



**CITY OF LA MARQUE
CITY COUNCIL
REGULAR AGENDA
of
July 22, 2024**

Notice is hereby given that the City Council of the City of La Marque, Texas will conduct a **Regular Meeting** on **JULY 22, 2024**, 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 (councilzoom.cityoflamarque.org)**. In accordance with Section 551.127(b) of the Texas Local Government Code the presiding officer and a quorum of the La Marque City Council 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, on Channel 16, and via YouTube (<https://www.youtube.com/watch?v=L6G8ypjyEDo>).

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
4. PRESENTATIONS
 - 4.I. Proclamation - Christopher "Chris" Colombo
 - 4.II. Presentation - Youth Advisory Council
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 (limited to three (3) minutes). If wishing to speak give the Mayor or presiding officer your full legal 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. PUBLIC HEARING

- 6.I. Texas Parks & Wildlife Local Parks Grant
Considering enhancements to Mahan Park, located within a 100-year floodplain

7. MINUTES

- 7.I. Council Retreat Minutes 06.25.2024
7.II. Special Joint Meeting Minutes 04.22.2024
7.III. Regular City Council Minutes 02.26.2024
7.IV. Special City Council Minutes 07.31.2023
7.V. Regular City Council Minutes 04.24.2023
7.VI. Special City Council Minutes 08.09.2022
7.VII. Regular City Council Minutes 08.08.2022
7.VIII. Regular City Council Minutes 07.11.2022
7.IX. Regular City Council Minutes 01.10.2022
7.X. Regular City Council Minutes 12.13.2021

8. OLD BUSINESS

- 8.I. Proposed Resolution
Authorizing signatories for contractual documents and fund requests pertaining to the Community Development Block Grant Mitigation (CDGB-MIT) 2-inch waterline replacement

9. NEW BUSINESS

Items presented to the Council for discussion and possible action:

- 9.I. Proposed Ordinance
Extending a declared State of Disaster and Emergency in the City of La Marque because of the impact of Hurricane Beryl; confirming and ratifying any emergency proclamations and regulations issued by the Mayor in response to the damage, injury, or loss of life and property resulting from said hurricane; waiving permit and inspection fees; and making various findings and provisions relating to the subject
THIS IS THE FIRST AND FINAL READING (PURSUANT TO THE CITY OF LA MARQUE TEXAS CHARTER AGREEMENT SECTION 2.23)

- 9.II. Proposed Resolution
Approving an application to the Texas Parks and Wildlife Department Local Parks Grant

9.III. Fire Department PPE Gear

Purchasing 10 new sets of firefighter personal protective equipment

9.IV. Whistle Blower Policy

Reviewing the City of La Marque's Whistle Blower Policy

9.V. Establishing a Youth Advisory Council

Considering the Proposal for establishing a La Marque Youth Council

9.VI. Employee Insurance Renewal

Reviewing a Renewal Contract for employee insurance and Next Level Prime Documentation

9.VII. Budget Calendar

Amending the proposed budget calendar for City Council budget meetings and public hearings

10. CITY MANAGER REPORT

a submitted report to update Council and Community on the standard operations of the City, report can be acknowledged as whole or discussed at the pleasure of Council.

10.I. City Clerk Update

10.II. 2023 - 2024 Grant Applications

10.III. June 2024 Municipal Court Statistics

10.IV. June 2024 Public Works Statistics

10.V. July 2024 City of La Marque Sales Tax Report

11. REQUESTS AND ANNOUNCEMENTS

Requests by Mayor and Council Members of 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" include: (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

12. EXECUTIVE SESSION

The City Council for the City of La Marque, Texas reserves the right to adjourn into executive session at any time during this meeting to discuss any of the matters listed

above, as authorized by 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 551.087 (Economic Development)

13. ACTIONS TAKEN FROM EXECUTIVE SESSION

14. ADJOURNMENT

CERTIFICATION:

I hereby certify that the above notice of meeting was posted at 1109-B Bayou Road, La Marque, Texas on July 19, 2024 at 5:00 p.m.

Kierra K. Nance, TRMC
City Clerk

Office of the Mayor
for the City of La Marque

PROCLAMATION

WHEREAS, Christopher Colombo began this life on August 5, 1941, in Galveston, Texas; and

WHEREAS, he graduated from Ball High School and furthered his education at the University of Texas, Austin, where he studied geology and received an Associate's Degree in Law Enforcement; and

WHEREAS, his drive to make a positive impact led him to a career in law enforcement, including time as a Galveston County Constable and an officer of the La Marque Police Department; and

WHEREAS, his passion for serving his family and community was known to all, as he served as a Commissioner for the Planning and Zoning Commission for the City of La Marque, and devoted time to gardening where he shared the fruits of his labor with friends and family; and

WHEREAS, his talents in electronic repairs and his love of music, especially the blues, were known to all, and his love and helping hands were just two of his many wonderful attributes; and

NOW, BE IT RESOLVED, the City of La Marque mourns with the family and friends of Chris Colombo; 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 July 19th, 2024 as:

"CHRIS COLOMBO MEMORIAL DAY"

in the City of La Marque and do hereby extend our deepest sympathy to those who knew and loved him.

In testimony whereof, witness my hand and the Seal of the City of La Marque, this the 19th day of July 2024.



Keith Bell, Mayor

City of La Marque

Youth Advisory Council

Prepared By: McKinsey Criss



Introduction

About me

I have interned with the City of La Marque for three summers now, twice as a high school intern (City Clerk) and once as a college intern (City Manager). As an intern, I have worked on a range of projects-- from minutes audits to a podcast series. I am currently a sophomore at Texas A&M studying political science and recently won the John Parr Youth Leadership Award at the All-America City Awards presented by the National Civic League.

Youth Advisory Council Project

Much of my volunteering and work experience is centered around youth engagement and it is something I am extremely passionate about expanding. As a college intern this summer, my assignment was to create a proposal for a Youth Advisory Council under the direction of the City Manager.



What is a Youth Advisory Council?

The purpose of the City of La Marque Youth Advisory Council is to offer an open forum to foster communication, education and information concerning youth and youth-related issues. The Youth Advisory Council provides students in grades 9-12 with social and civic activities in a safe and positive environment, while promoting individual self-esteem and leadership through participation in meetings, events, and community service projects. The Youth Advisory Council is a cooperative effort with the City of La Marque and is facilitated by the City Manager's office. Youth Advisory Council membership is available to all La Marque residents in grades 9-12.



Benefits

- Elevates the City's commitment to youth development
- Empowers young individuals and fosters self-confidence
- Nurtures essential life and leadership skills
- Facilitates youth engagement by allowing them to have a voice in decision-making
- Encourages the City to advocate for and implement initiatives to address youth needs by gaining insight directly from students
- Promote relationship building and networking efforts among youth participants
- Youth will be better equipped to tackle the challenges of civic life and responsibilities.



Statistics

According to surveys of Young Adults, ages 18-24, by the
Institute for Citizens and Scholars:

35%

“Do not feel
informed enough
to participate
politically”

33%

“Do not intend to
engage civically”

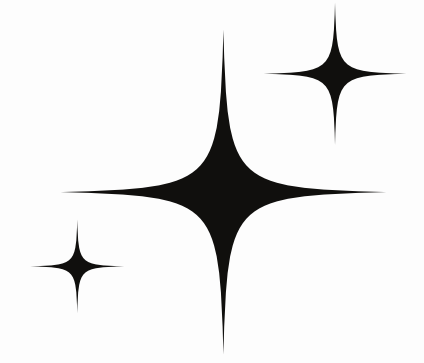
57%

“Are dissatisfied
with American
democracy”

What does this mean?

- Young adults feel disenfranchised and unmotivated in regards to government
- If cities invest in their youth beginning in high school, there is an opportunity to increase civic engagement and knowledge as young adults.

My Experience



Being involved with the City of La Marque has deepened my leadership skills and has given me opportunities that I never imagined. Not only have I been able to build lasting connections with community and city leaders, but I have also had the chance to enhance my civic knowledge and further understand how a municipality functions. As a result, I am better equipped to face upcoming political, social, and professional challenges.

The Youth Advisory Council would be a reflection of this experience, furthering the mission of the City to invest in youth engagement.

Structure

- # of Members: Council discretion
- Application Process: Application and Interview
- Membership Term: August to June of each calendar year, with application process set for July
- Responsibilities: Attend necessary meetings and events, maintain community service hours, contribute project ideas
- Meetings: 3rd Tuesday of each month
- Executive Board must submit additional application

President

- Shall preside at meetings
- Can appoint special committees as needed
- To inform members if they are not meeting attendance requirements
- Oversee and help committee chairs
- Create and present Youth Advisory Council presentations

Vice President

- To perform all duties and responsibilities of the President in the absence of the President.
- To serve in such capacities as assigned by the President
- Oversee and help committee chairs
- Create and present Youth Advisory Council presentations

Chair of each: Social and Recreation, Environmental, School/Educational Issues, Fundraising, Community Service

- Organizing diverse events and activities
- Responsible for holding meetings and setting goals
- Chairs will be responsible for attendance and minutes of meetings
- Communication through newsletters, mailings, e-mails, and phone calls
- Chairs need to serve as role models
- Chairs will work to provide a friendly environment
- Representation at general meetings
- Other duties as assigned

Committees:

Social and Recreation:

To organize a variety of fun social & recreational programs and events in a safe and positive environment and document said events for social media. Responsible for organization of monthly newsletter and announcements.

Fundraising:

Responsible for generating financial support by raising funds for the Youth Advisory Council.

Environmental:

To collect and share information related to a wide variety of environmental issues and to organize volunteer projects or workshops for educational purposes as well as providing service to the community. The Youth Council must sponsor a minimum of one environmental awareness program per year.

Community Service:

To organize community service projects that will provide an opportunity for members to unselfishly give their time to improve the quality of life for people in need; also, to make a difference by contributing their time, energy, and talents to strengthen our community.

School Issues/Education Ad Hoc Committee:

Address any school issues that may be brought up and sponsor an alcohol and/or drug awareness program.



Potential Project Ideas



- Monthly newsletters for public
- Park cleanup
- School supply drive
- School related services
- Meet with Boards/Commissions
- Host guest speakers at monthly meeting to learn more about government functions
- Go over application responses with Mayor and Council
- Project proposals/presentations
- Media education
- Advise/present to Council on youth initiatives and needs
- Marathons, runs, fundraisers for charity
- Drug/alcohol awareness campaigns
- Holiday events
- Teen talk event (community forum) for youth population
- Career/college fair



Proposed Branding



LA  MARQUE
YOUTH ADVISORY COUNCIL

LA  MARQUE
YOUTH ADVISORY COUNCIL

Conclusion- Key Points

- Young people continue to feel dissatisfied with government
- Investing in youth engagement allows for inclusivity and progress, both within community and government
- Students will have opportunities to volunteer, learn from city officials, and have a positive impact on their community
- Benefits include leadership experience, civic knowledge, networking efforts, and the chance for the City to hear directly from its youth population
- By engaging young people beginning in high school, they will be better equipped and educated to tackle civic life.





**CITY OF LA MARQUE
CITY COUNCIL
RETREAT MINUTES
of
June 25, 2024**

1. CALL MEETING TO ORDER

Mayor Bell called the meeting to order at 10:27 a.m.

2. ROLL CALL

All members of Council were present except for Councilmember Lowry of District C.

3. NEW BUSINESS

3.I. Mayor/ Council Expectations

The Council discussed the difference between a council inquiry and a Public Information Request. The Council discussed processes for making Council inquiries; all Council inquiries moving forward are to be in writing, and the results of said inquiry are to be distributed to all Councilmembers.

The process for adding an item to the council agenda must be verbal in a council meeting or in writing, and the second councilmember endorsement or support must also be either verbal in a council meeting or in writing as well.

A discussion regarding agendas and processes ensued, and the Council requested that the City Clerk present a formal policy at a future Council Meeting.

A lengthy discussion regarding the Council's need to govern themselves ensued.

***Mayor Bell called for a break at 11:42 a.m., and the meeting resumed at 11:55 a.m.*

A discussion ensued regarding Council Ethics and concerns regarding Councilmembers interacting with one another on social media.

3.II. Council Priorities

Council discussed sending each councilmember's top 3 priorities to the City Clerk's Office.

3.III. Administrative Forecast

***Mayor Bell called for a break at 4:58 p.m., and the meeting resumed at 5:07 p.m.*

City Manager Garcia shared that this year's administrative focus was personnel and policy. The two biggest opportunities for growth are Public Works and Code Enforcement. He gave a brief update on each department's projections for both the remainder of the current fiscal year and the projected needs for the next fiscal year.

Discussions related to researching infrastructure and public safety bonds ensued.

3.IV. Budget Forecast

***This item was taken before the Administrative Forecast*

Finance Director Turner gave an update regarding the current Council budget. The Council clarified with Finance Director Turner what was allowed in terms of mode of travel, per diem, mileage, and lodging. Clarifications regarding the purpose of travel and travel funding ensued. This was also followed by a discussion regarding council apparel and discretionary funds. Discussions regarding Hotel Occupancy Tax and the allowable uses ensued.

***Mayor Bell called for a break at 1:52 p.m., and the meeting resumed at 2:01 p.m.*

The Finance Director expressed her concerns about some budgetary issues, focusing on unfunded liabilities such as back pay, overtime, sick time, and vacation time. This led to a lengthy conversation about possible ways to remedy the concerns.

She shared the current health of the general and utility fund, which shows that the city is trending positively.

3.V. Roundtable Discussion

No discussion.

4. EXECUTIVE SESSION

There was no Executive Session.

5. ACTIONS TAKEN FROM EXECUTIVE SESSION

No action was taken.

6. ADJOURNMENT

***Meeting was adjourned at 6:22 p.m.*



CITY OF LA MARQUE
CITY COUNCIL
SPECIAL MINUTES
of
April 22, 2024

1. CALL MEETING TO ORDER
Mayor Bell and Chairman Smith called the meeting to order at 3:06 p.m.
2. ROLL CALL
All members of the Council were present.
Chairman Smith, Board member Osteen, and Board member Steans of the La Marque Economic Development Corporation were physically present.
3. PRESENTATIONS
There were no presentations.
4. EXECUTIVE SESSION
***Mayor Bell and Chairman Smith recessed the Special Meeting and entered the Executive Session at 3:08 p.m.*
 - 4.1. Section 551.087 Deliberation Regarding Economic Development Negotiations to discuss or deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1) of Texas Government Code 551.087
5. ACTIONS TAKEN FROM EXECUTIVE SESSION
***Mayor Bell and Chairman Smith exited the Executive Session and reconvened the Special Meeting at 5:52 p.m.*
 - 5.1. Section 551.087 Deliberation Regarding Economic Development Negotiations to discuss or deliberate the offer of a financial or other incentive to a business prospect described by Subdivision (1) of Texas Government Code 551.087
No action was taken.
6. ADJOURNMENT
Councilmember Yancy made a motion to adjourn. Councilmember Ross seconded.
MOTION CARRIED UNANIMOUSLY.
***Meeting was adjourned at 5:53 p.m.*



**CITY OF LA MARQUE
CITY COUNCIL
REGULAR MINUTES
of
February 26, 2024**

1. **CALL MEETING TO ORDER**
Mayor Bell called the meeting to order at 6:02 p.m.
2. **ROLL CALL**
All members of Council were physically present with Mayor Pro Tem Compian arriving at 6:09 p.m.
3. **INVOCATION AND PLEDGE OF ALLEGIANCE**
Councilmember Yancy gave the invocation and City Manager Garcia led the pledge.
4. **PRESENTATIONS**
 - 4.I. Proclamation - Black History Month
Tracy Prior of HCA Healthcare received the proclamation celebrating Black History Month.
 - 4.II. Proclamation - Mainland Pawn Shop
Mike Holcolmb and a representative of Mainland Pawn & Jewelry received a proclamation celebrating 50 years of service to the community.
5. **CITIZENS PARTICIPATION**
Joseph Lowry (2305 Cedar) questioned figures presented by the La Marque Police Department, sharing his belief that the crime rate has not been reduced it has been reclassified. He also shared his belief that inaccuracies are reported in a candidate's application for council.
Robert Michetich (24 N Curlew) requested a boundary on the I-3 Heavy Industrial Zone.
6. **MINUTES**
 - 6.I. Special City Council Minutes 02.06.2024
Mayor Pro Tem Compian made a motion to approve the minutes as submitted. Councilmember Leyva Allred seconded the motion. **MOTION CARRIED UNANIMOUSLY.**
7. **PUBLIC HEARINGS**
***Mayor Bell recessed the Regular Meeting and entered into Public Hearing at 6:22 p.m.*

7.I. 2023 Land Use Assumption and Capital Improvements Plan
There were no public comments.

7.II. Ordinance No. O-2024-0003
There were no public comments.

8. OLD BUSINESS

***Mayor Bell closed the Public Hearings and reconvened the Regular Meeting at 6:23 p.m.*

8.I. Ordinance No. O-2024-0003
Mayor Pro Tem Compian made a motion to adopt Ordinance No. O-2024-0003.
Councilmember Ross seconded the motion.
Mayor Pro Tem thanked the staff for making the change that the board size reduction will happen by attrition.
MOTION CARRIED UNANIMOUSLY.

8.II. Proposed Ordinance

Councilmember Ross thanked the developer for the information requested regarding the fluids being used. His questions were answered.

Igor Lee, a board member for the development, was present to answer any questions.

Mayor Pro Tem Compian questioned the ordinance and application, sharing that the Conditional Use Permit Ordinance references the landowner. However, the application is under a different entity. It was clarified that FM1764 LLC, the entity on the application, is owned by Data & Energy Inc.

Mayor Bell shared his support for allowing economic development in the city, especially in this corridor surrounded by battery storage and self-storage, improving the land valuation from approximately \$64,000 to over \$20 million.

Mayor Pro Tem Compian shared that he intends to protect the interests of the planned developments in the area.

Mayor Bell rebutted, stating that the city's residents were hurting and that bringing in businesses was the only way to provide tax relief. The residents are requesting additional services and a reduction in taxes. Businesses such as this development are the way to improve those conditions.

Mayor Pro Tem Compian raised concerns about the figures represented in the presentation.

Mayor Bell requested information regarding the tax projections shown in their initial application. It was clarified that the number in question references both state and local taxes. The presentation provided shows the breakdown, which reflects approximately \$300,000 in annual tax projections for the city.

Councilmember Yancy made a motion to approve the ordinance. Councilmember Leyva Allred seconded the motion. **MOTION CARRIED 4 AYES and 1 NAY (COMPIAN)**

8.III. 2023 Land Use Assumptions and Capital Improvement Plans

Consulting Engineer Dinh Ho of ADICO Engineering gave a brief overview of the document before the council.

Mayor Pro Tem Compian questioned some of the terminology and figures shown in the plan, sharing his concerns with some projections. He shared that he did not feel comfortable with the figures shown.

Councilmember Yancy asked the Consulting Engineer to explain the importance of impact fees to the public. It is representative of the needed infrastructure improvements required to support new development. This is a means to recoup some of the investment needed to support these improvements.

Mayor Pro Tem Compian shared that he supports moving forward. However, he would like to see accurate financials in the next presentation.

Councilmember Yancy made a motion to accept the 2023 Land Use Assumptions and Capital Improvement Plans. Mayor Pro Tem Compian seconded the motion.

MOTION CARRIED UNANIMOUSLY.

