Islander	7
Black	250
White	233
Hispanic / Latino	91

Reason for stop?

Violation of law	266
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	129
White	99

Hispanic / Latino	38
Preexisting knowledge	40
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	16
White	16
Hispanic / Latino	8
Moving traffic violation	404
Alaska Native / American Indian	2
Asian / Pacific Islander	8
Black	162
White	176
Hispanic / Latino	56
Vehicle traffic violation	243
Alaska Native / American Indian	0
Asian / Pacific Islander	1
Black	116
White	86
Hispanic / Latino	40
Was a search conducted?	
Yes	77
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	41
White	21
Hispanic / Latino	15
No	876
Alaska Native / American Indian	2
Asian / Pacific Islander	9
Black	382
White	356
Hispanic / Latino	127
Reason for Search?	
Consent	21
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	12
White	7

Hispanic / Latino	2				
Contraband	2				
Alaska Native / American Indian	0				
Asian / Pacific Islander	0				
Black	2				
White	0				
Hispanic / Latino	0				
Probable	20				
Alaska Native / American Indian	0				
Asian / Pacific Islander	0				
Black	14				
White	3				
Hispanic / Latino	3				
Inventory	6				
Alaska Native / American Indian	0				
Asian / Pacific Islander	0				
Black	1				
White	1				
Hispanic / Latino	4				
Incident to arrest	28				
Alaska Native / American Indian	0				
Asian / Pacific Islander	0				
Black	12				
White	7				
Hispanic / Latino	9				
Was Contraband discovered?					
Yes	30				
		Did the finding result in arrest?			
		(total should equal previous column)			
Alaska Native / American Indian	0	Yes	0	No	0
Asian / Pacific Islander	0	Yes	0	No	0
Black	18	Yes	4	No	14
White	7	Yes	0	No	7
Hispanic / Latino	5	Yes	2	No	3
No	47				
Alaska Native / American Indian	0				
Asian / Pacific Islander	0				
Black	23				
White	14				
Hispanic / Latino	10				

Description of contraband	
Drugs	14
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	8
White	3
Hispanic / Latino	3
Weapons	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Currency	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Alcohol	3
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	2
Hispanic / Latino	0
Stolen property	2
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	2
White	0
Hispanic / Latino	0
Other	13
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	9
White	2
Hispanic / Latino	2
Result of the stop	
Verbal warning	0

Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Written warning	246
Alaska Native / American Indian	0
Asian / Pacific Islander	8
Black	100
White	94
Hispanic / Latino	44
Citation	646
Alaska Native / American Indian	2
Asian / Pacific Islander	1
Black	294
White	261
Hispanic / Latino	88
Written warning and arrest	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Citation and arrest	61
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	29
White	22
Hispanic / Latino	10
Arrest	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Arrest based on	
Violation of Penal Code	29
Alaska Native / American Indian	0
Asian / Pacific Islander	0

Black	15
White	9
Hispanic / Latino	5
Violation of Traffic Law	25
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	10
White	10
Hispanic / Latino	5
Violation of City Ordinance	6
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	3
White	3
Hispanic / Latino	0
Outstanding Warrant	1
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	1
White	0
Hispanic / Latino	0

Was physical force resulting in bodily injury used during stop?

Yes	0
Alaska Native / American Indian	0
Asian / Pacific Islander	0
Black	0
White	0
Hispanic / Latino	0
Resulting in Bodily Injury To:	
Suspect	0
Officer	0
Both	0
No	953
Alaska Native / American Indian	2
Asian / Pacific Islander	9
Black	423
White	377
Hispanic / Latino	142

Number of complaints of racial profiling

Total	2
Resulted in disciplinary action	0
Did not result in disciplinary action	2

Comparative Analysis

Use TCOLE's auto generated analysis	☒
Use Department's submitted analysis	☐

Optional Narrative

N/A

Submitted electronically to the



The Texas Commission on Law Enforcement



The Broadband Development Office (BDO) is the steward of

By early October 2022, the BDO expects to have the process ready for accepting applications and making initial financial awards.