9. NEW BUSINESS

9.I. Proposed Resolution

Mayor Bell clarified that the mosquito truck the city purchased is to augment the Galveston County aerial spray program. The City will continue to participate as the newest initiative is not set to replace the county assistance.

Mayor Pro Tem Compian made a motion to adopt Resolution No. R-2024-0011.

Councilmember Leyva Allred seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

9.II. Proposed Resolution

Mayor Pro Tem Compian made a motion to adopt Resolution No. R-2024-0013.

Councilmember Yancy seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

9.III. Proposed Resolution

***This item was taken first*

Belle Gonzalez, a Texas Water Development Board representative, gave a brief presentation regarding the role of the National Flood Insurance Program (NFIP). This is a voluntary program that the city participates in by creating ordinances and regulations to reduce flood risks.

Mayor Pro Tem Compian asked for the location of the flood maps, to which Ms. Gonzalez shared that they could be found on the FEMA website. He also asked about the "CAV" list referenced in the FEMA letter in the supporting documents. Attorney Knebel shared that documents were signed by city staff, ensuring that the addresses included in the CAV list remained confidential at the direction of FEMA as a means to protect the property owners.

Mayor Pro Tem Compian made a motion to adopt Resolution No. R-2024-0010.

Councilmember Ross seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

9.IV. Proposed Resolution

Mayor Bell shared that grants relating to the police department can be very specific; these funds cannot be used for any purpose other than the requested

body cameras.

Councilmember Ross made a motion to adopt Resolution No. R-2024-0014.

Councilmember Leyva Allred seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

9.V. Linebarger Goggan Blair & Sampson, LLP

Mayor Pro Tem Compian made a motion to table this item at the request of Linebarger Goggan Blair & Sampson, LLP. Councilmember Leyva Allred seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

9.VI. SETH Grant Appropriations

City Manager Garcia requested that disbursements be allocated for utility assistance, as it is a qualified expense under the grant.

Mayor Pro Tem Compian clarified that the intent is for utility bill assistance, not for deposits.

Mayor Bell reminded the public that the \$50,000 grant was issued by the South East Texas Housing Authority to help those in need in the community.

Mayor Pro Tem Compian made a motion to allow for utility assistance in the SETH Grant appropriations. Councilmember Yancy seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

10. CITY MANAGER REPORT

Items 10.I, 10.VII, 10.VIII, 10.IX and 10.X were pulled for discussion.

10.I. 2023 Code Enforcement Updates and Statistics

Councilmember Ross questioned the city's green tags. It was clarified that these are not city tags; Waste Management places them. He requested discussions with commercial properties to inform them that they do not have the same bulk trash schedule as residential residents.

Councilmember Yancy requested a waste management manual. She intends to educate the public on the processes.

Fire Chief Merryman shared some of the education initiatives that are being worked on to assist the public.

10.II. 2023 Fire Prevention Statistics

No discussion on this item.

10.III. 2023 Fire Operations Statistics

No discussion on this item.

10.IV. Sales Tax Report

No discussion on this item.

10.V. La Marque Public Library January 2024 Report

No discussion on this item.

10.VI. Municipal Court January 2024 Report

No discussion on this item.

10.VII. Eyes on La Marque Program

Mayor Bell shared that a press conference was held earlier in the afternoon to initiate the Eyes on La Marque Program as an extension of the Safe City Initiative. This is a technological component of the La Marque Police Department to assist with solving crime, calling for additional flock cameras, camera systems on commercial buildings, and Ring Doorbell cameras for seniors.

Mayor Bell shared his desire to spend discretionary funds to support 10 additional Ring Doorbell cameras.

Councilmember Ross pledged discretionary funds to support 5 additional Ring Doorbell cameras.

With these additions, this program allocates approximately 55 doorbell cameras for seniors.

Lieutenant Forest Gandy spoke about the flock camera system, sharing how it has assisted in solving crimes within the city both proactively and reactively.

***Councilmember Ross exited the room at 8:12 p.m. and returned at 8:14 p.m.*

10.VIII. LMPD Memo #35: Partnership Actions with Texas City Housing Authority

Discussions regarding the benefits of this partnership, becoming more aggressive in crime prevention and eradication.

10.IX. City of La Marque Customer Service Training Program 2024

No discussion on this item.

10.X. BAYTRAN Membership

No discussion on this item.

10.XI. Citizens Police Academy Class #13

Councilmember Yancy encouraged the Police Department to meet with La Marque High School administration to see if any qualifying seniors would like to participate.

10.XII. Internship Program: High School and College

No discussion on this item.

11. EXECUTIVE SESSION

There was no executive session.

12. ACTIONS TAKEN FROM EXECUTIVE SESSION

No action was taken.

13. ADJOURNMENT

Councilmember Leyva Allred encouraged everyone to reach out to the council with any questions or concerns.

Councilmember Ross hopes that some of the grant allocations discussed earlier in the meeting make it to Prune Street.

Councilmember Yancy thanked the La Marque Public Library for a fantastic event hosting author Shirley Harrington the previous week. She also thanked the City for their choice to have Tracy Prior, the Chief Operating Officer of HCA Healthcare receive the

Black History Month proclamation and closed by sharing her support for the Eyes on La Marque program.

Mayor Pro Tem Compian addressed the apartment fire that affected 15 apartments and asked the community to keep stress levels down this season.

Mayor Bell shared that although sometimes the council engages in passionate debate, everyone is supportive of each other. He shared citizen concerns citing Cora St. potholes, striping on Cedar St., and a need for children at play signs to be erected on Cora. He shared that there was a focus group meeting about crime statistics, and reporting of streetlights to TNMP and Centerpoint, reiterating a previous council recommendation that the night shift officers report streetlight outages to the respective companies. He asked for the council to receive a better understanding of how this process is completed and a live tracking system. Violent crime is a stubborn number, and the police department is doing a fabulous job, but since it has been traced back to organized crime, this provides for a resolution to all of the cities within the county requesting that they participate on a greater scale in the organized crime task force to assist. He requested a unified development code, a Public Works efficiency report, a report on drainage issues around Lassiter Park, and an update on Certificates of Obligations. He announced the annual State of the Cities event on March 6 by the Chamber of Commerce that would be focused on the City of La Marque and the City of Texas City. He encouraged the youth in the community to apply for internships and reminded everyone that the city is 70 years old, and some of the infrastructure is as well. He shared that he is inclined to at some point take the infrastructure issue to the voters and let them decide which capital improvement and infrastructure projects they would like to support. He does not support any debt that is not voter approved.

City Manager Garcia shared that the city is one of Amoco Federal Credit Union's longest-standing partners and received a Partner of the Year award at its annual meeting.

Councilmember Yancy made a motion to adjourn. Councilmember Ross seconded. **MOTION CARRIED UNANIMOUSLY.**

***Meeting was adjourned at 8:48 P.M.*



**CITY OF LA MARQUE
CITY COUNCIL
SPECIAL MINUTES
of
July 31, 2023**

City Council Special Minutes of the City of La Marque Budget Workshop held on Monday, July 31, 2023, at 10:00 a.m. at 1109-B Bayou Road:

1. CALL MEETING TO ORDER

Mayor Bell called the meeting to order at 10:00am.

2. ROLL CALL

Present:

Keith Bell, Mayor

Joe Compian, Mayor Pro Tem, District B

James Ross, Councilmember District D

Zoom:

Kimberly Yancy, Councilmember District A - 450 Summer St., Boston, MA 02210

Michael Carlson, Councilmember District C - 208 Washington St., Moser, OR

Other Staff:

Cesar Garcia, City Manager

Rick Sailer, Director of Public Works

Susie Kou, Director of Finance

David Merryman, La Marque Fire Chief

Randall Aragon, La Marque Police Chief

Gilberto Rodriguez, Sergeant, La Marque Police Department

Forrest Gandy, Lieutenant, La Marque Police Department

3. INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation led by Mayor Bell and Councilmember Ross led the Pledge.

4. NEW BUSINESS

Items presented to the Council for discussion and possible action:

- 4.1. Review and Discuss Proposed Fiscal Year 2023-2024 Departmental Budgets and all Funds

Fire Department

Fire Chief David Merryman presented on behalf of the La Marque Fire Department. He shared the diversity report covering multiple demographics and the certifications required for EMTs, Captains, Engineers, and Fire Marshal. He also discussed the policy involved with hiring and promotions and the certifications that each level must complete within the first 90 days.

Chief Merryman discussed the budget requests of adjusting the uniform budget due to new hires and need to maintain their equipment to remain compliant with State regulations.

Council questioned why there was a zero amount in the communications line item of the Fire Department Budget. Chief Merryman clarified that it is a city-wide cost that is handled by IT. Council requested a breakdown of communications costs to see the trends and if it should be broken down by department.

Council asked for the description of the Deputy Fire Chief's role. Chief Merryman explained that he oversees day-to-day operations, maintenance of trucks, and plays a major role in Emergency Management Operations.

Council asked for a separate description of the Fire Marshal's role. Chief Merryman stated that the Fire Marshal is contacted for any cause and origin that may need to be investigated as an act of arson. The Fire Marshal is also in charge of filing the criminal charges and working with law enforcement throughout the case. The Fire Marshal is also in charge of the smoke detector program for the city.

Council requested information about the role of the EMS Captain. Chief Merryman indicated that this role is specific for anything medical related and is the point of contact for the city's medical director. The EMS Captain must maintain the DEA License and all EMS State licenses and help with all continuing education for EMS certifications.

Chief Merryman then stated the two priorities for this budget year. His first priority is to increase staff and continue retention efforts. His second priority is to remount a third ambulance to his current fleet to balance out the current aging of the vehicles and costs for repairs. Council questioned why he was asking for a third captain to be assigned to which Chief Merryman countered with each station has three shifts and to have a captain on each shift would be incredibly beneficial to set tone and morale. He noted that it is the captain's responsibility to ensure that everyone knows their part and knows how to do it smoothly and effectively.

Council and Chief Merryman reviewed the numbers and there was a discrepancy in the calculations provided by the Fire Department. Chief Merryman apologized for the error and said he would return at a later date with the updated information.

Parks

Parks board members Mike "Rock" Bock and Tonia Griffin presented information pertaining to the last fiscal year and the projects they want to see accounted for in the current fiscal year's budget. Mr. Bock indicated that since the creation of the

parks department under Public Works, the majority of their requests go through Rick Sailer.

Ms. Griffin highlighted several items the Parks Board completed in the previous fiscal year. The board has now created a Parks and Recreation social media page which focuses on marketing the parks throughout the city. This has allowed citizen participation, to which she announced that many are pleased with the updates provided through their website. She shared that the board members frequently go out to the parks and help with the maintenance logs. She stated the board has created a log with information for each park that needs maintenance.

Council indicated that the city needs to do a better job with the parks and noted their frustration with the lack of communication between the Parks Board, Public Works, and Council. Council then asked about the current allocation of \$30,000 to the parks. Public Works Director Rick Sailer stated that the budget has significantly increased since 2021 and now the city is contributing resources such as staff and maintenance. Director Sailer also indicated that the \$2 mandatory park fee with the utility bills has been very well supported but only brings in approximately \$6,000 per year.

Council advocated for training opportunities for the board members and commissioners. The budget showed a line item for \$1,000 for conventions and travel budget and \$250 for manuals and subscriptions. Director Sailer stated that this budget is strictly for the paid staff.

Council stated the park equipment is dilapidated and needs repairs or replacement. As part of the Safe City Initiative, it is the city's number one focus to ensure safety within the parks. Other issues noted were poor lighting, request for higher police presence to deter vandalism, need for community engagement to beautify the parks, improve the softball fields, and proper fencing. The City is looking at liability issues if the dilapidated areas are not fixed. Council expressed their disappointment over the lack of work done for the parks and should be taking much better care of city owned property.

Council then recommended that the Parks maintenance budget be increased to \$40,000 for this fiscal year and to continue looking for grant funds and use current grant funds to update the parks.

Police Department

Chief Randall Aragon gave a presentation showing the accomplishments of the department over the past fiscal year, discussed the crime rate statistics, and presented the goals for the department in the upcoming fiscal year. The goals for the 2023 - 2024 fiscal year are to continue to develop a positive organization culture in the department, continue the community policing efforts, and continuing to work on the CompStat program. These goals are all helping with preventing and controlling crime.

Chief Aragon also discussed the current staffing needs and items needed by the department. He presented a total of 17 requests, all in order based on needs. These

requests included building and storage needs, cameras and computer equipment for police vehicles, and personnel matters.

Mayor asked about vehicle acquisition. Chief Aragon stated that ten vehicles were ordered in 2021, however only four came in and waiting on cameras. The other six vehicles are not even through manufacturing. Chief Aragon emphasized the need the vehicles and asked for an additional 5 vehicles to cover patrols and undercover while waiting on the six vehicles that the city already purchased.

Mayor Bell questioned Chief Aragon about the Executive Assistant position and asked for clarity from the City Manager. City Manager Garcia stated that there is only one Executive Assistant on staff and all other departments have an Administrative Assistant. Chief Aragon stated that the mental challenges and decision making, as well as service to all on the Police Department, handling sensitive information and taking on special events as part of her role as his reasons for making the request to change his current assistant's title to receive more pay. Councilmember Ross requested to change the position to a straight salary instead of hourly pay, which Chief Aragon supported. Mayor stated that it is in the hands of the City Manager to decide if there should be a change from hourly to salary on this specific position.

Council also discussed the need for the records retention project and discussed the cost of \$178,000 for the creation of electronic files. Sergeant Gilberto Rodriguez of the La Marque Police Department noted that records have different timeframes to be destroyed and most records must remain for 75 years after the accused person's death. Chief Aragon suggested moving the police records to Building A.

Mayor Bell emphasized his support for adding drones and K9 officers to the police force but stated he is not seeing the need for records needing a new building at this time.

Financial Audit

Mr. Carr with BrooksWatson & Co. presented the current information from the ongoing audit and noted that they are on track for an unmodified opinion. He clarified that this means that this report is the highest opinion that the firm can give and there are no material mistakes or errors in the information provided by the city. The final report for the Audit is expected to be presented at the next Council meeting.

Council discussed the current amortization schedule and the current status of bonds with special consideration for bonds with uncommitted balances. City Manager Garcia confirmed that some of the funds are earmarked for current projects, including sanitary sewer repairs that will cost approximately \$110,000, and the Westlawn Drainage Project that is estimated at \$600,000.

Yancy asked about the \$750,000 for renovations of municipal buildings and verified that the request for \$550,000 for Police Department facilities were included in this amount. City Manager Garcia confirmed and also explained that this account also helped with repairs from Hurricane Harvey to complete necessary work from damages to the fire station and City Hall. He also noted that there are other

structures and the service center that will also be utilizing the funds from this account.

Mayor Pro Tem Compian commented that if funds haven't been used within 5 years, the uncommitted funds can be used to pay down debt. Finance Director Kou stated that the city refinanced the bonds in 2017 due to the market. She also shared that the original debt issuance is what is listed on the reports but has changed since the city financed in 2017.

Mayor Bell requested the need clarity on grant funds vs certified funds.

Finance Director Kou shared that all federal funds are under federal audits as these funds may be coming from multiple agencies, and the city has five calendar days to pay federal grants upon completion of work in order to qualify for the grant funds and not have to pay the funds back. She stated that the city must have the money available and ensure no other commitments to these funds.

Mayor Bell reemphasized that the city hires an auditor but also federal government has an auditor to ensure federal funds are being used correctly. Mayor also asked about the current bonds and the committed amounts the city needs to consider for projects. City Manager Garcia indicated that \$600,000 is currently committed for a GLO match for the Westlawn Drainage Project and an additional \$110,000 is committed to sanitary sewer repairs, which leaves the city with approximately \$2.3 million available for utility system infrastructure, wastewater treatment plant renovations, and other needs.

City Manager Garcia, Finance Director Kou, and Council also discussed ARPA funds. City Manager Garcia stated that these are federal funds that are less restrictive than other grants. The city has requested community input and see what is applicable. Director Kou noted that the ARPA funds are currently invested and earning 5% interest but are very liquid.

City Manager's Office

Mayor Bell asked for further discussion regarding the request from the City Manager's budget for a Project Manager and Program Coordinator. Based on observations, Mayor Bell stated that he would not feel comfortable with these roles at this time but rather would like to see an additional supervisory role in the City Manager's Office. He emphasized that it is not that the City Manager is doing a poor job but rather the current role oversees 12 departments and does not want to keep adding to that number. Councilmember Yancy agreed with Mayor's stance for assistance in City Manager's Office and suggested an Assistant City Manager role.

City Manager Garcia indicated that the final package for the 2023 - 2024 budget will be distributed to council on August 1, 2023.

NO ACTION TAKEN

5. **EXECUTIVE SESSION**

The City Council for the City of La Marque, Texas reserves the right to adjourn into executive session at any time during this meeting to discuss any of the matters listed above, as authorized by 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 551.087 (Economic Development)

NO EXECUTIVE SESSION

6. **ACTIONS TAKEN FROM EXECUTIVE SESSION**

7. **ADJOURNMENT**

Mayor Pro Tem Compian made a motion to adjourn. Councilman Ross seconded.
MOTION CARRIED UNANIMOUSLY.

***Meeting was adjourned at 4:41 p.m.*

Keith Bell

Mayor

ATTEST

Kierra K. Nance, TRMC

City Clerk



CITY OF LA MARQUE
CITY COUNCIL
REGULAR MINUTES
of
April 24, 2023

Minutes of a City Council Regular 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 6:07 pm.

2. ROLL CALL

Present:

Keith Bell, Mayor

Joe Compian, Mayor Pro Tem, District B (6:25 p.m.)

Kimberley Yancy, Councilmember District A

Casey McAuliffe, Councilmember District D

Michael Carlson, Councilmember District C (8:42 p.m. via Zoom, 500 E 2nd Ave Mosier, Oregon 97040)

Other Staff:

Cesar Garcia, City Manager

Kierra Nance, Deputy City Clerk

Gus Knebel, City Attorney

3. INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Bell gave the invocation and City Manager Garcia led the Pledge.

4. PRESENTATIONS

Councilwoman McAuliffe presented a proclamation for Autism Acceptance Month to Darla Farmer, Founder and CEO of Hope for 3, an advocacy group for individuals with autism.

5. CITIZENS PARTICIPATION

Rachael Bryant (106 Silverglen Ct) spoke regarding an item addressing a rezoning. She states that the property is directly behind her home and that she was not notified of the request. She is against this item.

Kesha Davis (110 Silverglen Ct) spoke regarding the proposed rezone, stating that it will bring more noise, traffic, pollution, and crime to the area. She is also against it.

Michael Haapaniemi (Piney Point Development LLC) represents the owner of the property under consideration for rezoning and is available to discuss the topic when it arises.

David Pennington (924 Cypress) spoke regarding omissions and canceled meetings of the Boards and Commissions meetings.

Joseph Lowry (2503 Cedar) spoke regarding an issue with his driver's license and his belief that the Police Chief was involved.

Re'Chard Loftis (309 Johnson) spoke regarding a clean-up event that was held by the Keep La Marque Beautiful Commission on Saturday, April 22, 2023, thanking the members of the community and staff that attended and reported that 7 dumpsters full of materials were collected from residents.

Randy Ruiz (1210 Pirtle St) spoke regarding the reduction of crime on Pirtle Street.

Robert Michetich (24 N Curlew) spoke regarding the council representative for District C, stating that he should step down because he has accepted a position in Oregon, and accused the council of voter suppression as there are no polling locations on the west side of town.