NOT FULLY ALLOCATED

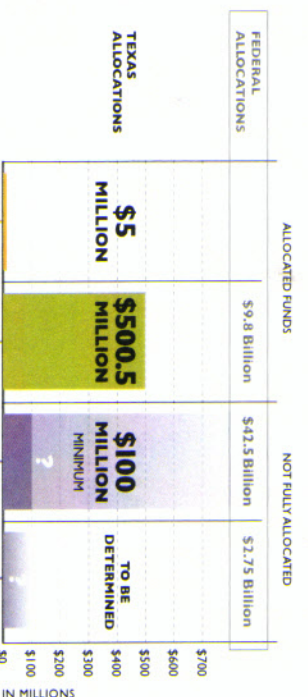
93-011 (2-22)



TEXAS BROADBAND
DEVELOPMENT OFFICE

FUNDING SOURCES

BroadbandForTexas.com



State General Revenue

- Senate Bill (SB) 1, Sec 18.01 - Contingency for House Bill 5, 87th Legislature, Regular Session.
- \$5 million for 2022-23 biennium appropriated to BDO.
- Develop and publish the state broadband plan, create the broadband development program, establish a broadband availability map and engage in stakeholder outreach.

American Rescue Plan Act - Coronavirus Capital Projects Fund

- Administered by U.S. Treasury.
- \$9.8 billion total federal funding to states, D.C. and Puerto Rico.
- \$500.5 million allocated to Texas, appropriated to BDO by Legislature (SB 8, 87th Legislature, Third Called Session).
 - Of the total, \$75 million designated by state lawmakers for pole replacement.
- BDO successfully submitted an application to the U.S. Treasury to draw down the \$500.5 million for broadband deployment.
 - Guidance has been released by the U.S. Treasury for eligible projects and oversight requirements.
 - Uses include broadband infrastructure projects, digital connectivity technology projects and multi-purpose community facility projects.
 - For infrastructure that meets or exceeds 100 Mbps download/100 Mbps upload. If not practical, speeds can be as low as 100/20.
- Next steps include developing and submitting a grant plan to Treasury for approval by Sept. 26, 2022.
- Match not required.
- Administrative funds not to exceed 5% of total allotment.
- All funds must be expended by Dec. 31, 2026.

Infrastructure Investment and Jobs Act (IIJA) - Broadband Equity, Access and Deployment Program (BEAD)

- \$65 billion in federal funding for national broadband initiatives includes the Broadband Equity, Access and Deployment Program (BEAD).
- Objective: Close the availability gap in broadband access.
- Administered by the National Telecommunications and Information Administration (NTIA) within the U.S. Department of Commerce.
- \$42.5 billion total grants to states, territories, D.C. and Puerto Rico.
 - At least \$100 million to every state, including Texas.
- Total Texas allocation not yet known.
 - Further allocations to be determined by new Federal Communications Commission maps (estimated completion mid-2022).
- States must have enforceable plans to address all unserved areas before funding deployment projects in underserved areas. After both unserved and underserved areas are addressed, states may use funds for anchor institution projects.
- Required to offer a low-cost plan to eligible subscribers (to be determined by NTIA).
- Predeployment and planning expenses cannot exceed 5% of minimum allotment.
- Administrative funds not to exceed 2% of total allotment.
- Match requirement: Eligible entities must ensure that they or a subgrantee provide at least 25% match (unless in high-cost areas or special cases where a waiver is granted by NTIA).
- Applications projected to be due from the state to NTIA in second quarter of 2022.
- States will be issued funds for predeployment and planning after the Notice of Funding Opportunity from NTIA is released in May and states submit a letter of intent.
- Each state will develop and submit a 5-year plan on how they intend to deploy their BEAD funds to expand broadband.

IIJA - The Digital Equity Act

- The \$65 billion in IIJA funding for national broadband initiatives also includes the Digital Equity Act.
- Objective: Support the closure of the digital divide by expanding access to digital devices and digital training in underserved communities.
- Administered by NTIA.
- \$2.75 billion funding pool.
- Total Texas allocation not yet known.
- Requires designation from the governor.
- States will have the ability to develop a digital equity plan.
- Two of three programs are available to states:
 - State Digital Equity Planning Grants, \$60 million total.
 - State Digital Equity Capacity Grants, \$1.44 billion funding pool.
- (States not eligible for Digital Equity Competitive Grant Program, \$1.25 billion funding pool.)