Ginger Mannett (809 Grassy Knoll Trail) spoke regarding the rezoning request and shared that "we don't need more commercial there." She also questioned if Camillo Homes has registered for the rental registration program.

Cory McCorra (111 Silverglen Ct) spoke regarding the assertion that letters were sent out regarding the rezoning, stating that they have not received any notice, he shared that PineyPoint purchased the development for residential use and while the city is always "open for business" this will create chaos. He also shared a note from another property owner who asked for the rezone not to be permitted.

Tanisha Moore (107 Silverglen Ct) spoke about the desire not to rezone the property for discussion tonight, as there will be more traffic.

Sarah Dougherty (2503 Cedar Dr) spoke, reading a text from a thread she asserts includes City Council members regarding another citizen.

6. MINUTES

Regular Meeting Minutes of April 10, 2023

Special Meeting Minutes of February 13, 2023

Councilman Yancy made a motion to approve the minutes from April 10, 2023 and February 13, 2023. Mayor Pro Tem Compian seconded. **MOTION CARRIED UNANIMOUSLY.**

7. PUBLIC HEARINGS

***Mayor Bell recessed the Regular meeting and entered into Public Hearings at 6:39 p.m.*

7.1.Ordinance No. O-2023-0002

Amending Chapter 14, Buildings and Building Regulations, Article XI, entitled "Registration for Rental Units Required," making various findings and provisions related to the subject; and providing for an effective date

Re'Chard Loftis (309 Johnson) spoke in favor of the ordinance stating that he lives next to a rental tenant who, he asserts, has violated numerous city ordinances over the years. There should be some enforcement against landlords who "just don't care."

Ginger Mannett (809 Grassy Knoll Trail) spoke in favor of the ordinance, questioning if Camillo Homes is participating in the program. She also included that in her subdivision, there is an inspector who comes to the properties monthly, including the rental properties owned by Camillo Homes. That commercial owner issues fines for renters with multiple violations. They are making money off these violations, which is "not right."

Cassandra Lafferty (1302 Ross) spoke against the ordinance, sharing that renters are not likely to allow their homes to be evaluated.

Robert Michetich (24 N Curlew) spoke, identifying that short-term rentals are not included in this process, questioning the process of identifying these properties, and requesting that short-term rentals be evaluated. This should not be a "money grab."

8. ORDINANCES

*** Mayor Bell closed the Public Hearings and reconvened the Regular Meeting at 6:48 p.m.*

8.1.Ordinance No. O-2023-0002

Amending Chapter 14, Buildings and Building Regulations, Article XI, entitled "Registration for Rental Units Required," making various findings and provisions related to the subject; and providing for an effective date

THIS IS THE SECOND AND FINAL READING

Mayor Pro Tem Compian made a motion to approve Ordinance No. O-2023-0002. Councilman McAuliffe seconded. **MOTION CARRIED UNANIMOUSLY.**

8.2. Ordinance No. O-2023-0003

Amending the City's zoning map and comprehensive plan by changing the zoning regulations of real property commonly known as 5401 FM 1765 La Marque, TX 77568

THIS ITEM WAS TABLED.

9. RESOLUTIONS

9.1. Resolution No. R-2023-0024

Approving a Maintenance Agreement with Android Construction for emergency repairs to Water and Sanitary Sewer pipelines on an as needed basis

Mayor Pro Tem Compian made a motion to approve Resolution No. R-2023-0024. Councilman McAuliffe seconded. **MOTION CARRIED UNANIMOUSLY.**

9.2. Resolution No. R-2023-0025

Issuing a Purchase Order to Adico Engineering to complete a Utility Impact Fee Analysis for Water & Sewer Development Impact Fees

Councilman McAuliffe made a motion to approve Resolution No. R-2023-0025. Councilman Yancy seconded. **MOTION CARRIED UNANIMOUSLY.**

10. CITY MANAGER REPORT

10.1. Procurement Cards

City Manager Cesar Garcia stated there is a growing problem with procurement cards and the city staff is working towards finding a more efficient solution.

10.2. LMPD Approaches to Crime (response to 4/18/2023 incident)

City Manager Garcia commended the Police Department for their quick efforts, and all involved in the shooting were apprehended within 60 hours of the incident. He also noted that no injuries were reported during the apprehension of the suspects.

10.3. Response to PD Audit

City Manager Garcia shared that both the Police and Fire Departments have taken steps towards accreditation processes, which take between three to five years to complete.

10.4. Vision 2050

City Manager Garcia stated that the Vision 2050 effort will take the entire community's involvement and the city plans to take a methodical approach towards the planning process.

REPORT STOOD AS SUBMITTED.

11. NEW BUSINESS

11.1. Investment Quarterly Report

Mayor Pro Tem Compian made a motion to accept the quarterly investment reports for First Quarter 2023. Councilman McAuliffe seconded. **MOTION CARRIED UNANIMOUSLY.**

11.2. Cinco De Mayo Event Fee Waiver Request

LULAC requested a waiver of the special events form, waiver of fees for park use and special event permits, promotional assistance from the city, including the use of the city logo, and requested barricades and trash cans.

Mayor Pro Tem Compian requested that the city provide a fee waiver request form for special events. City Manager Garcia noted that this form is currently being worked on.

Councilmember McAuliffe stated that she has pause on this as the requests make it seem like this is a city event. She stated that there would be additional expenses to the city by providing barricades and trash cans along with the staff's bandwidth for these types of events. She shared that she does not have an issue with partnerships, but the city does not have policy precedence at this time and would not feel comfortable with approving all of the requested elements provided by LULAC.

Mayor Bell reiterated the point that this would essentially become a city event and it would open the door for other events since the city does not have a current policy in place.

Mayor Pro Tem Compian made a motion to waive the special events fee of \$250 and the Park Pavilion Usage Fee of \$550 for the Cinco De Mayo Event. Councilman Yancy seconded. **MOTION CARRIED UNANIMOUSLY.**

11.3. CirclesX

Discussion/ possible action regarding information involving certain producers and midstream providers of natural gas resulting in economic harm to end users, including governmental entities and proposed litigation therefore, and consider for approval instruction to City Manager to make assignment on City of La Marque, Texas's behalf to CirclesX LLC

Joe Jaworski, former Mayor of Galveston, requested that La Marque become part of a lawsuit dealing with the cataclysmic loss of electricity that caused major damages during winter storm Yuri.

Paul Moore, CirclesX Representative, explained how billions of dollars were lost due to nearly 230 bad actors in the energy companies handling the storm damages. Mr. Moore stated that there is no financial commitment on behalf of the city and the lawsuit is to go after the bad actors to discourage these actions in the future.

Mayor Pro Tem Compian made a motion to authorize City staff to work with CirclesX LLC on designated assignments. Councilman McAuliffe seconded. **MOTION CARRIED UNANIMOUSLY.**

11.4. Council Residency

Discussion regarding council residency requirements in the City of La Marque, Texas concerning District C

City Attorney Gus Knebel presented the Texas Election Code information indicating the requirements for the general requirements for council members. He explained the definition of residency according to the Texas Election Code and further explained the term of temporary absence, which is defined as when someone is absent from the state but has an intent to return, has made reasonable and substantive attempts to effectuate that intent, and has a legal ability to return to the residence.

City Attorney Knebel then shared the facts regarding Councilmember Carlson's temporary absence status, stating that while he has taken a new position in the state of Oregon, he was originally elected while living in La Marque, and his wife and children currently live in La Marque. He also noted that the Councilmember has filed a homestead exemption in La Marque and his voter registration is still in La Marque.

Mayor Pro Tem Compian said he is annoyed by this as he feels the councilmember should step down if he is not living in La Marque full time.

Councilmember McAuliffe reiterated the idea of living in the city full time to be a standing member of the Council. She also shared that Councilmember Carlson stated that he intends to stay through his current term but questioned if the council can essentially vote him out. City Attorney Knebel noted that the council could call for his resignation and would hold a mini-trial regarding his residency. However, it would also leave the option of litigation should the Councilmember file a lawsuit against the city.

Councilmember Yancy indicated that she would prefer to let the people of District C speak on the matter rather than leave it directly with the Council.

Mayor Bell stated that residency, according to the courts, is a matter of heart and mind's intent. He emphasized that Council cannot navigate a man's mind and heart, and the decision should be left with the people of District C. He stated that the process for a recall petition is underway, and the residents of District C should have a say in this matter.

NO ACTION TAKEN

11.5. Items For The Good Of The Order

Mayor Pro Tem Compian recognized Chief Merryman and two of his firefighters for their quick response to a resident having a stroke. He noted that their efforts saved her life. He also congratulated Keep La Marque Beautiful Commission with their collaboration with the Salvation Army for their efforts in distributing food boxes.

Councilmember Yancy promoted Stop the Violence week and commended our police and community policing program who have worked very hard to reduce crime in the city. She also promoted upcoming events throughout the week including Leadership Day, Mental Health Talk Day, Business Mixer, Market on Three, a basketball tournament, and a job and housing fair at La Marque High School.

Councilmember McAuliffe thanked the staff for their hard work.

Councilmember Carlson shared that he has handled at least two constituent complaints and is still diligently working for the community.

Mayor Bell requested that an item be on the next agenda to discuss funding the La Marque 2050 project with the Economic Development Corporation (EDC). He also requested a recommendation from the city manager on event criteria and whether the parks board should have an ad hoc event staff in place. Mayor also reminded all staff and citizens that early voting has begun for District B, District D, and Charter amendments. He spoke of his appreciation for the community and their application of political pressure and his belief that each council member acts in the citizens' best interest.

11.6. Upcoming Events

City Events and Important Dates for Community Awareness:

Early Voting April 24-May 2, 2023

Catalytic Converter Event - April 26, 2023

Hurricane Huddle - April 29th, 2023

Election Day May 6, 2023

Salvation Army Food Giveaway - May 20, 2023

Keep La Marque/ Texas City Beautiful Clean Up Event - May 20, 2023

12. EXECUTIVE SESSION

12.1. Section 551.071 (Consultation With Attorney)

Advice regarding the information related to Certain Producers And Mid-Stream Providers Of Natural Gas Resulting In Economic Harm To End Users Including Governmental Entities

THERE WAS NO EXECUTIVE SESSION.

13. ADJOURNMENT

Councilman McAuliffe made a motion to adjourn. Councilman Carlson seconded. **MOTION CARRIED UNANIMOUSLY.**

***Meeting was adjourned at 8:55 p.m.*

Keith Bell
Mayor

Kierra K. Nance, TRMC
City Clerk



**CITY OF LA MARQUE
CITY COUNCIL
SPECIAL MINUTES
of
AUGUST 9, 2022**

City Council Special Minutes of the City of La Marque Budget Workshop held on Tuesday, August 9, 2022, at 10:30 a.m. at 1109-B Bayou Road:

1. CALL MEETING TO ORDER

Mayor Bell called the meeting to order at 10:30am.

2. ROLL CALL

All councilmembers were physically present at 1109-B Bayou Road.

3. INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation led by Mayor Pro Tem Compian and Councilmember Carlson led the Pledge.

4. CITIZENS PARTICIPATION

James Osteen (2012 Jeridona) spoke on a resolution that was posted and pre-dated prior to the actual vote taken from the dais. He requested that the clerical error be addressed by Council to the City Attorney and the City Clerk.

5. PRESENTATIONS

5.1. BrooksWatson & Co. annual Financial Audit report

Mike Brooks of BrooksWatson & Co. presented the annual Financial Audit Report to Council. He explained that this was an independent auditor report and shared that the City of La Marque elected to do an annual comprehensive financial report which is above the standard required by the state. Mr. Brooks gave a brief summary of the audit process. He provided several statistics showing the current state of financials within the city and stated that the city does not need a forensic audit at this time. He also presented a final letter requested by City Manager Garcia regarding the findings of their work, noting that there was a miscalculation in the property taxes by \$0.07, which would have brought the overall value of property taxes to \$0.62.

Mayor Bell along with the rest of council stated that if this error had been caught sooner, it may not have triggered a rollback and the overall property tax rate would have been raised. Council asked how this can be avoided in future years. Mr. Brooks explained that the property tax rates are set by the tax assessor's

office and the audit allowed his firm to catch the miscalculation. He suggested for the city to have a third party consult on the calculations to ensure that the property tax rate is correct for future years. Councilman Carlson stated that while he agreed that this is important, it will cost the city money to bring in additional contractors for this assessment.

Mr. Brooks also spoke of how the Finance department received a GFOA award for going above and beyond the standard required for the comprehensive audit. This means that the Finance department not only provided more information than required but also the information was correct. The council questioned why the city received an award if there was a miscalculation in the property taxes. Mr. Brooks clarified that the award is about the correctness of the information that was requested. This award is only given to approximately 30% of the companies represented by BrooksWatson & Co.

Mayor Pro Tem Compian requested an accurate 2022 worksheet along with the report. He stated that the city cannot afford the same software that SB2 utilizes but still wants accurate numbers. Mr. Brooks indicated that the Texas State Comptroller provides a copy of the worksheet on their website, which is available to the public, and was utilized during this audit.

Mayor Bell posed questions for Mr. Brooks so as to provide transparency to the public. The mayor pointed out that the City of La Marque spent less than the budget, with the council and city not doing any excessive spending, and the budget had 2 amendments over the year. Mr. Brooks confirmed that it is common to have budget amendments. Finance Director Suzy Kou stated that the amendments were due to 6 city officials leaving at one time, causing a major hit to the budget as this was beyond the control of the council and the amount of payout was substantial. Mayor Bell then expressed how 43% of our budget funds are unassigned, which is nearly triple the percentage recommended by the Government Financial Officers Association (GFOA) to which Mr. Brooks confirmed. Mayor Bell then discussed the grant funding used and procured in 2021 to which Mr. Brooks indicated that \$940,000 was received and the audit process did not find anything alarming.

Mayor Bell asked about debt service funds and whether there were any abnormalities in them. Mr. Brooks stated that there are no non-debt activities taking place in this fund and that no salaries are involved from the city's debt services fund.

Mayor Bell inquired about the utility fund and asked Mr. Brooks if he found any illegal or inappropriate activity. Mr. Brooks stated that the audit team found no illegal activity. The mayor then asked if having employee salaries in the utility fund is illegal, inappropriate, or unacceptable, as they are being paid for the functions that they do under the utility services. Mr. Brooks stated that it is ok to have employees under the utility fund because their work is related and this is both a common practice and encouraged.

Mayor Bell summarized the discussion, stating there was a mistake in the 2021 worksheet, no salaries are coming from the debt services fund, not all salaries are

tied to the utility fund but rather only to the individuals that are directly tied to utility functions. Mayor Bell's final question to Mr. Brooks was if he or his team were to find fraud, would they have to report it? Mr. Brooks stated that they would report it but at this time, there was nothing from the audit to report to the state as fraudulent practices.

6. **NEW BUSINESS**

Items presented to the Council for discussion and for Council to provide direction:

- 6.I. Resolution No. R-2022-0053
Accepting the financial audit of fiscal year 2021-2022

Mayor Pro Tem made a motion to adopt Resolution No. R-2022-0053 with an adjustment to the date of approval. Councilman McAuliffe seconded.

MOTION CARRIED UNANIMOUSLY.

- 6.II. Review And Discuss Proposed Fiscal Year 2022-2023 Departmental Budgets and all funds

Technology / Public Relations / Emergency Management / Facilities / Special Events

Systems Administrator Kyle Hunter, who oversees the Information Technology Department, the Office of Emergency Management, Public Relations, Facilities, and Special Events for the City of La Marque, presented his budget proposal for his respective departments. He led with the Information Technology (IT) budget, where he indicated that he now has a team of 4. This department has seen a major uptick in staff-driven help desk requests due to the reliance on technology, especially during COVID and new technology and software utilized. He also presented that the IT Department maintains 10 storage servers with approximately 165 terabytes of data, 67 cameras over 19 network devices, 145 laptops/desktops, and 90 mobile devices, including the Fire and Police Departments. He stated that there are nearly 600 devices on the city network daily, which are also monitored and maintained by his department.

Public Relations Specialist Joshua Pritchett gave a brief overview of the use of social media and other media outlets that are utilized daily. He brought attention to higher traffic on social media accounts along with the many different forms of media the city is consistently using to help with transparency, emergency management needs, and marketing of events. He explained how he and Mr. Hunter track multiple data points to see what and how the technology is being used to best satisfy the needs of the community.

Mr. Hunter stated that the Emergency Management Team consistently works to ensure the safety of the community. He shared that the City utilizes the PEG Funds to help with certain items, such as the mobile

command trailer, and there is potential for a PEG Studio inside the trailer in the event of an emergency so that the Mayor or other City Officials can broadcast updates.

Mr. Hunter also discussed the need for new public safety reporting software and the upcoming launch of the new city app for cell phone users. Joshua Pritchett, the Public Relations Specialist, also shared the importance of the new city app and the upgrades it would provide for reporting safety concerns, accessible links to the public information request software and also offer utility billing online payment opportunities. The app is being worked on but once it is ready for launch, it will provide a lot of new access points for the residents to contact the city for their different needs. Mr. Pritchett also indicated a need for website upgrades which he and Mr. Hunter are actively working on.

Council engaged in conversations about emergency management concerns questioning when the last disaster plan for the City was updated. Mr. Hunter explained that last year the active shooter plan was worked on in conjunction with the Texas City Independent School District. He also noted a complete plan was updated last year to cover other disasters that could arise.

The council also asked about the division's expenditures and revenue. Mr. Hunter clarified the need to purchase a trailer with a green screen, cameras, laptops, and other materials. He utilized the PEG fund to help with preparations for the PEG Studio that is being built in the mobile command trailer for emergency communications.

Mr. Hunter and Mr. Pritchett also discussed enhancing the communications department by bringing in college interns. This would allow for new ideas for an ever-evolving population and help with the types of media the citizens would like to see. Mr. Pritchett brought up the idea of cyclical media postings on social media platforms and continued physical mailouts and other physical forms of media on a quarterly or semi-annual basis for those who do not use social media. He felt that having college interns would allow for a more diverse opportunity to relay the media materials and bring in fresh perspectives.

Mr. Pritchett elaborated on the idea that the city should have a more proactive approach to relaying information to the public than reactive. He proposed a "Good Morning America" style program for La Marque on a weekly or monthly basis so that they can broadcast the different services provided in the City and give important updates on current and upcoming events. His plan for 2022 and the years forward is for consistent and compliant measures with media processes.

Jackie Pennington (924 Cypress) requested a better calendar system for public use. She noted that the Boards and Commissions host several events that are not well promoted and wants to see if there is a calendar system in place for better communication. Her concern was addressed by Mr.

Pritchett, who stated that they are working on a more detailed calendar, and once the app is ready for launch, the public will have better access to these event updates. The mayor noted that the city may be low-tech as of now, but needs to work on better communication both internally and publicly.

Finance Department

Finance Director Susie Kou presented on behalf of the Finance department. Director Kou requested a grants administrator role for the finance team. She noted that she has taken part of several grants which is very time-consuming, taking nearly 90% of her time and allowing less time to focus on the financial aspect of her role. She asked for council to consider the costs of having an in-house grant accountant versus outsourcing. Director Kou also noted that after researching other city governments and their financial teams, the department should have six people, including a designated person for handling grants. Upon deliberation, council determined that outsourcing is the best option at this time but would revisit in the future.