CITY COUNCIL AGENDA FORM

Meeting Date: March 14, 2022

Agenda item: 9a

Prepared by: Kierra Nance

Reviewed by: G. Galicia

Department: Mayor & City
Council

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



ATTACHMENTS FOR REFERENCE

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

STAFF BRIEFING:

Appointments and reappointments have been on the City Council agenda and a few vacancies have occurred within this time period that are critical to have full boards / commissions present to conduct business

- **MAYOR** - Building Standards (1 + Alt), Cemetery (1), TIRZ (1)
- **DISTRICT A** -
- **DISTRICT B** - Building Standards (1), Cemetery (1), Charter Review (Alt), Keep La Marque Beautiful (1), Planning & Zoning (1)
- **DISTRICT C** - Board of Adjustments (Alt), Charter Review (Alt),
- **DISTRICT D** - Building Standards (1), Charter Review (Alt), Keep La Marque Beautiful (1), Planning & Zoning (1)
- **CITY MANAGER** - Civil Service (1)

HISTORY:

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

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

SIGNIFICANT ACTION DATES:

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



CITY COUNCIL AGENDA FORM

ACTION:

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

Cost Details:

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

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

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

Boards & Commissions

Board/ Commission	Position	Name	Appointed By	Appointment	Expiration	Need Reappointment
ADJUSTMENTS (953)	Member	Helen Kee	D	21	23	N
ADJUSTMENTS (953)	Chairperson	David Pennington	C	20	22	N
ADJUSTMENTS (953)	Member	Alexa Cross (U)	A	22	23	N
ADJUSTMENTS (953)	Member	Crystal Cooper (U)	M	21	22	N
ADJUSTMENTS (953)	Member	Lois M. Jones	B	22	23	Y
ADJUSTMENTS (953)	Alternate	Shelia Brown	D	21	23	N
ADJUSTMENTS (953)	Alternate	VACANT (E)	C	20	22	N
ADJUSTMENTS (953)	EX-OFFICIO	OPEN				
BUILDING STANDARDS (449)	Member	Maggie Manuel	C	20	23	N
BUILDING STANDARDS (449)	Member	Kaleb Smith	D	19	21	Y
BUILDING STANDARDS (449)	Member	Diane Winston	B	19	21	Y
BUILDING STANDARDS (449)	Member	VACANT (U)	M	20	22	N
BUILDING STANDARDS (449)	Member	Billy Jefferson	A	20	22	N
BUILDING STANDARDS (449)	Alternate	Delon Delafosse	A	20	22	N
BUILDING STANDARDS (449)	Alternate	Daniel Brown	M	21	23	N
BUILDING STANDARDS (449)	Alternate	VACANT (U)	M	21	23	N
BUILDING STANDARDS (449)	EX-OFFICIO	DISTRICT A				
CEMETERY (1033)	Member	Eligh Johnson (U)	A	21	22	N

Boards & Commissions

Board/ Commission	Position	Name	Appointed By	Appointment	Expiration	Need Reappointment
CEMETERY (1033)	Member	Joel Camacho	C	22	24	N
CEMETERY (1033)	Member	Kurt Koopman	B	18	20	Y
CEMETERY (1033)	Chairperson	Bim Crowder	D	22	23	Y
CEMETERY (1033)	Member	Vacant (E)	M	20	21	Y
CEMETERY (1033)	EX-OFFICIO	OPEN				
CIVIL SERVICE (821)	Member	Lucy Glenn	CM	19	22	N
CIVIL SERVICE (821)	Member	Morris Martin, Jr.	CM	18	21	Y
CIVIL SERVICE (821)	Member	Samuel Swain (U)	CM	20	23	N
CIVIL SERVICE (821)	EX-OFFICIO	Patty Rees				
CHARTER REVIEW	Member	James Osteen	M			
CHARTER REVIEW	Member	Valry Allen	A			
CHARTER REVIEW	Member	Laura Divine	B			
CHARTER REVIEW	Member	Sally Austin	C			
CHARTER REVIEW	Member	Antinell Martin	D			
CHARTER REVIEW	Alternate	David Pennington	M			
CHARTER REVIEW	Alternate	Re'Chard loftis	A			
CHARTER REVIEW	Alternate	Vacant	B			
CHARTER REVIEW	Alternate	Vacant	C			