Director Kou also discussed her efforts in battling with FEMA to collect the funds from storms Yuri and Harvey to recoup approximately \$50,000. She also discussed the process to minimize costs across all departments but identified an inevitable rise in costs for windstorm insurance and workers' compensation due to new legislation.

Director Kou requested new finance software as the current system is antiquated and will go defunct within the next few years. She shared that the city can either use the same company with their new system or will need to open a bid opportunity. She anticipates the new software to cost between \$150,000 to \$200,000, but the City is truly in need of more reliable software. She recommended possibly using ARPA funding to help with this expense.

Council raised the issue of how the finance department's salaries are currently allocated, stating that some funds come from the Utility Fund, whereas others come from the General Fund. Director Kou stated that salaries are based on function, so the percentage of work on utilities is covered by the utility fund and the rest of the employee's salary is covered by the general fund.

Director Kou also showed a reduction in spending created by reducing travel and training costs due to utilizing virtual participation options. She also identified that each budget should reflect certain personnel certification training and audit fees. The appraisal fees for Galveston County are also generic fees that the city needs to account for in each budget cycle.

Councilman Carlson asked for clarification on janitorial services and maintenance line item in the amount of \$4,000 for the financial department alone. Director Kou noted that the current building needs

upgrades and these funds should help with getting the upgrades to the restrooms and breakroom area for both Finance and Public Works. The council requested that the city find a better balance for funding this line item.

Director Kou shared that the city had approximately \$3 million in COVID expenses between PPE and other supplies for the Fire and Police Departments. She also recognized \$1 million donated by the Economic Development Corporation to help small businesses with COVID relief.

Council and Director Kou also discussed the disaster fund and its current holdings. In past budget workshops, the Council elected to hold \$1 million in this particular fund to help with storm recoveries and other unforeseen disasters. Due to the current financial state of the City, the Council questioned whether to lower that amount as the City is still waiting on FEMA reimbursement that could be up to \$700,000. Director Kou stated that she is still working with FEMA to recover as much as possible, but it has been a struggle.

The council then summarized the discussion, stating that the Finance Department is requesting ARPA funds to cover new software; the department is asking for additional employees to have a total of 6, with one as a designated grant accountant or assistant director role; and lowering the disaster fund to \$600,000 from \$1 million. Council turned down the additional role in the department and recommended outsourcing all grant writing at this time.

Public Works

Public Works Director Rick Sailer presented information regarding the City's water rates and fixing the City's water problems. He explained that the city's operations could be broken down into two segments, water utility, and wastewater utility, and both operations need improvements. The city has applied for several grants to help with this project, and the amounts that it must match are designated in the budget. The first project plan includes the wastewater treatment plant expansion, the upgrades to the existing plant, and lift station upgrades. The second project is manhole rehab work and some sanitary sewer pipeline replacement. These projects are expected to cost \$49 million. These projects are estimated to take two to three years.

The council asked if the second project would only apply to residents with water accounts, and Director Sailer confirmed this request.

The council asked about the increase in the cost of water in the County. The council stated that the city has not kept up with this increase so as not to pass any additional costs to the citizens. Director Sailer stated that one cannot sell a product and lose money. He indicated that approximately 60% of water loss is currently happening in the city due to the need to replace approximately \$25 million worth of water lines.

The council questioned the level of repairs the city needs to complete for the water line project. Director Sailer stated that this can either do a patch job now, or the city will have to undertake a full reconstruction down to the base, which would mean tearing up and replacing streets after the water line is replaced. He shared that this type of project can be laid out separately where if the city did a full reconstruction, it can also put in storm sidewalks that would last 60 to 80 years compared to a shorter-term effect.

The council informed Director Sailer that a capital improvement plan (CIP) will be needed to get marching orders. The council also noted that the current water rate will need to be increased, and it debated whether to increase it to \$1 per year for five years or in a one-year boom.

Councilmember McAuliffe indicated she would like to see a current plan, a three-year plan, and a five-year plan on this to get a better idea of the overall numbers.

Council also questioned why such a high number of gallons are wasted every year. Director Sailer provided insight on the fact that 20-25% of the water loss is due to flushing out dead ends and sanitizing the sewer lines every month or so, which in turn is a few thousand gallons. This is required by the Texas Commission on Environmental Quality (TCEQ).

The council summarized the discussion and separated department functions between streets and parks.

6.III Items For The Good Of The Order

Mayor Pro Tem Compian thanked the Council and staff for their participation in this budget workshop. He noted the city's frustrations but wants to ensure compliance with legal responsibilities and obligations.

Councilmember McAuliffe also thanked the staff for overcoming the frustrations to make this budget workshop work. She stated that it can be terribly upsetting to have work interrupted, and she greatly appreciates the patience of the entire staff throughout this process.

Councilmember Yancy thanked the staff and all involved in the budget workshop. It is unfortunate that the staff must go back and prepare another budget booklet and remedy some of the issues presented.

Councilmember Carlson also thanked the staff and wants to ensure that the city gets things right.

Mayor Bell thanked the staff for their work. He understood that everyone makes mistakes, but they can correct them and move forward.

7. EXECUTIVE SESSION

The City Council for the City of La Marque, Texas reserves the right to adjourn into executive session at any time during this meeting to discuss any of the matters listed above, as authorized by 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.

8. ACTIONS TAKEN FROM EXECUTIVE SESSION

9. ADJOURNMENT

Mayor Pro Tem Compian made a motion to adjourn the meeting. Councilman McAuliffe seconded. **MOTION CARRIED UNANIMOUSLY.**

***Meeting was adjourned at 7:03 p.m.*

Keith Bell
Mayor

Kierra K. Nance, TRMC
City Clerk



**CITY OF LA MARQUE
CITY COUNCIL
REGULAR MINUTES
of
AUGUST 8, 2022**

City Council Minutes of the City of La Marque Regular Meeting held on Monday, August 8, 2022, at 6:00 p.m. at 1109-B Bayou Road:

1. CALL MEETING TO ORDER

Mayor Bell called the meeting to order at 6:00pm.

2. ROLL CALL

Keith Bell, Mayor - Present

Kimberely Yancy, Councilmember District A - Present

Joe Compian, Councilmember District B, Mayor Pro Tem - Present

Michael Carlson, Councilmember District C - Present

Casey McAuliffe, Councilmember District D - Present

3. INVOCATION AND PLEDGE OF ALLEGIANCE

Invocation led by Councilmember Yancy and Pledge of Allegiance led by Councilmember McAuliffe.

4. PRESENTATIONS

4.1. Charter Review Committee

Committee to present final report to Council with recommendation for Charter amendments

James Osteen(2012 Jeridona) spoke on behalf of the Charter Review Committee with their recommended amendments. He shared that it was a pleasure serving on this committee, and his fellow committee members echoed his sentiments. Sally Austin, Vice Chairperson of the Charter Review Committee, also shared that the committee narrowed down the number of amendments from 54 to 11 and prioritized the information as it would be presented on the ballot.

Mr. Osteen brought 11 amendments before council for review and ballot placement in the November 2022 election. He expressed that several of these items have to do with the City Manager's position. While it is not a direct concern with our current City Manager, it is to curb issues the City of La Marque has dealt with in the past.

The sections for amendments include several factors from personnel matters, adjustments to financial reports, recall documents, and petition procedures. These recommendations include a change in severance pay for the City

Manager, council approval of creating administrative departments, and hiring the Municipal Judge. They also include financial form changes to include year 20__ instead of 19__ on all forms. The committee also touched on recall petitions and the ability of the accused to issue rebuttal statements.

City Manager Garcia asked about creating a Parks and Recreation department to be run under Public Works. Mr. Osteen and the Council agreed to look at this at a later date but would not consider it with the proposed amendments.

5. CITIZENS PARTICIPATION

Danny Barnes (26 N Flamingo) thanked the Council for the work happening in Omega Bay.

James Osteen (2012 Jeridona) spoke of his concern with posting of Public Hearing on Ordinance O-2022-0010. The notice was posted in the newspaper on August 2nd but does not meet the 10-day requirement for publication prior to a Public Hearing.

James Ross (414 Avenue D) argued that the language the council is using for the voting on tax rollback is incorrect. He stated that people wanted to save money from the property tax increases, not defund other people.

Eva Livy (2808 Fanin St.) spoke about the number of Open Records Requests and her concern for not only the numbers but also the people who are filing these requests seem to be repeat citizens.

Robert Michetich (24 N Curlew) thanked the Charter Review Committee for their work but had some suggestions. He would like to have equal time for rebuttals, as the council only allows for a short timeframe for the public to speak on a particular point. He also requested clarification from budget discussions for the 90 days before the end of the year. Mr. Michetich identified the lack of cap on short-term loans and the vagueness of repayment of these loans. He also argued that there is no need to change the council terms from 3 years to 4 years.

6. MINUTES

- 07.25.2022 Special Meeting Minutes
- 07.28.2022 Special Meeting Minutes
- 08.01.2022 Special Meeting Minutes

Councilmember Yancy made a motion to approve the minutes from Council meetings on August 1, 2022, July 28, 2022, and July 25, 2022. Councilmember Carlson seconded. **MOTION CARRIED UNANIMOUSLY.**

7. PUBLIC HEARINGS

*** Mayor Bell closed the City Council Regular Meeting and entered into Public Hearings at 6:51 p.m.*

- 7.1. Ordinance No. O-2022-0007 establishing a curfew for any person under the age of seventeen years during certain hours

THERE WERE NO PUBLIC COMMENTS.

- 7.II. Ordinance No. O-2022-0008
Authorizing expenditure of funds for streetlights in the Omega Bay Subdivision

Re'Chard Loftis (309 Johnson Street) stated that he does not have a problem with Omega Bay getting streetlights but would like to note that certain areas do not have any streetlights and are in total darkness.

- 7.III. Ordinance No. O-2022-0009 updating the La Marque City Code of Ordinances: Appendix A

THERE WERE NO PUBLIC COMMENTS.

- 7.IV. Ordinance No. O-2022-0010 Amending Residential Canal Zoning
THIS ITEM WAS POSTPONED UNTIL 8/29/2022.

8. ORDINANCES

***Mayor Bell closed the Public Hearings and reconvened the Regular meeting at 6:55 p.m.*

- 8.I. Ordinance No. O-2022-0007 establishing a curfew for any person under the age of seventeen years during certain hours **THIS IS THE SECOND AND FINAL READING**

Councilmember McAuliffe made a motion to approve the establishment of Ordinance O-2022-0007 adding an amendment to add all data points. Mayor Pro Tem Compian seconded. **MOTION CARRIED UNANIMOUSLY.**

- 8.II. Ordinance No. O-2022-0008
Authorizing expenditure of funds for streetlights in the Omega Bay Subdivision **THIS IS THE SECOND AND FINAL READING**
Councilmember McAuliffe reiterated her support for the City to undertake payment of the streetlight bill for Omega Bay. However, she also has her concerns about other areas without proper streetlighting that need to be addressed. She also asked when this would begin.

City Manager Garcia clarified it would occur as soon as possible, but the latest would be by October 1. He also noted that he had a meeting before this Council meeting regarding the streetlight project and will have updates by the September meeting.

Councilmember Carlson made a motion to adopt Ordinance No. O-2022-0008. Councilmember Yancy seconded. **MOTION CARRIED UNANIMOUSLY.**

- 8.III. Ordinance No. O-2022-0009
Updating the La Marque City Code of Ordinances: Appendix A **THIS IS THE SECOND AND FINAL READING**

Mayor Pro Tem Compian asked for clarity on the chicken ordinance. Certain expenses are not listed, and they requested a registration fee of \$30 and an additional fee of \$15 for administrative costs and inspection. He also stated that he understood that registering chickens is voluntary and the need for inspection is strictly for complaints lodged against the person

owning the chickens. Kathleen Van Stavern, Director of Development Services, clarified that the current ordinance does allow for voluntary registration and inspection. However, the new ordinance will call for a new fee structure.

Councilmember McAuliffe also clarified that nothing extra is expected of chicken owners. Ms. Van Stavern confirmed there is no increase at this time as this ordinance is not yet in effect. The point is to get the citizens used to the idea of the fees for future implementation.

Councilmember McAuliffe made a motion to approve updating Appendix A on Ordinance No. O-2022-0009. Councilmember Yancy seconded. **MOTION CARRIED UNANIMOUSLY.**

8.IV. Ordinance No. O-2022-0010
Amending Residential Canal Zoning THIS IS THE SECOND AND FINAL READING

Council elected to have a discussion only on this item as it will appear on the August 29th agenda.

Mayor Bell requested relief for the three residents currently affected by this ordinance's timeline and its delays. City Attorney Gus Knebel stated he would work with Kathleen Van Stavern to develop a plan and can meet with Omega Bay constituents this week once everything is worked out with staff.

Georgia Sharpe (12 North Omega) requested confirmation that this will be addressed and voted upon on August 29th. Councilmember McAuliffe confirmed that this will be resolved on the August 29th meeting.

James Osteen (2012 Jeridona) urged the Council not to do anything "shady." They must uphold the City Charter or be removed from office if they do not abide by the laws. He stated that there is no grey area and that the council should not approve anything outside of the Charter.

Mayor noted that the issue of requests for variances are for the people already in the process and need relief due to the delays in the ordinance passing. The City will abide by the Charter and opinion from Attorney to see how to provide relief.

Councilmember Yancy took a moment to explain the legalities and how processing can be a long ordeal. She also noted that humans make mistakes, but the council and staff are bound to make decisions by following the law.

Councilmember Carlson echoed that the city is working to make sure it gets this done legally and right.

NO ACTION TAKEN.

9. RESOLUTIONS- CONSENT

Councilmember Yancy made a motion to approve all items on the consent agenda. Councilmember McAuliffe seconded. **MOTION CARRIED UNANIMOUSLY.**

- 9.I. Resolution No. R-2022-0036
CenterPoint Energy Streetlighting LED Agreement
- 9.II. Resolution No. R-2022-0044 approving Preliminary Plat application for Ambrose Section 2, near Victory Springs and Fleming Road with conditions as suggested by Planning and Zoning
- 9.III. Resolution No. R-2022-0045
Preliminary plat application for Ambrose Section 3, near Victory Springs and Fleming Road
- 9.IV. Resolution No. R-2022-0046
Supporting the City of La Marque's application for a grant for Mahan Park
- 9.V. Resolution No. R-2022-0047 ratifying the City of La Marque's application for a grant from TCEQ for dredging the canals in the Omega Bay Subdivision
- 9.VI. Resolution No. R-2022-0048 designating certain officials as being responsible for, acting for, and on behalf of the City of La Marque, Texas in dealing with the Texas Parks & Wildlife Department for the purposes of participating in the Local Park Grant Program
- 9.VII. Resolution No. R-2022-0049 authorizing the City Manager to sign an agreement with the Texas City La Marque Chamber of Commerce
- 9.VIII. Resolution No. R-2022-0050 ratifying the purchase of a blower for the wastewater treatment plant
- 9.XI. Resolution No. R-2022-0051 ratifying the Bayou Fest talent contracts
- 9.X. Resolution No. R-2022-0052 approving a \$17,500 transfer from Parks Fund balance to the Park Improvements Fund
- 10. **CITY MANAGER REPORT**
 - 10.I. Grant Updates
City Manager Garcia stated that this city is making progress and will have a full report available in September. There are 13 roads under construction, and he hopes to finish these improvements by the end of the calendar year. There have been some setbacks, but the goal is to complete the job without having to create patchwork for other repairs, such as waterlines.
 - 10.II. Dog Track Elevated Storage Tank Update
Rick Sailer, Director of Public Works, indicated that the work is coming along, and the project is set to be completed by November. Some changes have been suggested, such as allowing new sponsorships to include their logos and requesting additional lighting in the area, but the lighting options are not ready to be presented at this time.
 - 10.III. EPA Regulation Violation
City Manager Garcia indicated that the City of La Marque was penalized \$800 due to having an expired risk management plan at the wastewater

treatment plant. The plan in place expired as of September 26, 2021. City Manager Garcia stated that this has been rectified and that he and Mr. Sailer have put a plan in place to avoid this in the future, with the next plan to be placed in effect until 2026.

11. NEW BUSINESS

11.1. Items For The Good Of The Order

City Manager Garcia announced the City of La Marque Monopoly game is now available for purchase at Wal-Mart.

Councilmember Yancy encouraged citizens to donate to local schools as the new year has begun and supplies are always needed.

Mayor Pro Tem Compian indicated that he has started a new workout routine that includes riding a tricycle, so feel free to wave as you see him ride.

Mayor Bell invited the citizens of La Marque to attend the budget workshop so they could see the spending priorities of the City.

Councilmember McAuliffe discussed the importance of helping our local businesses and students as they begin the new school year.

City Manager Garcia also asked for a point of privilege to discuss the back-to-school event that was held on August 6th and noted that over 100 backpacks filled with school supplies were handed out in less than 30 minutes. There is a need within the community and the residents who received the backpacks were very appreciative. He also noted the other services provided such as health checks and haircuts were very appreciated by the residents.

12. EXECUTIVE SESSION

***Mayor Bell recessed the Regular City Council Meeting and entered into Executive Session at 7:54 p.m.*

12.1. Section 551.071 (Consultation With Attorney) Stefonia Jackson v City of La Marque

13. ACTIONS TAKEN FROM EXECUTIVE SESSION

***Mayor Bell closed the Executive Session and reconvened the Regular Meeting at 8:10 pm.*

13.1. Section 551.071 (Consultation With Attorney) Stefonia Jackson v City of La Marque

Councilmember McAuliffe made a motion to approve the terms laid out earlier in the executive session pending a final approval from the City Attorney and the City Manager's Office. Councilmember Carlson seconded.

MOTION CARRIED UNANIMOUSLY.

14. ADJOURNMENT

Councilmember McAuliffe made a motion to adjourn. Councilmember Carlson seconded. **MOTION CARRIED UNANIMOUSLY.**

***Meeting adjourned at 8:11 p.m.*

Keith Bell
Mayor

Kierra Nance, TRMC
City Clerk



**CITY OF LA
MARQUE CITY
COUNCIL
REGULAR MINUTES
of
JULY 11, 2022**

City Council Regular Minutes of the City of La Marque City Council held on Monday, July 11, 2022, at 1109-B Bayou Road:

1. CALL MEETING TO ORDER

Mayor Bell called the meeting to order at 6:07 pm.

2. ROLL CALL

Keith Bell, Mayor

Kimberely Yancy, Councilmember District A

Joe Compian, Mayor Pro Tem, Councilmember District B

Michael Carlson, Councilmember District C

Casey McAuliffe, Councilmember District D

3. INVOCATION AND PLEDGE OF ALLEGIANCE

Reverend Eligh Johnson gave the invocation and Councilmember McAuliffe led the Pledge.

4. PRESENTATIONS

4.1. Proclamation - Parks Month

Chairman Michael Bock, Bo Hunter, and Larry Walker accepted the Parks Month Proclamation on behalf of the Parks Board. Chairman Bock gave a brief update on current Parks Board activities. CenterPoint Energy - LED Street Lighting

4.2. Centerpoint Energy - LED Street Lighting

Bryan Giang, Service Consultant for CenterPoint Energy gave a brief presentation relating to the LED Replacement Project for the City of La Marque.

Councilman Carlson had questions regarding current kw rates and the effects of environmental damage (i.e. heat) to LED lights. Mr. Yang stated that he did not have

the current cost available at this time and then explained that the lights can be damaged from being overheated and may affect the lifespan of the light, which is currently projected at 8 to 10 years. He also mentioned that part of the conversion plan includes monthly maintenance to prevent as many of these environmental issues as possible.