Boards & Commissions

Board/ Commission	Position	Name	Appointed By	Appointment	Expiration	Need Reappointment
CHARTER REVIEW	Alternate	Vacant	D			
ECONOMIC DEVELOPMENT (695)	Chairperson	Ron Crowder	C	20	26	N
ECONOMIC DEVELOPMENT (695)	Member	Gene Smith	M	18	24	N
ECONOMIC DEVELOPMENT (695)	Member	Cleveland Lane (U)	A	20	22	N
ECONOMIC DEVELOPMENT (695)	Member	Bobby Hocking	B	19	25	N
ECONOMIC DEVELOPMENT (695)	Member	Tracie Steans	D	20	26	N
ECONOMIC DEVELOPMENT (695)	EX-OFFICIO	MAYOR				
KEEP LA MARQUE BEAUTIFUL (2017-0021)	Member	VACANT	B	19	21	Y
KEEP LA MARQUE BEAUTIFUL (2017-0021)	Member	VACANT (U)	D	21	23	N
KEEP LA MARQUE BEAUTIFUL (2017-0021)	Member	Re'Chard loftis (E)	A	21	22	N
KEEP LA MARQUE BEAUTIFUL (2017-0021)	Member	Terry Pettijohn	M	20	22	N
KEEP LA MARQUE BEAUTIFUL (2017-0021)	Member	Kathy Herrin	B	22	23	Y
KEEP LA MARQUE BEAUTIFUL (2017-0021)	Member	Lyndsay Gonzales (U)	M	22	23	N
KEEP LA MARQUE BEAUTIFUL (2017-0021)	Member	Kimberly Hall (U)	C	22	23	Y
KEEP LA MARQUE BEAUTIFUL (2017-0021)	Member	Ashley Gooden	D	21	23	N
KEEP LA MARQUE BEAUTIFUL (2017-0021)	EX-OFFICIO	DISTRICT D				
PARKS (758)	Member	Greg Cornett	C	21	23	Y
PARKS (758)	Member	Tamara Smith	B	20	22	N

Boards & Commissions

Board/ Commission	Position	Name	Appointed By	Appointment	Expiration	Need Reappointment
PARKS (758)	Chairperson	Michael Bock	M	21	23	N
PARKS (758)	Member	Bo Hunter	A	20	22	N
PARKS (758)	Member	Mike Wev	M	21	23	N
PARKS (758)	Member	Larry Walker	D	21	23	N
PARKS (758)	Member	Herbert Franklin	A	20	22	N
PARKS (758)	Member	Tonia Griffin	M	20	22	N
PARKS (758)	EX-OFFICIO	DISTRICT B				
PLANNING & ZONING (2014-0023)	Member	Augustino Molis	A	20	22	N
PLANNING & ZONING (2014-0023)	Member	Alan Waters	B	19	21	Y
PLANNING & ZONING (2014-0023)	Member	Robert Stevenson	C	22	23	N
PLANNING & ZONING (2014-0023)	Member	Chris Columbo	M	20	22	N
PLANNING & ZONING (2014-0023)	Member	VACANT	D	19	21	Y
PLANNING & ZONING (2014-0023)	Alternate	Grayling Alexander (U)	A	22	23	N
PLANNING & ZONING (2014-0023)	Alternate	VACANT	B	19	22	N
PLANNING & ZONING (2014-0023)	EX-OFFICIO	DISTRICT C				
TIRZ (2019-002)	Member	Alan Waters	ST. SEN	20		N
TIRZ (2019-002)	Member	Patty Shippley	ST. REP	20		N
TIRZ (2019-002)	Chairperson	VACANT	M	20	22	N

Boards & Commissions

Board/ Commission	Position	Name	Appointed By	Appointment	Expiration	Need Reappointment
TIRZ (2019-002)	Member	Darlene Barnes	M	20	22	N
TIRZ (2019-002)	Member	Doug Boudoin	M	20	22	N
TIRZ (2019-002)	Member	Cheryl Farrell	M	20	22	N
TIRZ (2019-002)	Member	Kim Cavarretta	M	20	22	N
TIRZ (2019-002)	Member	Al Horcica	M	20	22	N
TIRZ (2019-002)	Member	VACANT	M	20	22	N



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

City Council will review applicants interested in serving on a City Board and/or City Commission. Information disclosed on this application may be subject to disclosure under the Public Information Act.

Please type or print information:

Name: BRADLEY JAY STEPHENSON

Home Address: 2603 MEADOW LN

City: LA MARQUE Zip: 77568 (must be a La Marque resident at least 12 months)- unless applying for membership to the Planning and Zoning Commission which requires -

Must provide two (2) forms of residency authentication: Resident Authentication provided:

(1) TEXAS DL - (2) TEXAS AUTO INSURANCE

Home Telephone: N/A Cell: 409.739.8323 E-mail: bsteph9360@yahoo.com

Board Preference 1: PLANNING & ZONING

Board Preference 2: N/A

Profession: RETIRED ESTIMATOR (INDUSTRIAL CONSTRUCTION)

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

40 YEARS EXPERIENCE WITH RULES/SPECIFICATIONS

Other Information (Civic Activities): N/A

I certify under penalty of perjury that the foregoing information is true and correct.