Mayor Pro Tem Compian asked about the process for citizens to have LED street lights installed on their own. Mr. Yang was unable to provide a specific number as there are elements that would affect the overall rate.

City Manager Garcia explained that a three-phase process is being prepared. Phase I is to replace all existing lights to LEDs, Phase II is to install new poles throughout the City as needed, and Phase III focused on neighborhood roads.

4.3.GCWA Presentation to address revisions to prior approved contract

David Davis, Assistant General Manager, Gulf Coast Water Authority is back to correct O&M information given during the last presentation which equates to a 23% increase. He stated that surrounding cities such as League City and Galveston had a significant drop in water usage. This information was not available when the original ordinance was put in place, and therefore, it affected our rate. He noted that the City has one of the lowest rates in the state of Texas, but the change will increase to approximately \$0.72 per month per household. He stated that rate changes were inevitable, and the GCWA will provide an expected rate analysis to the City before October 1, 2022. Mr. Davis also mentioned that due to grant funding, the taxpayers will not be paying for the desperately needed water facility upgrades.

Mayor Pro Tem Compian asked for the process of notifying cities of rate changes. Mr. Davis stated there is no protocol to inform cities of these types of changes.

Councilmember Carlson asked if the council needs to take action since this is a change to the original ordinance. City Attorney Gus Knebel stated that in the best interests of the City of La Marque and for clarity among Councilmembers and the public, this item is listed on tonight's agenda with the revision.

5. PUBLIC SAFETY

Alec Luong accompanied the Public Safety Building Committee to give an update on their activities over the last few months. This presentation covered the discussion of a P3 development, and the committee's deliberation regarding the best course of action.

Chief Smith spoke on behalf of the Committee and reiterated that after further review, they stand beside their initial decision and continue to support proposed option 2. After prompting from the Council to understand the reasoning behind their decision, he stated that there were just too many moving parts to the P3 development and identified that "the longer we wait, the more it is going to cost." They understand that this building is very much needed and should continue to hold the Municipal Courts.

Councilmember McAuliffe asked for clarity on how this option was deemed the best fit. Chief Smith stated that the committee felt that taking a smaller bite on the project is attainable and the best course of action.

Sally Austin then spoke for the group stating that this has been a work in progress for years. The City of La Marque needs a Public Safety Building that provides a safe environment and the necessary equipment for the officers to do their jobs effectively. She noted that the chosen option will allow for a long-term building with the potential to add on as needed.

Councilmember Carlson asked about the expected cost of this project. Chief Smith clarified that it would cost approximately \$15.4 million.

Robert Michetich (24 N Curlew) shared his issue with neither of the plans being publicly posted, and also neither has adequate parking. He also shared his support for a bond election.

Tykisha Murphy (2604 Cedar)- Recommended an online survey akin to that which is being used for the ARPA Survey.

Mayor Bell stated that this would all be taken into consideration and placed on a future meeting's agenda for discussion. He also agreed to the need for transparency and this would take some time before putting a plan into action.

6. CITIZENS PARTICIPATION

Marvin Johnson (3121 Mar Ann Dr.) requested rent control in the City.

Tykisha Murphy (2604 Cedar) expressed concern regarding lack of information regarding recall petition processes.

Danny Barnes (26 N Flamingo) spoke regarding the Omega Bay concrete ordinance, and asked that a temporary variance be issued to the (3) community members currently waiting.

Georgia Sharp (12 N Omega St) spoke regarding the Omega Bay ordinance, which was tabled in June and is not on the agenda for tonight's meeting. She also stated that she and other neighbors are receiving certified letters and believe it is excessive government spending for sending them.

Eva Livy (2808 Fannin) spoke to concerns relating to receiving multiple notifications for the City Council agenda on Friday and receiving an updated agenda (documents) on Monday.

Mike Bock (106 Longridge Dr) spoke to the updated Schedule of Fees, feels that some of the new fees are excessive, specifically the new \$200 tent fee among other fees that are significantly higher than our surrounding cities.

Jose Ramos Dias (2512 Stonewall) spoke to concerns relating to his ditch, it has been full for the last 17 months.

Mary Limones (2709 John St) spoke to item 13, the Back to School Bash being held by LULAC at the La Marque Public Library on August 6, 2022, giving away backpacks, free haircuts, physicals, community partners, and voter registration. She also asked for donations from the community.

Justin Pulliam (8919 Japonica Dr Rosenberg, TX)-shared that he is fired up over the recall going around and received an affidavit and it looks very unprofessional. He stated that he believes one group in particular is causing so many issues and the actions are actually hurting the citizens more than the council.

Jennifer Washington (2809 Nashby) spoke to having been a citizen for over 34 years and has come to say that she made a request at a meeting with Councilmember Yancy that came to fruition, and just like she complains, she has no problem coming back to "shout it out" when the city does something right. "We are not where we need to be, but we are improving"

Joseph Lowry (2302 Cedar) asked for a forensic audit and to remove any convicted felons from the boards.

Re'chard Loftis (309 Johnson) said, "A hit dog will holler." He also discussed the alleged harassment of City officials and volunteers. He stated that the District Attorney is aiding and abetting the problems in the community. He stated that people are afraid to volunteer because they fear being attacked.

7. CITY MANAGER REPORT

a submitted report to update Council and Community on the standard operations of the City, report can be acknowledged as whole or discussed at the pleasure of Council.

7.1. City Projects Report

City Manager Garcia spoke on the multiple projects that are going on at the same time. The top 3 projects are the wastewater plant project, lift stations, and storm water work. These programs are moving forward faster than they have in the past and will have another update next meeting.

City Manager Garcia noted that the City is working on Phase I to get all the streetlights to LED format. He requested citizens help to report any outages stating that there will be further discussion on lighting in Omega Bat during the meeting. He also provided documents showing where the lights are needed and costs. The City of La Marque currently has 1,000 lights and are expecting another 1,000 within the next 5 years.

7.II. Update - Container Homes

Development Services Director Kathleen Van Stavern gave a brief update on this issue, stating that the 2021 International Building Codes have been adopted, however, the City of La Marque operates under the 2018 International Building Codes. She stated that this is a learning experience for everyone and although there are some very beautiful Container Homes, however, there is not much out there to base our ordinance on.

***Mayor Pro Tem exited the meeting at 8:25 p.m. and returned at 8:28 p.m.*

7.III. City Manager's 3 Month Update

City Manager Garcia shared that the City of La Marque faces some challenges. Personnel in the Police and Fire Departments are leaving due to better benefits and pay. He noted that the men and women serving in these fields must be great enough to be recruited elsewhere, and the city is severely underpaying individuals. He also noted that the current staff's morale is low due to being overworked and not paid well.

8. MINUTES

8.I. Draft Minutes for consideration

- Regular Minutes 05.09.2022
- Special Minutes 05.17.2022
- Regular Minutes 06.13.2022
- Special Minutes 06.27.2022
- Retreat Minutes 07.05.2022

Councilmember Carlson made a motion to approve all minutes.
Councilmember McAuliffe seconded. **MOTION CARRIED UNANIMOUSLY**

9. PUBLIC HEARINGS

*** Mayor Bell recessed the regular meeting and entered the Public Hearing at 8:32pm.*

- 9.I. Ordinance No. O-2022-0006 amending Section 2-181 of the La Marque City Code of Ordinances to reduce City Manager spending approval rate from \$50,000 to \$25,000

Tykisha Murphy questioned the reasoning for reducing the spending limit.

10. ORDINANCES

*** Mayor Bell closed the Public Hearing and reconvened the Regular Meeting at 8:33pm.*

- 10.I. Ordinance No. O-2022-0006 amending Section 2-181 of the La Marque City Code of Ordinances to reduce City Manager spending approval rate from \$50,000 to \$25,000

Councilmember Carlson made a motion to adopt Ordinance No. O-2022-0006. Councilmember McAuliffe seconded. **MOTION CARRIED UNANIMOUSLY.**

10.II. Ordinance No. O-2022-0007

Renewal of City Code of Ordinances Chapter 44, Article 1, Section 44-2:
Curfew for Minors

City Manager Garcia discussed the need to renew this ordinance every three years. Councilmember McAuliffe raised concerns regarding the potential for discriminatory practices. However, she did bring up the reports provided by the La Marque Police Department and noted that while the juvenile crime rate is still relevant, it is not in relation to curfew violations.

Councilmember Carlson made a motion to approve Ordinance No. O-2022-0007. Councilmember McAuliffe seconded. **MOTION CARRIED UNANIMOUSLY.**

10.III. Ordinance No. O-2022-0008

Omega Bay Street Lighting

Councilmember McAuliffe stated she has no obstacles to approving this. However, her only issue is the timing during the middle of a light study knowing that entire sections of the city do not even have lights. She asked the council to consider adding this to different phases since this is just beginning to install and upgrade. She noted that equity is a priority and that the council should "finesse it" so that other requests are also being honored.

City Manager Garcia clarified that the second reading is set for August. Per the City Charter, the effective date is 30 days from the time of Ordinance acceptance, which would be September 8th unless the Council were to delay the effective date for budget reasons.

Mayor Pro Tem Compian clarified that the city is not obligated to maintain or approve the installation of further streetlights in the Omega Bay subdivision as it is still the responsibility of the homeowners association.

City Manager Garcia asked for consideration in adding one or two lights at the front of the neighborhood.

Councilmember Carlson noted that council still has time as this is the first reading. Omega Bay is a part of the city and this is a little something the city can do. In the grand scheme of things, this is a drop in the bucket that the city can afford and this is the right thing to do.

Mayor Bell understood that the city is unable to give them the best bang for their buck for legal reasons that have caused frustrations on both sides. He stated that it would be prudent to expedite this because they pay the lion's share of the city's tax revenue. He said that this is something the city can do to show that it cares about them as part of the city.

Councilmember Carlson made a motion to approve Ordinance No. O-2022-0008. Councilmember Yancy seconded. **MOTION CARRIED UNANIMOUSLY.**

10.IV Ordinance No. O-2022-0009 updating La Marque City Code of Ordinances: Appendix A

Mike "Rock" Bock (106 Long Ridge) requested that this item be tabled until more research can be conducted due to high fees and the schedule being hard to follow.

City Manager Garcia shared that this is the first reading and if the staff or public had any suggestions with proper documentation then he would love to hear their ideas.

Councilmember McAuliffe spoke in support of the ordinance but needed clarification on the tent proposal.

Kathleen Van Stavern, Director of Development Services, stated that there was a full team that put together this fee schedule and conducted research over a span of approximately 50 cities before coming up with the numbers presented. She also noted that the City of La Marque is currently dealing with an issue of not having several permits or fees assigned by council. She did provide the previous fee schedule in the agenda packets for reference.

Councilmember McAuliffe also questioned the sexually oriented work fee and how it is listed on the fee schedule. Kathleen clarified that it is listed that way because it mirrors the Texas Government Code.

Chief David Merryman of the La Marque Fire Department gave clarifications on the tents and how they would be affected by fees. He noted the fees are more so for the tents that have only one entry or exit scenarios and have certain requirements that must be inspected by a Fire Marshal.

Kevin with BBG Consulting Inc. noted that he was part of the team who worked on the fee schedule and though it may not be perfect, the focus was on the economics and circumstances that exist in La Marque that would be considered fair and reasonable at this time.

Mayor Pro Tem Compian requested that the new fee schedule be reviewed on an annual basis.

City Attorney Gus Knebel explained that the city is amending the ordinance with this new fee schedule.

Councilmember Carlson questioned the fees for the tents and how it is applied for private property. Chief Merryman clarified this, stating that large tents on private property are not subject to the fee but rather the tent must be in a public place for public use. He also questioned the Municipal Court fee of \$14 and the Chicken Ordinance relicensing fee of \$65. City Clerk Kierra Nance explained the \$14 fee is coming directly from the Texas Local Government Code and Ms. VanStavern explained that the relicensing fee for the Chickens has to do with the inspections.

Takeisha Murphy (2604 Cedar) requested language in the footnotes of this ordinance to help the residents with understanding certain terms in order to avoid confusion. City Attorney Knebel agreed to this request.

Councilmember Yancy asked about processing fees. Kevin with BBG Consulting Inc. stated that these are standard administrative fees to recoup costs and not lose money for staff assistance with these matters.

James Osteen (2012 Giordano) requested that this fee schedule be cleared up on the ordinance and to have the added amendment number. Council agreed with his statement.

Ms. VanStavern also noted that once these fees are put into effect, the quote from SmartGov is approximately \$8,000.

Councilmember Carlson made a motion to approve amending the Ordinance Number to O-2022-0009. Councilmember Yancy seconded. **MOTION CARRIED UNANIMOUSLY.**

11. RESOLUTIONS- CONSENT

The following items shall be considered for action as a whole unless one or more Councilmembers objects. Unless otherwise specified, the City Manager is authorized to execute all necessary documents upon final approval by the City Attorney.

- 11.I Resolution No. R-2022-0036 CPE Streetlighting LED Agreement
This item was pulled from consideration.

- 11.II Resolution No. R-2022-0037 revision to Resolution No. R-2022-0017: GCWA

Councilmember Carlson made a motion to approve Resolution No. R-2022-0037. Councilmember McAuliffe seconded. **MOTION CARRIED 4 AYES - 1 NAY (Compian).**

- 11.III Resolution No. R-2022-0038

Councilmember McAuliffe made a motion to adopt Resolution No. R-2022-0038. Mayor Pro Tem seconded. **MOTION CARRIED UNANIMOUSLY.**

- 11.IV Resolution No. R-2022-0039 a resolution awarding RFP 22-01 "Debris Management, Monitoring and Consulting Services"

Mayor Pro Tem made a motion to adopt Resolution No. R-2022-0039. Councilmember McAuliffe seconded. **MOTION CARRIED UNANIMOUSLY.**

- 11.V Resolution No. R-2022-0040
Purchase of new Fire Reporting Management Software

Councilmember McAuliffe made a motion adopt Resolution No. R-2022-0040. Mayor Pro Tem Compian seconded. **MOTION CARRIED UNANIMOUSLY.**

- 11.VI Resolution No. R-2022-0041

Councilmember McAuliffe made a motion to adopt Resolution No. R-2022-0041. Mayor Pro Tem Compian seconded. **MOTION CARRIED UNANIMOUSLY.**

- 11.VII Resolution No. R-2022-0042

Councilmember McAuliffe made a motion to adopt Resolution No. R-2022-0042. Mayor Pro Tem Compian seconded. **MOTION CARRIED UNANIMOUSLY.**

12. APPOINTMENTS

appointments, reappointments, or removals of all City Boards and Commissions

- 12.I. Applications For Consideration

City Manager Garcia recommended Ms. Jackie Pennington for Civil Service Commission.

Councilmember McAuliffe made a motion to appoint Jackie Pennington to the Civil Service Commission. Councilmember Carlson seconded. **MOTION CARRIED UNANIMOUSLY.**

13. NEW BUSINESS

- 13.I. Emergency Medical Billing RFP

Councilmember McAuliffe made a motion to release an RFP for EMS Billing Contract. Councilmember Carlson seconded. **MOTION CARRIED UNANIMOUSLY.**

- 13.II. Redistricting
Review of proposed Redistricting Maps and potentially scheduling Drawing Session II

THIS ITEM WAS TABLED.

13.II. Introductory Conversation Regarding Community Engagement Center

NO ACTION TAKEN.

13.IV Upcoming Events

City Events and Important Dates for Community Awareness

7.1.Back To School Event- Aug. 6

7.2.Bayou Fest - 10/15

NO ACTION TAKEN.

13.III. Items For The Good Of The Order

Councilmember Casey McAuliffe requested to change Budget Meeting on July 21, 2022 due to childcare issues. City Manager Garcia and Council agreed that adjustments can be made to the calendar as needed. She also stated that she shares the passion with Mr. Loftis and sees the divisiveness within the city and it is dismaying. She sees the chaotic mistrust and the actual harm being done to fellow councilmembers. She noted a specific individual and group trying to sell chaos and bring ruin by targeting certain individuals. She invited the group to expand their target as she sits on the dais and supports the members being targeted. She also thanked the staff for their continued efforts.

Councilmember Yancy started with a quote from her mother “Great opposition means great opportunities on the way”. She then reflected on how some people want a stage but the government is too precious to play with and can lose the sacredness of it. She discussed her need to have two temporary restraining orders for her family’s safety and that she will let the court of law handle this battle. Councilmember Yancy also stated that there are rules and consequences for bad behavior. She further stated that both council and the citizens need to make La Marque great. She posed questions to the public: Is the issue about politics or something else? Is this good for the city? She stated firmly that she and her family will not have someone run them out and will continue to be professional and positive. She asked for prayers for Mayor and Councilmembers. Councilmember Yancy noted that this does not need to be the new normal and should focus on the great things happening in our City.

Mayor Pro Tem recognized Tanner of REACT and the team that helps with communications, especially during natural disasters and times of need. He also stated that the community needs to come together and continue to be a better city and rationality is necessary.

Councilmember Carlson recognized the staff and appreciated everything that they do. Councilmembers and staff should not be attacked. Staff members are being followed home and that is not right. Politics aside, let’s do what is right for the City. He stated that there are a lot of good opportunities and need to bring it to light instead of negativity. He believes in the City of La

Marque and it is his home. He also pledged his \$50 monthly stipends back to the City.

Mayor Bell gave light to additional events going on in the City for the Community Policing Effort Kickoff on July 12th and the Coffee and Clean Up at McGaffey Highland Park on July 16th. He then stated this is the greatest time of his life as he has to live as Christ did. He spoke strongly on forgiveness and his ongoing prayers for those who continually attack him and his fellow councilmembers. He noted that those who have lived in La Marque for decades are not the ones calling out corruption. He also said that a bully is someone that is with you today but will turn on you tomorrow. He noted that he was voted in as Mayor and will continue to serve the City and its citizens.

14. EXECUTIVE SESSION

*** Mayor Bell recessed the Regular Meeting and entered into Executive Session at 10:14 p.m.*

14.I. 551.074 (Personnel Matters)

- Begin Evaluations of City Attorney, City Clerk, and Municipal Judge
- Fire and Police Collective Bargaining Update
- Discussion relating to Cost-Of-Living Adjustment for Fiscal Year 2022-2023

14.II. Section 551.071 (Consultation With Attorney) Update on City Investigations

15. ACTIONS TAKEN FROM EXECUTIVE SESSION

Mayor Bell exited Executive Session and reconvened the Regular Meeting at 12:36 a.m.

15.I. 551.074 (Personnel Matters)

- Begin Evaluations of City Attorney, City Clerk, and Municipal Judge
- Fire and Police Collective Bargaining Update
- Discussion relating to Cost-Of-Living Adjustment for Fiscal Year 2022-2023
-

NO ACTION TAKEN.

15.II. Section 551.071 (Consultation With Attorney) Update on City Investigations

NO ACTION TAKEN.

16. ADJOURNMENT

Councilmember McAuliffe made a motion to adjourn. Councilmember Carlson seconded.

***Meeting was adjourned at 12:37 a.m.*

Keith Bell, Mayor

ATTEST:

Kierra K. Nance, TRMC
City Clerk



**CITY OF LA MARQUE
CITY COUNCIL
REGULAR MINUTES
of
JANUARY 10, 2022**

City Council Regular Minutes of the City of La Marque City Council held on Monday, January 10, 2022 at 1109-B Bayou Road:

(1) CALL MEETING TO ORDER

Mayor Bell called the meeting to order at 6:05pm.

(2) ROLL CALL

All members of council were physically present except Councilmember McAuliffe who attended virtually from the City Hall conference room at 1111 Bayou Road, La Marque, TX 77568

(3) INVOCATION AND PLEDGE OF ALLEGIANCE -

Pastor Kevin Jones of Greater Love Church led the invocation and Councilmember Carlson led the pledge.

(4) PRESENTATIONS/PROCLAMATION

a. Proclamation- Kevin Wilcox

Mayor and Council celebrated the work of Coach Kevin Wilcox of the La Marque High School Basketball program and commemorated his 100th victory during his tenure.

b. Proclamation- Thank A Mail Carrier Day

Mayor and Council honored the local mail carriers for their continued dedication and service to the community.

c. Introduction of Houston Galveston Area Council

Although no members of the Houston Galveston Area Council available for a presentation, Mayor Pro Tem spoke as the city's representative. He encouraged citizens to check out the opportunities available through this organization.

d. Presentation- Clear Channel Outdoor

No representative at meeting for presentation.

e. Presentation- College of the Mainland

No representative at meeting for presentation.

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

Mandalyn Salazar (509 Laurel St. # 995) stated that she has concerns over the current environment in La Marque. She is not a citizen but has a non-profit business located in the city that has helped many residents. She also attended church in La Marque, but after recent harassment and bullying issues, she no longer attends services. She stated that she wants the Council and Mayor to continue moving forward with their initiatives and that she supports their moves but needs the public to stop the harassment and bullying, especially online.

(6) CONSENT AGENDA

a. 12.28.2021 Special City Council Minutes

Councilmember Carlson made a motion to approve the minutes from the Special Council Meeting on December 28, 2021. Councilmember Yancy seconded. **MOTION CARRIED UNANIMOUSLY.**

(7) NEW BUSINESS

a. Discussion/possible action regarding entering into a Contract with the Galveston County Clerk and Galveston County Election Officer for the Tax Rollback and Bond Elections to be held on May 7, 2022

Council discussed the upcoming elections and reviewed the \$25,500 budget amount assigned for the elections. City Clerk Nance identified that this is a standard budget amount, especially if multiple elections are to be held in the same year.

Councilmember Carlson made a motion to approve entering into the contract and for the \$25,500 budget assigned to the elections. Councilmember McAuliffe seconded. **MOTION CARRIED UNANIMOUSLY.**

b. Discussion/possible action regarding awarding professional services agreement for architectural services for facility assessment, programming, and design of new public safety building

Mayor Pro Tem Compian made a motion to approve the relationship and contract with McLemore Luong Company for facility assessment, programming, and design of new public safety building. Councilmember McAuliffe seconded. **MOTION CARRIED UNANIMOUSLY.**

c. Discussion/ possible action regarding providing direction on approving a one-year lease for 2222 Cedar Drive to serve as a police substation
THIS ITEM WAS TABLED.

- d. Discussion/ possible action regarding approving a lighting commission study for the City of La Marque
Councilmember Carlson made a motion for administration to bring back three (3) bids for a lighting study. Councilmember Yancy seconded. **MOTION CARRIED UNANIMOUSLY.**
- e. Discussion/ possible action regarding cleaning the waterways in Omega Bay subdivision
Councilmember Carlson made a motion to direct the city manager to start working on a plan to clean the waterways in Omega Bay. Councilmember Yancy seconded. **MOTION CARRIED UNANIMOUSLY.**
- f. Discussion/ possible action regarding allocating funds received from American Rescue Plan Act
Mayor Pro Tem Compian made a motion to have a special meeting on January 24, 2022, at 3pm to discuss plans for the American Rescue Plan Act funds. Councilmember Carlson seconded. **MOTION CARRIED UNANIMOUSLY.**
- g. Discussion/ possible action regarding forming a Charter Review Committee
Mayor Pro Tem Compian made a motion to direct the city attorney to explore opportunities for a charter review election in May. Councilmember Carlson seconded. **MOTION CARRIED UNANIMOUSLY.**
- h. Discussion/ possible action regarding resolution of water billing overcharges
Mayor Pro Tem Compian made a motion to make a one-time adjustment of ten dollars (\$10) on everyone's water bills. Councilmember Carlson seconded. **MOTION CARRIED UNANIMOUSLY.**
- i. Discussion/ possible action regarding review of proposed City expenditures in light of Tax Rollback Election
Mayor Pro Tem Compian made a motion to authorize the city manager and staff to develop a tax rollback fact sheet on the purposes of the upcoming election. Councilmember Yancy seconded. **MOTION CARRIED UNANIMOUSLY.**
- j. Discussion/ provide direction to amend billboard sign ordinance potentially adding an annual fee and raising the minimum elevation
Mayor Pro Tem Compian made a motion to bring this item back on the next agenda on January 24, 2022 with additional research/background information. Councilmember Carlson seconded. **MOTION CARRIED UNANIMOUSLY.**
- k. Discussion/ possible action regarding providing direction to Interim City Manager to authorize Parks Board to utilize Youth Fund funds to replace fencing and update lighting at Mahan Park
Councilmember Carlson made a motion to direct staff to bring 3 bids on refencing 3 fields; 3 bids on upgrading the lighting; and direct staff to make contact with chemical refineries in our area as well as other large employers with a history of donating to youth organizations. Councilmember Yancy seconded. **MOTION CARRIED UNANIMOUSLY.**

(8) REPORTS

- a. Discussion relating to judicial facilities and technology update

Council discussed the possibility of adding bulletproof glass for the court. **THIS ITEM WAS TABLED.**

- b. Discussion relating to managerial audit
City Attorney Gus Knebel gave an update on the managerial audit. He noted that the city did not have a formal records retention policy, specifically regarding business text messages completed through private phones. A higher management level of distrust was placed on the Council, which led to several employee walkouts in 2021. The plan is to find a better solution for tracking business text messages and to continue moving forward with the current staff.

(9) APPOINTMENTS

- a. Discussion/possible action regarding appointments and/or reappointments to fill various positions of the Boards and Commissions
Councilmember Carlson nominated Joel Camacho for the Cemetery Board, Kimberly Hall to the Keep La Marque Beautiful Commission, and Robert Stevenson to the Planning & Zoning Commission.

Councilmember Yancy nominated Grayling Alexander for the Planning and Zoning Commission, and Alexa Cross to the Board of Adjustments.

Mayor Pro Tem Compian nominated Lois Jones to the Board of Adjustments and reappointed Katherine Herrin-Keith to the Keep La Marque Beautiful Commission.

Councilmember McAuliffe reappointed Bim Crowder to the Cemetery Board.

(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)

NO EXECUTIVE SESSION

(11) 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.

Councilmember McAuliffe took time to apologize for not speaking up sooner about the social media attacks that several members of Council have been enduring. She stated that she finds social media to be a toxic place and a medium that brings nothing but divisiveness. Casey is in absolute shock and deep dismay of the attacks against her fellow councilmembers, specifically Mayor Bell, Councilmember Yancy, and Councilmember Carlson. She apologized for not standing up sooner to this and boldly stated that she is standing in solidarity with all of council and finds the actions of those who are harassing the members of council and the community distasteful.

Councilmember Carlson started his statement with a happy 2022 and believes this year holds new motivation and a new focus for everyone. He also noted the larger community involvement on the council meeting and encouraged the community to stay active in their government.

Councilmember Yancy first thanked Councilmember McAuliffe for her words and her support. Kimberley stated that she came back to La Marque to make a difference in the lives of children and make a difference in the lives of a city that she admired growing up and she will continue to do so. She noted that her family has been harassed and threatened to a point where her husband has now purchased a gun for their household as a means of protection. She also stated that the community should be careful as to what they support or like, especially on social media and noted that God is always watching. Councilmember Yancy then stated that good energy and positivity should be celebrated. She is proud to serve with Council and the staff that has stayed and continues to do their jobs well and with a smile.

Mayor Pro Tem Compian first noted that redistricting was not discussed. City Attorney Knebel clarified that an email was sent on the topic and will have an update at the next meeting.

Mayor Pro Tem then commented that it is great to see the new faces of the community at the Council meeting and hopes to continue to see their involvement.

Mayor Bell started by thanking Councilmember McAuliffe for her words of encouragement and that it meant a lot and he knew just how much she meant it. He then explained that there is a lot to be excited about in 2022 noting 3 projects he is excited to move forward. The first being the safe city initiative and the significant improvements that the Police Department has made and how the citizens' requests are being met. The election in May regarding the tax rollback could place our city in jeopardy as it would affect the progress of the safe city initiatives. He shared that he is not trying to create a political spin on this, but rather is pointing out the facts that if the tax rollback does

happen, then the community will be faced with slowing the progress of making the city safer. The second item of the Mayor's focus is customer service responses to the citizens and he plans to work directly with Public Works and Code Enforcement to provide appropriate training. The final item of Mayor Bell's focus is tackling infrastructure issues. He noted that several items are in grant funding but waiting on the actual funds to arrive from the Federal Government before any progress can take place.

Mayor Bell shared how he wants to get to know the community members better and for the community to get to know him. He wants to have sit-downs to where community members can openly air their concerns and have full discussions rather than hear about things on social media. He wants the city to continue moving forward and that can only happen if all parties can have open conversations to address their concerns.

Mayor Bell then gave updates on upcoming events. First is the Crimestoppers meeting at Kelley's Restaurant on Wednesday, January 12th, 2022 at 12pm. Second is a free car seat check on February 5th, 2022 at the Central Fire Station from 10:00am to 1:00pm.

Chief Aragon discussed that Lake Road would be first for lighting and other improvements, and Omega Bay will follow. He expects Omega Bay improvements to begin in May or June 2022. Chief also asked for help in getting a Community Watch Chairperson and block captains by Lake Road. He noted that he has never seen such a divided city in all his years as an officer. He reiterated that the city needs support, not division. Chief Aragon promoted the police station tour on January 19th, 2022 at 6pm and encouraged the community to participate. He also discussed the Tax Forum being held at Council Chambers on January 27th, 2022 at pm.

(12) ADJOURNMENT

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

***Meeting was adjourned at 10:39 p.m.*

Keith Bell
Mayor

Kierra K. Nance, TRMC
City Clerk



**CITY OF LA MARQUE
CITY COUNCIL
REGULAR MEETING
of
DECEMBER 13, 2021**

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

(1) CALL MEETING TO ORDER

Mayor Bell called the meeting to order at 6:03 p.m.

(2) ROLL CALL

All members of the Council were physically present.

(3) INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Bell gave the invocation, and all joined for the Pledge of Allegiance.

(4) PRESENTATIONS/PROCLAMATION

- a. Introduction of Interim Public Works Director- Rick Sailer
- b. Introduction of Development Services Director- K. Van Stavern
- c. Introduction of City Public Relations Specialist- J. Pritchett
- d. Officer Calvin Harp- "Community Policing Officer" for Lake Road North
- e. Proclamation- Fair Housing Month (April) - *Consent items A&B*

All new members of staff were introduced by Mayor Bell and a proclamation was read honoring April as Fair Housing Month as required by certain grant funding.

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

1. David Pennington (no address given) spoke against item 9, sections H, I, and J, which forgives interest and administrative fees on properties in La Marque. He argued that by forgiving the fees, the city is forgiving bad behavior and utilizing taxpayer funds to fix the issues. He strongly urged the council to consider the taxpayers and disapprove of the fee forgiveness.
2. Alexa Cross (633 Sable Terrace Lane) spoke to discuss traffic issues at Delaney Cove and requested a traffic light near Delaney Road to abate traffic incidents in the area. She stated a blinking light is not going to make the difference but rather a full traffic light or a 4-way stop, which she discussed with Chief Aragon to allow smoother traffic flow and better accountability for the increased traffic in the area, especially with the interstate construction and the traffic flow used by Amazon's delivery trucks.
3. Olan Norman (2921 Ashley St.) spoke, representing himself and his neighbors regarding drainage issues. He brought up the issue in the past,

and “Mr. Chase” told him that an engineer had come out and declared it as a design issue that needed to be fixed. Mr. Norman asked for help to get this redesign moving forward.

4. Robert Michetich (24 North Curlew) spoke to discuss taxpayer relief, the financial practices the City used, and whether it is legal and/or ethical. He noted that changing accounting methods to circumvent another law is illegal and unethical.

(6) REPORTS

- a. Discussion relating to Texas New Mexico Power providing updates on street lighting

Vincent Herrera, Director of Engineering for Texas New Mexico Power (TNMP), shared that of the 176 street light outage tickets noted by TNMP, only 25 outstanding tickets remain as of today. Additional lights will be put up in surrounding areas, but Mayor Bell noted that this is an expensive process that will take a few years to complete.

Chief Aragon explained the process of reporting street light outages, asking the public to please report all outages to Venisha Henderson. Ms. Henderson logs in each complaint, contacts TNMP upon receipt of the complaint, and tracks how long it takes for the issue to be resolved.

Councilwoman McAuliffe brought up Chief Aragon’s plan to install LED lights to help curb the light outages. Chief Aragon and City Engineer Dinh Ho explained the approach and gave an update on the cost differences and increased prices of having LED lighting. They also discussed the prioritized areas for the need for updated lighting and the effect upgraded costs would have on the progress of this project. The council then debated the idea of the Dark Skies Initiative, a new movement across America to help reduce light pollution. It was noted that this would support the Safe City Initiative by creating safer environments through providing more well-lit areas.

- b. Discussion relating to Texas Department of Transportation providing updates on the I45 Expansion project

Joel Clark, Texas Department of Transportation (TxDOT) representative, gave an update on the current project, its purpose, and the expected project end date of 2026. A concern was raised regarding the effects of construction on local water lines and sewer systems; if damaged, who would be responsible for the repairs? Mr. Clark explained that before any work is done, a full assessment of each area is conducted where the current status of water/sewer lines is documented and TxDOT works with the City to ensure that any damages done by TxDOT will be covered by their company. The City Inspectors, City Engineer, and TxDOT work very closely to ensure that the project is being done effectively.

(7) MINUTES

- a. Budget Workshop Minutes of July 26, 2021
- b. Budget Workshop Minutes of July 27, 2021
- c. Regular Meeting Minutes of August 9, 2021
- d. Workshop Minutes of August 9, 2021
- e. Special Meeting Minutes of September 7, 2021
- f. Regular Meeting Minutes of October 11, 2021

- g. Workshop Minutes of October 11, 2021
- h. Special Meeting Minutes of November 1, 2021
- i. Workshop Minutes of November 15, 2021

Councilman McAuliffe asked for a caveat to research/include Councilwoman Yancy's attendance on the November 1, 2021, minutes as it was not listed in the roll call.

Councilman Carlson made a motion to accept all minutes with the caveat mentioned by Councilman McAuliffe's request. Councilwoman Yancy seconded. **MOTION CARRIED UNANIMOUSLY.**

(8) CONSENT

- a. Discussion/possible action regarding proclaiming April as Fair Housing Month: This proclamation will help to fulfill Fair Housing activity obligations as required by the Community Development Block Grant - Mitigation (CDBG-MIT) program for GLO state contract number 22-083-003-D208
- b. Discussion/possible action Proclaiming April as Fair Housing Month: This proclamation will help to fulfill Fair Housing activity obligations as required by GLO state contract number 22-085-003-D223- Finance Director S. Kou
- c. Discussion/possible action regarding accepting the quarterly investment reports for Third Quarter 2021
- d. Discussion/possible action regarding approving Resolution No. **R-2021-0029**, authorizing certain officers of the City to sign and endorse checks and drafts of the City of La Marque bank accounts effective December 14, 2021- Finance Director S. Kou
- e. Discussion/possible action regarding approving TexPool Resolution No. **R-2021-0030**, authorizing certain officers of the City as authorized representatives to administer and manage the City's investment accounts effective December 14, 2021-Finance Director S. Kou
- f. Discussion/possible action regarding approving Logic Resolution No. **R-2021-0031**, authorizing certain officers of the City as authorized representatives to administer and manage the City's investment accounts effective December 14, 2021- Finance Director S. Kou
- g. Discussion/possible action to adopt Resolution No. **R-2021-0032**, to designate authorized signatories for the Community Development Block Grant - Mitigation (CDBG-MIT) program for GLO state contract number 22-083-003-D208- Finance Director S. Kou
- h. Discussion/possible action to adopt Resolution No. **R-2021-0033**, to designate authorized signatories for the Community Development Block Grant - Mitigation (CDBG-MIT) program for GLO state contract number 22-085-003-D223- Finance Director S. Kou

Councilman Carlson made a motion to approve all consent agenda items. Councilwoman McAuliffe seconded. **MOTION CARRIED UNANIMOUSLY.**

(9) NEW BUSINESS

- a. Discussion/possible action regarding adding a traffic light at the entrance to the Delaney Cove subdivision

Councilwoman Yancy made a motion to direct Chief Aragon to set up a meeting between the districts and Amazon and propose that Chief Aragon and City Engineer to provide a traffic study. Councilman Carlson seconded. **MOTION CARRIED UNANIMOUSLY.**

- b. Discussion/possible action regarding approving Emergency Ordinance No. **O-2021-0019**, amending Chapter 29 of the City's Code of Ordinances; providing an effective date; providing a penalty; and making other findings and provisions related to fireworks

Councilman Carlson made a motion to approve the emergency ordinance. Councilwoman Yancy seconded. **MOTION CARRIED UNANIMOUSLY.**

- c. 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

Councilwoman McAuliffe approved motion to amend the fiscal year 2020 - 2021 budget for various funds expenditures. Councilwoman Yancy seconded. **MOTION CARRIED UNANIMOUSLY.**

- d. Discussion/possible action regarding adopting Resolution No. **R-2021-0034**, regarding Civil Rights which includes the Section 3 Policy, Excessive Force Policy, Limited English Proficiency (LEP) Standards Plan, Section 504 Policy and Grievance Procedures, Code of Conduct Policy, and Fair Housing policy

Mayor Pro Tem Compian made a motion to approve with the caveat that the language is changed to reflect that complaints will be reported to the city manager. Councilman Carlson seconded. **MOTION CARRIED UNANIMOUSLY.**

- e. Discussion/possible action regarding adopting Resolution No. **R-2021-0035**, accepting the 2021 City of La Marque investment policy for investment of municipal funds per Public Funds Investment Act

Councilman Carlson made a motion to approve the 2021 City of La Marque investment policy. Councilwoman Yancy seconded. **MOTION CARRIED UNANIMOUSLY**

- f. Discussion/possible action regarding allocation of American Rescue Cares Act funds

NO ACTION TAKEN ON THIS ITEM.

- g. Discussion/possible action regarding amending the Narcotics Sergeant Position and reclassifying it to Narcotics Corporal Position

***Mayor Pro Tem Compian exited the room at 8:15pm and re-entered the meeting at 8:18 p.m.*

VOTE CARRIED UNANIMOUSLY.

- h. Discussion/possible action regarding the forgiveness of all interest and administrative fees incurred by the City of La Marque for the demolition of all structures located at 1101 Delmar, La Marque, Tx 77568

THIS ITEM WAS TABLED.

- i. Discussion/possible action regarding the forgiveness of all interest and administrative fees incurred by the City of La Marque for the demolition and weed control of a property located at 2414 Stonewall, La Marque, Tx 77568

THIS ITEM WAS TABLED.

- j. Discussion/possible action regarding the forgiveness of all interest and administrative fees incurred by the City of La Marque for the demolition and weed control of a property located at 2509 Jackson, La Marque, Tx 77568

THIS ITEM WAS TABLED.