Signature: Bradley Jay Stephenson Date: 11/9/2021

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

Robin Eldridge

From: noreply@civicplus.com
Sent: Monday, August 23, 2021 6:28 PM
To: Robin Eldridge
Subject: Online Form Submittal: CANDIDATE APPLICATION FORM FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS

CANDIDATE APPLICATION FORM FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS

Board Preference 1	Keep La Marque Beautiful Commission
Board Preference 2:	Parks Board
First Name	Sarah
Last Name	Dougherty
Address1	2503 CEDAR DR
Address2	Apt, suite, floor, etc.
City	La Marque
State	TX
Zip	77568-3917
Are you a resident of La Marque?	Yes
Phone Number	4097951366
Profession	Vice CEO at Six Brothers Concrete Pumping

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

I am aware of Code of Ordinances, and if I do not know, I will
find out. I also get a long with everyone, and I enjoy making
others smile.

Other Civic Activities:

Voting, volunteering, and giving back.

Disclaimer

I understand and agree,

Disclaimer

I understand and agree.

Today's Date

8/23/2021 6:30 PM

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

Robin Eldridge

From: noreply@civicplus.com
Sent: Wednesday, June 2, 2021 9:24 PM
To: Robin Eldridge
Subject: Online Form Submittal: CANDIDATE APPLICATION FORM FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS

CANDIDATE APPLICATION FORM FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS

Board Preference 1 Planning & Zoning Commission

Board Preference 2: Civil Service Commission

First Name christopher

Last Name ovalle

Address1 2401 BELUCHE DR

Address2 2307 59th street

City Galveston

State TX

Zip 77551

Are you a resident of La
Marque? No

Phone Number 4096827658

Profession Security

Special Knowledge or Experience applicable to City Board/Commission function:	i have a lot of experince
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Other Civic Activities:	anything and everything
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Disclaimer	I understand and agree,
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Disclaimer	I understand and agree.
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Today's Date	6/2/2021 9:30 PM
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Robin Eldridge

From: noreply@civicplus.com
Sent: Wednesday, May 5, 2021 10:19 AM
To: Robin Eldridge
Subject: Online Form Submittal: CANDIDATE APPLICATION FORM FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS

CANDIDATE APPLICATION FORM FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS

Board Preference 1	Parks Board
Board Preference 2:	Keep La Marque Beautiful Commission
First Name	Grayling
Last Name	Alexander
Address1	623 Catalina Cove Lane
Address2	<i>Field not completed.</i>
City	La Marque
State	Texas
Zip	77568
Are you a resident of La Marque?	Yes
Phone Number	4095020192
Profession	Coordinator

Special Knowledge or Experience applicable to City Board/Commission function:	Director for non profit programs in Galveston County for over 25 years. Taught at both junior colleges and work with high risk youth and families in developing community based programs.
Other Civic Activities:	past President for YMCA, Boys and Girls Club, various youth base programs...
Disclaimer	I understand and agree,
Disclaimer	I understand and agree.
Today's Date	5/5/2021 10:15 AM

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

Robin Eldridge

From: noreply@civicplus.com
Sent: Tuesday, January 5, 2021 9:43 AM
To: Robin Eldridge
Subject: Online Form Submittal: CANDIDATE APPLICATION FORM FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS

CANDIDATE APPLICATION FORM FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS

Board Preference 1	Keep La Marque Beautiful Commission
Board Preference 2:	Board of Adjustment
First Name	Raushida
Last Name	Robinson
Address1	2306 Downey drive
Address2	<i>Field not completed.</i>
City	la marque
State	texas
Zip	77568
Are you a resident of La Marque?	Yes
Phone Number	3469019943
Profession	Vocational Guidance Specialist

Special Knowledge or Experience applicable to City Board/Commission function:	2020 City Council candidate, Community cleanup,
Other Civic Activities:	Community Development, Leadership, Volunteer deputy registrar (VDR)
Disclaimer	I understand and agree,
Disclaimer	I understand and agree.
Today's Date	1/5/2021 9:45 AM

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Robin Eldridge

From: noreply@civicplus.com
Sent: Friday, January 29, 2021 11:56 AM
To: Robin Eldridge
Subject: Online Form Submittal: CANDIDATE APPLICATION FORM FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS

Follow Up Flag: FollowUp
Flag Status: Flagged

CANDIDATE APPLICATION FORM FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS

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

Disclaimer	I understand and agree.
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Today's Date	1/29/2021 11:45 AM
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