- k. Discussion/possible action regarding a Final Plat application for Landing at Delany Cove Section 14, located near Mitchell Lane and F.M. 2004

Councilman Carlson made a motion to approve Final Plat application for Landing at Delany Cove Section 14. Councilwoman Yancy seconded. **MOTION CARRIED UNANIMOUSLY.**

- l. Discussion/possible action regarding a Final Plat application for O'Reilly La Marque Addition, a 1.489 tract of land, being a portion of that called 46.437-acre tract of land of the W.K. Wilson League, Abstract 2018, Galveston County, located near FM 1764 and IH 45 S

Councilwoman Yancy made a motion to approve final plat application for O'Reilly La Marque Addition. Councilman Compian seconded. **MOTION CARRIED UNANIMOUSLY**

- m. Discussion/possible action regarding a request for Conditional Use within the zoning district (C-2) Restricted Commercial for construction of a Single-Family dwelling on Lot 2 of the J Dugey Subdivision located near 1st St (Galveston County Property ID# 196669)

Councilwoman Yancy made a motion to approve the request for Conditional Use within the zoning District (C-2) Restricted Commercial for construction of a Single-Family unit on Lot 2. Mayor Pro Tem Compian seconded. **MOTION CARRIED UNANIMOUSLY**

- n. Discussion/possible action regarding a request for Conditional Use within the zoning district (C-1) General Commercial for construction of a Single-Family dwelling on Lots 10 & 11 of Block 4 of the T S George Subdivision near Azalea and Circle Dr. (Galveston County Property ID# 197045)

Councilman Carlson made a motion to approve request for Conditional Use within the zoning district (C-1) General Commercial for construction of a Single-Family dwelling on lots 9 & 10 of Block 4. Councilwoman Yancy seconded. **MOTION**

CARRIED UNANIMOUSLY

- o. Discussion/possible action regarding a request for Conditional Use within the zoning district (C-1) General Commercial for construction of a Single-Family dwelling on Lots 3 & 4 of Block 4 of the T S George Subdivision near Holman and Honeysuckle (Galveston County Property ID# 197037)

Councilman Carlson made a motion to approve the Conditional Use within the zoning district (C-1) General Commercial construction of a single-family dwelling on lots 3 & 4 of Block 4. Councilwoman Yancy seconded. **MOTION CARRIED UNANIMOUSLY**

- p. Discussion/possible action regarding a request for Conditional Use within the zoning district (C-1) General Commercial for construction of a Single-Family dwelling on Lots 11 & 12 of Block 2 of the T S George Subdivision near Holman & Honeysuckle (Galveston County Property ID# 197028)

Councilman Carlson made a motion to approve the request for a conditional use within zoning district (C-1) General Commercial construction of a single-family dwelling on lots 11 & 12 Block 2. Councilwoman Yancy seconded. **MOTION CARRIED UNANIMOUSLY.**

- q. Discussion/possible action regarding adopting Ordinance No. **O-2021-0021**, to change the zoning district from (C-2) Restricted Commercial to (R-1) Single Family Residential for Part of Block 25 (2500-8) Div. E Cook & Stewart Subdivision, located near Cedar Dr. and Lilac (Galveston County Property ID# 195743)

Councilman Carlson made a motion to adopt Ordinance No. O-2021-0021 to change the zoning district from C-2 Restricted Commercial to R-1 single-family residential for part of Block 25 Div. E Cook & Stewart Subdivision. Mayor Pro Tem Compian seconded. **MOTION CARRIED UNANIMOUSLY**

- r. Discussion/possible action regarding the ratification of Interim City Manager's approval of expenditures in the amount of \$83,975.00 to Texas Pride Utilities for costs associated with emergency pipe bursting of 8" collapsed sanitary sewer line on Hackberry Street

Councilman Carlson made a motion to ratify the Interim City Manager's approval of expenditures in the amount of \$83,975 to Texas Pride Utilities for costs associated with emergency pipe bursting of 8" collapsed sanitary sewer line on Hackberry St. Councilwoman Yancy seconded. **MOTION CARRIED UNANIMOUSLY**

- s. Discussion possible action regarding adopting Resolution No. **R-2021-0036**, regarding authorizing the City Manager to execute settlement documents with Sovereign Builders Inc., regarding the construction of the La Marque Central Fire Station

Councilman Carlson made a motion to adopt Resolution No. R-2021-0036. Mayor Pro Tem Compian seconded. **MOTION CARRIED UNANIMOUSLY**

- t. Discussion possible action regarding (4) Maintenance Technicians hired to maintain ditches and easements

THIS ITEM WAS TABLED.

- u. Discussion/possible action regarding increasing patrol in Omega Bay

Councilwoman Yancy made a motion to ratify the directive given by Chief Aragon for increased patrols in Omega Bay. Councilman Carlson seconded. **MOTION CARRIED UNANIMOUSLY**

- v. Discussion/possible action regarding safety lighting in Omega Bay

Councilman Carlson made a motion to allow Chief Aragon to bring back a number and price to allow for further discussion in January. Councilwoman Yancy seconded. **MOTION CARRIED UNANIMOUSLY.**

(10) AWARD OF BIDS/CONTRACTS

- a. Discussion/possible action regarding adopting Resolution No. **R-2021-0037**, designating a management service provider for the Texas Hazard Mitigation Assistance program application and project implementation

Councilwoman Yancy made a motion to adopt Resolution No. R-2021-0037. Councilman Carlson seconded. **MOTION CARRIED UNANIMOUSLY.**

- b. Discussion/possible action regarding adopting Resolution No. **R-2021-0038**, designating a professional engineering service provider for the Texas Hazard Mitigation Assistance program application and project implementation

Councilwoman Yancy made a motion to adopt Resolution No. R-2021-0038. Councilwoman McAuliffe seconded. **MOTION CARRIED UNANIMOUSLY**

- c. Discussion/possible action regarding adopting Resolution No. **R-2021-0039**, awarding administration/project delivery service provider contract to GrantWorks to complete project implementation for the American Rescue Plan Act (ARP Act) funding administered by the U.S. Department of the Treasury, other Federal or State Agency

Councilman Carlson made a motion to adopt Resolution No. R-2021-0039. Councilwoman Yancy seconded. **MOTION CARRIED UNANIMOUSLY.**

- d. Discussion/possible action regarding approving award of LM **Bid #09-22** contract to Parrish & Parrish Tractor Service for Lawn Care Maintenance of City Facilities and Parks in the amount of \$91,875.00

Councilwoman McAuliffe made a motion to approve Bid #09-22. Councilwoman Yancy seconded. **MOTION CARRIED UNANIMOUSLY.**

- e. Discussion/possible action regarding approving the Administration and Engineering services for the Texas Parks and Wildlife - Planning Grant: Mahan Park - Highland Bayou Public Boat Ramp Improvements (Project No. FD-TX-F-296-B-1) to Adico, LLC in the amount of \$98,242.00

Councilman Carlson made a motion to approve the Administration and Engineering services for the Texas Parks and Wildlife - Planning Grant: Mahan

Park. Councilwoman Yancy seconded. **MOTION CARRIED UNANIMOUSLY.**

(11) APPOINTMENTS

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

Councilman Carlson of District C appointed Gregg Cornett to the Parks Board.

Mayor Bell nominated Lyndsey Gonzales to the Keep La Marque Beautiful Commission, Mike Wev to the Parks Board, and Tracie Steans to the Economic Development Commission.

Councilwoman McAuliffe reappointed Alana Brown to the Keep La Marque Beautiful Commission.

Mayor Pro Tem Compian made a motion to approve the appointments and reappointments to the Boards and Commissions. Councilman Carlson seconded. **MOTION CARRIED UNANIMOUSLY.**

(12) EXECUTIVE SESSION

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

- a. Section 551.074 (Personnel Matters (551.074) - Discussion of the City Manager position for the City of La Marque
- b. Section 551.074 (Personnel Matters) - Discussion of the appointment of a City Clerk

(13) ACTION TAKEN FROM EXECUTIVE SESSION

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

NO ACTION TAKEN.

- b. Discussion/possible action regarding approval of the recommendation from the City Manager for the appointment of a City Clerk

Councilman Carlson made a motion to appoint Kierra Nance to the role of City Clerk. Councilman McAuliffe seconded. **MOTION CARRIED UNANIMOUSLY.**

(14) REQUESTS AND ANNOUNCEMENTS

Councilwoman McAuliffe said thank you to the staff and volunteers for their hard work and Happy Holidays to everyone.

Councilman Carlson stated he has a new public phone number of (409) 944-8311. He also wants to see a Master City Plan created within the next year. He also noted that the Strategic Development Plan that the City is currently following

expires as of January 1, 2022, and needs to be updated. Councilman Carlson also noted that he has received complaints regarding the online budget and wants to find an easier way for the citizens to read the information. He also is very appreciative of all staff and volunteers and wishes everyone a Happy Holiday season.

Councilwoman Yancy said that she thoroughly enjoyed the Christmas parade and was very happy that we celebrated the Principals in the surrounding area. She also noted the progress the City is making with the City App that is going to help keep people more involved. Councilman Yancy also stated that problems always have purpose and we are starting to see the progress and looks forward to seeing more in the new year. She extended a thank you for the support from her constituents in District A. She also wants to revisit the EDC members and possibly remove those that do not live within the city as these positions should be filled with current citizens. She also requested that Chief Aragon and the PD work to get the informal review completed and presented from the 12/9/2020 shooting that occurred in La Marque.

Mayor Pro Tem Compian noted that the city has come a long way. He noted that the City has heart and that kindness, notes of support, and overall encouragement motivate him to continue serving. He offered his heartfelt thanks to the staff and volunteers. He also noted that he took a break for his health and is recovering well. He stated that disconnecting from social media and taking time to focus on his needs truly helped tremendously with his recovery.

Mayor Bell reiterated that the community should not believe crazy social media posts. If you want to get factual information regarding the tax rollback and its effects on the city, please join him and the Council on December 28th at Council Chambers to discuss concerns. The mayor also noted that this is a volunteer position and that many of the members of the council have outside jobs and businesses as well as separate lives from serving on the council, and everything that they do is from a good place. Mayor requested that Chief Aragon hold someone accountable for the 72-hour window for Request Tracker and to have updates in status notated within the 72-hour window. He also stated that he wants to have Council approve a request for the Economic Development Commission to finance a study to have a comprehensive plan in place for the next 5 years. Mayor also encouraged the citizens to take a tour of the La Marque Police Department to see the working conditions of the men and women who keep us safe. Mayor Bell stated that 2022 will be a defining year for our city as there are a multitude of opportunities to help the city become the safest city in Texas and to select a new city manager to help push the progress in the city forward. Lastly, he noted that Councilman Yancy would celebrate her 50th birthday on December 25, 2021.

(15) ADJOURNMENT

Councilman Carlson made a motion to adjourn. Councilman Yancy seconded.
MOTION CARRIED UNANIMOUSLY.

****Meeting was adjourned at 11:47 p.m.**

Keith Bell
Mayor

Kierra K. Nance, TRMC
Deputy City Clerk



CITY COUNCIL AGENDA FORM

Meeting Date: July 22, 2024

Prepared by: Rick Sailler

Department: Public Works

Agenda Item: 8.I.

Reviewed by: Kierra Nance

AGENDA ITEM DESCRIPTION:

Authorizing signatories for contractual documents and fund requests pertaining to the Community Development Block Grant Mitigation (CDGB-MIT) 2-inch waterline replacement

STAFF BRIEFING:

The City of La Marque, Texas has received a Community Development Block Grant Mitigation (CDBG-MIT) award to provide infrastructure improvements and requires an updated Authorization of Signatories Resolution to execute contractual documents and funding documents.

The previously submitted Resolution was dated 2018 and contains City Staff names who are no longer employed by the City.

HISTORY:

April 8, 2020 - GLO Contract Approved

June 26, 2024 - Request from GLO for a revised / updated Resolution for Authorizing Signatories for contractual documents.

FISCAL IMPACT:

N/A

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, DESIGNATING AUTHORIZED SIGNATORIES FOR CONTRACTUAL DOCUMENTS AND DOCUMENTS FOR REQUESTING FUNDS PERTAINING TO THE COMMUNITY DEVELOPMENT BLOCK GRANT MITIGATION (CDBG-MIT)- 2-INCH WATERLINE REPLACEMENT PROJECT.

WHEREAS, the City of La Marque, Texas has received a Community Development Block Grant Mitigation (CDBG-MIT) award to provide infrastructure improvements, and;

WHEREAS, it is necessary to appoint persons to execute contractual documents and documents for requesting funds and;

WHEREAS, an original signed copy of the CDBG-MIT *Depository/Authorized Signatories Designation Form* is to be submitted with a copy of this Resolution; and

WHEREAS, the City of La Marque, Texas acknowledges that in the event that an authorized signatory of the City changes (elections, illness, resignations, etc.) the City must provide the following:

- a resolution stating who the new authorized signatory is (not required if this original resolution names only the title and not the name of the signatory); and
- a revised *Depository/Authorized Signatories Designation Form*.

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

The Mayor and City Manager are authorized to execute contractual documents associated with the Community Development Block Grant - Mitigation Program; and

The Mayor and City Manager is authorized to execute environmental review documents and to certify to environmental clearance matters associated with the CDBG-MIT project; and

The Mayor, City Manager and Finance Director will be authorized to execute the *State of Texas Purchase Voucher* and *Request for Payment Form* documents required for requesting funds approved in the Community Development Block Grant Mitigation (CDBG-MIT) project.

PASSED, APPROVED AND ADOPTED by the City Council of the City of La Marque on this the _____ day of _____, 2024.

CITY OF LA MARQUE, TEXAS

Keith Bell
Mayor

ATTEST:

Cesar Garcia
City Manager

Christine Turner
Finance Director

RESOLUTION NO. R-2018-0020

NEW RESOLUTION REQUIRED

**RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS,
AUTHORIZING CERTAIN OFFICERS OF THE CITY TO SIGN AND ENDORSE CHECKS AND
DRAFTS OF THE CITY OF LA MARQUE BANK ACCOUNTS.**

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

Section 1. That any two (2) or more of the following officers of the City shall be authorized to endorse and cash checks, drafts and similar documents on behalf of the City of La Marque in connection with any bank account of the City of La Marque.

NAME OF SIGNING OFFICER

Bobby Hocking
Charlene Warren
Suzy Kou
Robin Eldridge

TITLE OF SIGNING OFFICER

Mayor
Interim City Manager
Finance Director
City Clerk

Section 2. That any two (2) or more of the signing officers except for Mayor Bobby Hocking referenced in Section 1 with hereof are authorized to receive statements and canceled vouchers of the City of La Marque and to appoint an agent or agents to do the same; furthermore, such officers are authorized to stop payment of checks of the City of La Marque and to revoke stop payment orders.

Section 3. That the bank which is now depository for city funds is hereby authorized to honor or accept all drafts, checks and similar documents executed or endorsed on behalf of the City of La Marque in the manner provided in Section 1, hereof for the credit of or in payment of any obligations of or by the payee or any other holder.

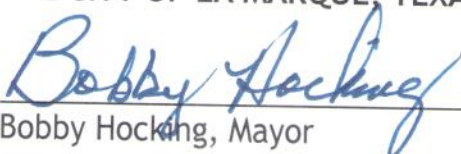
Section 4. That a certified copy of this resolution shall be complete and full evidence of the enactment of this Resolution and of the authority of the respective officers herein named, and said authority shall remain in full force until written notice of revocation thereof shall be received by the bank or a certified copy of a Resolution designating different officers is received by the bank.

Section 5. That any and all resolutions, ordinances, or other orders of the City Council of the City of La Marque which may be in conflict herewith or any provisions thereof are hereby repealed to the extent of such inconsistency.

Section 6. That this Resolution shall become effective on August 29, 2018 and shall remain in effect until amended or superseded.

PASSED, APPROVED AND ADOPTED by City Council of the City of La Marque on this the 28th day of August, 2018.

THE CITY OF LA MARQUE, TEXAS


Bobby Hocking, Mayor

ATTEST:


Robin Eldridge, City Clerk

APPROVED AS TO FORM


Ellis J. Ortego, City Attorney



CITY COUNCIL AGENDA FORM

Meeting Date: July 22, 2024

Prepared by: _____

Department: City Clerk

Agenda Item: 9.I.

Reviewed by: Kierra Nance

AGENDA ITEM DESCRIPTION:

Extending a declared State of Disaster and Emergency in the City of La Marque because of the impact of Hurricane Beryl; confirming and ratifying any emergency proclamations and regulations issued by the Mayor in response to the damage, injury, or loss of life and property resulting from said hurricane; waiving permit and inspection fees; and making various findings and provisions relating to the subject

THIS IS THE FIRST AND FINAL READING (PURSUANT TO THE CITY OF LA MARQUE TEXAS CHARTER AGREEMENT SECTION 2.23)

STAFF BRIEFING:

This is an Emergency Ordinance due to Hurricane Beryl that applies to all building and permit fees for repairs required. This ordinance will take effect and the permit fees as well as inspection fees are waived until September 6, 2024. The ordinance also states that permit fees as well as inspection fees may be refunded via application to any person who paid for a permit related to Hurricane Beryl between July 8th - July 22nd, 2024.

HISTORY:

Texas State Governor designated the City of La Marque a disaster area and Mayor Bell activated a Declaration of Local Disaster by Proclamation on July 7, 2024.

FISCAL IMPACT:

N/A

ORDINANCE NO. O-2024-00[]

AN ORDINANCE OF THE CITY OF LA MARQUE, TEXAS, DECLARING A STATE OF DISASTER AND EMERGENCY IN THE CITY OF LA MARQUE, TEXAS BECAUSE OF THE IMPACT OF HURRICANE BERYL; CONFIRMING AND RATIFYING ANY EMERGENCY PROCLAMATIONS AND REGULATIONS ISSUED BY THE MAYOR IN RESPONSE TO THE DAMAGE, INJURY, OR LOSS OF LIFE AND PROPERTY RESULTING FROM SAID HURRICANE; WAIVING PERMIT FEES; AND MAKING VARIOUS FINDINGS AND PROVISIONS RELATED TO THE SUBJECT AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on July 7, 2024 Mayor Keith Bell issued a Declaration of Local Emergency related to Hurricane Beryl; and

WHEREAS, City Council finds that the ravages of Hurricane Beryl, and its impact upon the property and inhabitants of the City of La Marque, Texas on July 7 and 8, 2024, created widespread and severe property damage, injury, and possible loss of life which continue to impact the City of La Marque, Texas and now requires extraordinary measures to alleviate the suffering of the people and to protect and rehabilitate property; and

WHEREAS, the City of La Marque Texas's Emergency Management Plan has previously been activated by Declaration of Local Disaster By Proclamation of the Mayor of the City of La Marque, Texas, dated July 7, 2024; and

WHEREAS, the City Council of La Marque, Texas extended the disaster declaration; and

WHEREAS, the Governor of the State of Texas has designated the City of La Marque Texas a disaster area;

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

SECTION 1. The findings and recitations 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. In accordance with Section 418.108 of the Texas Disaster Act of 1975, and Section 2.23 of the City of La Marque, Charter Agreement the City Council finds and declares a state of disaster and emergency in the City of La Marque, Texas as a result of the impact of Hurricane Beryl.

SECTION 3. The Mayor has issued the following emergency proclamations and orders which are hereby confirmed and ratified until further notice:

a. Order for Voluntary Evacuation

SECTION 4. The Mayor, as Director of Emergency Management, is hereby authorized to provide, or cause to be provided, all arrangements, provisions, and means necessary and proper to effect the coordination of relief and aid programs, and property restoration and rehabilitation programs, for the protection, preservation, and improvement of life and property within the City during the State of Emergency.

SECTION 5. All building, inspection, electrical re-connection, and permit fees for repairs required for Hurricane Beryl related damage are waived until September 6, 2024. Any building, inspection, electrical-reconnection, and permit fees paid by a person to the City of La Marque, Texas for repairs required for Hurricane Beryl related damage between July 8, 2024 and July 22, 2024, may be refunded to the person upon application.

SECTION 6. This declaration of local disaster shall continue for a period of seven days unless renewed for a successive period by the City Council of the City of La Marque, Texas.

SECTION 7. This declaration of local disaster activates the recovery and rehabilitation aspects of all applicable local or interjurisdictional emergency management plans and authorizes the furnishing of aid and assistance under the declaration. All aspects of the City of La Marque, Texas Emergency Management Plan not already activated are hereby activated as provided in the plan.

SECTION 8. It is hereby declared to be the intention of the City Council that the sections, paragraphs, sentences, clauses and phrases of this Ordinance are severable and, if any phrase, clause, sentence, paragraph or section of this Ordinance should be declared invalid by the final judgment or decree of any court of competent jurisdiction, such invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance.

SECTION 9. All Ordinances or parts thereof in conflict herewith are repealed to the extent of such conflict only.

SECTION 10. This Ordinance shall be and become effective from and after its adoption and publication in accordance with Section 2.23 of the City of La Marque Charter Agreement.

PASSED, APPROVED, AND ADOPTED by the City Council of the City of La Marque on First and Final Reading this _____ day of _____, **2024**; and

CITY OF LA MARQUE, TEXAS

Keith Bell, Mayor

ATTEST:

Kierra Nance, TRMC, City Clerk

APPROVED AS TO FORM:

Gus Knebel, Consulting City Attorney



CITY COUNCIL AGENDA FORM

Meeting Date: July 22, 2024

Prepared by: Kasey Lott

Department: City Clerk

Agenda Item: 9.II.

Reviewed by: Kierra Nance

AGENDA ITEM DESCRIPTION:

Approving an application to the Texas Parks and Wildlife Department Local Parks Grant

STAFF BRIEFING:

Local Parks Grant by TPWD to cover renovations at Mahan Park.

HISTORY:

Parks Board approved the proposed renovations and pursuit of these grant funds in 2023 during the last funding cycle.

FISCAL IMPACT:

50% Match - \$750,000 maximum project cost

RESOLUTION NO. XXXX-XXX

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, DESIGNATING APPLICATION FOR GRANT APPLICATION SUBMISSION AND SIGNATORY FOR CONTRACTUAL DOCUMENTS PERTAINING TO TEXAS PARKS & WILDLIFE DEPARTMENT FOR PARTICIPATION IN THE LOCAL PARKS GRANT PROGRAM

WHEREAS; the City of La Marque, Texas, is in preparation of an application for the Texas Parks & Wildlife Department, Local Parks Grant; and

WHEREAS, the City of La Marque, Texas, is fully eligible to receive assistance under the Program Guidelines, and that notice of the application has been posted according to local public hearing requirements; and

WHEREAS, and that notice of the application has been posted according to local public hearing requirements; and

WHEREAS, Applicant hereby specifically authorizes the official to make an application to the Department concerning the site to be known as in the of or use as a park site and is hereby dedicated for public park and recreation purposes in perpetuity; and

WHEREAS, it is necessary to appoint persons to execute contractual application documents directly of the application submittal to the Texas Parks & Wildlife Department, Local Parks Grant; and

WHEREAS, the City of La Marque, Texas, acknowledges that if an authorized signatory of the City changes (elections, illness, resignations, etc.) the City shall provide them with a resolution stating the new authorized signatory shall be; and

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

WHEREAS; the City of La Marque designates the City Manager, Cesar Garcia, as the grantee's authorized official. The authorized official is given the power to apply for, accept, reject, alter, or terminate the grant on behalf of the applicant agency.

NOW THEREFORE, BE IT RESOLVED that the City of La Marque, Texas, approves the submission of the grant applications for the Texas Parks & Wildlife Department, Local Parks Grant.

PASSES, APPROVED, AND ADOPTED by the City Council of the City of La Marque on this the _____ day of _____, 2024.

CITY OF LA MARQUE, TEXAS

Keith Bell
Mayor

ATTEST:

Kierra Nance
City Clerk

Mahan Park, a key recreational site in La Marque, Texas, has been outlined for significant enhancements per the 2022 Parks Master Plan. The planned improvements aim to cater to various community needs, ensuring accessibility, modern facilities, and upgraded recreational spaces. Here are the detailed components of the project:

1. Baseball/Softball Fields:

- Upgrades to existing fields, including re-grading the infield and re-seeding the turf.
- Replacement of old fencing and dugouts.
- Enhanced sports field lighting with LED fixtures for better visibility and energy efficiency.

2. Additional Facilities:

- Construction of a new concession stand to serve visitors and participants during events.

3. Accessibility and General Upgrades:

- Improvement of ADA accessibility throughout the area ensures all visitors can navigate and enjoy the facilities regardless of ability.
- New ADA-accessible aluminum bleachers for comfortable and inclusive spectator experiences.
- Implement a crushed limestone parking area to enhance vehicle access and reduce maintenance.
- Implement ADA-compliant parking.

4. Lighting and Safety:

- Replacement and expansion of LED lighting across the ball fields to improve safety and extend usable hours.
- Strategic placement of new monumental entry signs to guide visitors and enhance the park's visibility.

Mahan Park, a key recreational site in La Marque, Texas, has been outlined for significant enhancements per the 2022 Parks Master Plan. The planned improvements aim to cater to various community needs, ensuring accessibility, modern facilities, and upgraded recreational spaces. Detailed components of the project:

Project Components:

1. Baseball/Softball Fields:

- **Comprehensive Field Upgrades:** The existing fields will thoroughly be restored, including re-grading and re-seeding to optimize playability.
- **Infrastructure Improvements:** Outdated fencing and dugouts will be replaced to meet modern standards.
- **Enhanced Field Features:** Fresh striping and improved grading will be implemented, along with the installation of enhanced lighting to enable both day and nighttime use, ensuring the fields are versatile and functional for extended hours.
- **Lighting Enhancements:** Remove old lighting and install energy-efficient LED sports lighting to improve visibility and extend playing hours.

2. Additional Facilities:

- **Concession and Restroom Facilities:** Restoration of existing and possible new construction to house concession stand and restroom facilities, enhancing convenience and comfort for park visitors.

3. ADA Accessibility and General Upgrades:

- **ADA Accessibility:** We will enhance accessibility throughout the park, ensuring all facilities are navigable for visitors of all abilities.
- **Seating:** Installation of ADA-accessible aluminum bleachers, offering comfortable and inclusive viewing experiences.
- **Parking:** Construction of a crushed limestone parking area and designated ADA-compliant parking spots to improve access and maintenance.

4. Lighting and Safety:

- **LED Lighting:** Upgrading and expanding the LED lighting across the parking lot and sidewalks to improve safety.

- **Signage:** Entry signage will be strategically placed to guide visitors and enhance park visibility.

5. **Sidewalks and Infrastructure:**

- **Sidewalks:** Installation of ADA-compliant sidewalks to facilitate safe and comfortable navigation for all visitors.
- **Limestone Parking:** Resurfacing the parking area with limestone to improve durability and aesthetics.
- **Water Fountains:** Adding ADA-compliant water fountains to ensure easy access to drinking water for all park-goers.



7/11/2024

Members of the City Council
City of La Marque
1111 Bayou Road
La Marque, TX 77568

RE: Endorsement for Texas Parks & Wildlife Grant Application for the Local Parks Grant

Dear City Council Members,

On behalf of the City of La Marque Parks Committee, I am writing to formally endorse the submission of the Texas Parks & Wildlife Grant Application for the Local Parks Grant.

This project aims to revitalize Mahan Park and provide a safe, inclusive, and fully accessible recreational area for our community. It aligns with our ongoing commitment to enhancing the quality of life and adheres to the Parks Master Plan approved by the City of La Marque and adopted by Texas Parks & Wildlife. It supports increased community activities and sports events, which are vital for cohesion and health.

We understand that the grant project's maximum is \$750,000 with a required 50% match, and the Parks Committee is committed to providing the necessary matching funds directly from the city's allocation for parks funding.

After careful review and evaluation, we believe this project will significantly enhance recreational opportunities for our community. These upgrades will support the ongoing improvements at Mahan Park and provide a safer and more enjoyable environment for residents and visitors of all ages.

We believe this project represents a strategic investment in our community's infrastructure and well-being. With your support, we can ensure that Mahan Park meets all residents' current and future needs, making it a cornerstone of community life in La Marque.

The Parks Committee supports this initiative and strongly urges the City Council to endorse the grant application. This project aligns with our mission to enhance the quality of life for all La Marque residents and demonstrates our dedication to responsible park management.

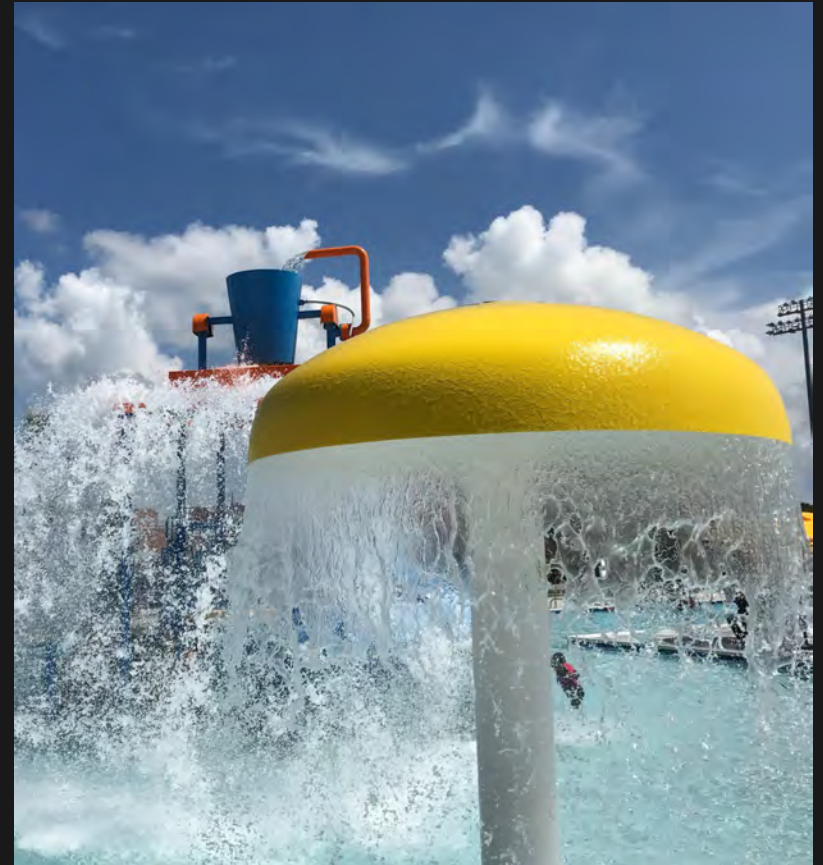
Thank you for your attention to this matter. Should you have any questions or require further information, please do not hesitate to contact the Parks Committee.

Sincerely,

Michael "Rock" Bock
Chairman
La Marque Parks Committee



Local Park Grant Program Overview



Eligible Outdoor Facilities



Eligible Outdoor Facilities



Eligible Outdoor Facilities



Eligible Outdoor Facilities

Local Parks – The Basics

- Acquisition and/or development of public parks and recreation facilities
- 50% matching grants/competitive application process
- Dedicated as parkland in perpetuity, properly maintained and open to the public (we do check)
- Four-year timeline for grant completion



Eligible Applicants

Who Can Apply?

- Local Units of Government in Texas who are legally responsible for providing public recreation services to their citizens:
 - Cities
 - Counties
 - River Authorities
 - Municipal Utility Districts, etc.

Who *Cannot* Apply?

- School Districts
- Non-Profits
- Local Units of Government with Major Grant Compliance Issues
- Private, Commercial, or Non-Public Entities
- HOAs



CITY COUNCIL AGENDA FORM

Meeting Date: July 22, 2024

Prepared by: David Merryman

Department: Fire

Agenda Item: 9.III.

Reviewed by: Kierra Nance

AGENDA ITEM DESCRIPTION:

Purchasing 10 new sets of firefighter personal protective equipment

STAFF BRIEFING:

The La Marque Fire Department utilizes 10 sets of Bunker Gear that are in service but will expire on August 1, 2024. These new sets will replace the expired items with enhanced thermal protection layers, providing an additional layer of safety for our firefighters.

HISTORY:

Two grants were applied for, but gear will expire before the potential award of grants.

FISCAL IMPACT:

\$50,797.50 from professional fees and county fund 48 (50/50).

Sales Quote

QUOTE-3076



July 11, 2024

Bill To Address

City of La Marque FD
David Merryman
5715 Texas Ave.
La Marque, TX 77568

Ship-to Address

City of La Marque FD
David Merryman
5715 Texas Ave.
La Marque, TX 77568

Delta Fire & Safety Inc.

3159 Summit Dr.
Port Neches, TX 77651

Valid to

August 10, 2024

Salesperson

Paul Brown

Contract

HGAC CONTRACT EP11-20

No.	Description	Quantity	Unit Price	Line Amount
TS-SG-VDS	Toxic Suppression, TS-SG-VDS, Viktim Drag Strap	10	\$148.75	\$1,487.50
HONEYWELL	TXLAMQ00040 MORNING PRIDE BUNKER COAT TAILS TO LAMARQUE SPEC	10	\$2,470.00	\$24,700.00
HONEYWELL	TXLAMQ00041 MORNNING PRIDE BUNKER PANT PRO FIT W/ CLASS 1 TO LAMARQUE SPEC	10	\$1,971.00	\$19,710.00
RKD0087	Rocky Boot - RKD0087 - Code Red Structural Fire Boot	10	\$350.00	\$3,500.00

Sales Quote QUOTE-3076

July 11, 2024

Page 2 / 2

No.	Description	Quantity	Unit Price	Line Amount
MK-1 78771	Vanguard, MK-1 78771, Long Cuff Glove	10	\$140.00	\$1,400.00
Subtotal				50,797.50
Total Tax				0.00
Freight: Shipping & Handling charges - Pre-Pay and Add; Charges to be added to final invoice		Total \$		50,797.50



CITY COUNCIL AGENDA FORM

Meeting Date: July 22, 2024

Prepared by: _____

Department: City Clerk

Agenda Item: 9.IV.

Reviewed by: Kierra Nance

AGENDA ITEM DESCRIPTION:

Reviewing the City of La Marque's Whistle Blower Policy

STAFF BRIEFING:

Councilmember Lowry requested in writing a discussion regarding the city's Whistle Blower Policy. The City has included a Whistle Blower Policy in its Employee Handbook and is bound by the Whistle Blower Act found in the Texas Local Government Code

HISTORY:

Request from Councilmember Lowry via email on 7/10/2024.

FISCAL IMPACT:

n/a

200 ETHICAL CONDUCT

201 FRAUD PREVENTION AND DETECTION

The City of La Marque is committed to ensuring that the highest standards of moral and ethical behavior are maintained by its employees, administrators and elected officials. To that end the City strives to make sure that the opportunity for fraud, theft and corruption is reduced to the lowest possible risk.

Fraud is the deliberate use or misrepresentation or other deceitful means to obtain something to which a person is not otherwise entitled. It generally involves a willful or deliberate act with the intention of obtaining an unauthorized benefit, such as money or property, by deception or other unethical means. If an allegation of fraud is substantiated, involved employees will be subject to corrective action up to and including discharge from employment. Examples of fraud include, but are not limited to, the following:

- Forgery or alteration of any document or account belonging to the City of La Marque;
- Forgery or alteration of a check, bank draft, or any other financial instrument;
- Misappropriation of funds, securities, supplies, or other assets;
- Impropriety in the handling or reporting of money or financial transaction resulting in the personal gain of any individual;
- Disclosing confidential information to outside parties resulting in the personal gain of an individual;
- Accepting or seeking material value from vendors, contractors, or other persons providing services and/or materials to the City;
- Destruction, removal or inappropriate use of records, furniture, fixtures and equipment resulting in the personal gain of an individual; and or
- Authorizing or receiving compensation for hours not worked.

Any employee who has knowledge or reason to suspect any type of fraudulent behavior must notify their supervisor immediately. If the employee is not comfortable reporting this to their immediate supervisor, then the matter can be reported directly to the Department Director or City Manager. Employees making such a report are protected from retaliation or reprisal by the Whistle Blower Act (Texas Local Government Code, Title 5, and Chapter 554).

Failure to report suspected fraud or the report of incorrect or false accusations will be subject an employee to corrective action up to and including discharge from employment. Knowingly making a false statement that is material to a criminal investigation is a misdemeanor offense under the Texas Penal Code and could lead to criminal prosecution.

GOVERNMENT CODE

TITLE 5. OPEN GOVERNMENT; ETHICS

SUBTITLE A. OPEN GOVERNMENT

CHAPTER 554. PROTECTION FOR REPORTING VIOLATIONS OF LAW

Sec. 554.001. DEFINITIONS. In this chapter:

(1) "Law" means:

- (A) a state or federal statute;
- (B) an ordinance of a local governmental entity; or
- (C) a rule adopted under a statute or ordinance.

(2) "Local governmental entity" means a political subdivision of the state, including a:

- (A) county;
- (B) municipality;
- (C) public school district; or
- (D) special-purpose district or authority.

(3) "Personnel action" means an action that affects a public employee's compensation, promotion, demotion, transfer, work assignment, or performance evaluation.

(4) "Public employee" means an employee or appointed officer other than an independent contractor who is paid to perform services for a state or local governmental entity.

(5) "State governmental entity" means:

- (A) a board, commission, department, office, or other agency in the executive branch of state government, created under the constitution or a statute of the state, including an institution of higher education, as defined by Section 61.003, Education Code;
- (B) the legislature or a legislative agency; or
- (C) the Texas Supreme Court, the Texas Court of Criminal Appeals, a court of appeals, a state judicial agency, or the State Bar of Texas.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Amended by Acts 1995, 74th Leg., ch. 721, Sec. 1, eff. June 15, 1995.

Sec. 554.002. RETALIATION PROHIBITED FOR REPORTING VIOLATION OF LAW. (a) A state or local governmental entity may not suspend or terminate the employment of, or take other adverse personnel action against, a public employee who in good faith reports a violation of law by the employing governmental entity or another public employee to an appropriate law enforcement authority.

(b) In this section, a report is made to an appropriate law enforcement authority if the authority is a part of a state or local governmental entity or of the federal government that the employee in good faith believes is authorized to:

- (1) regulate under or enforce the law alleged to be violated in the report; or
- (2) investigate or prosecute a violation of criminal law.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Amended by Acts 1995, 74th Leg., ch. 721, Sec. 2, eff. June 15, 1995.

Sec. 554.003. RELIEF AVAILABLE TO PUBLIC EMPLOYEE. (a) A public employee whose employment is suspended or terminated or who is subjected to an adverse personnel action in violation of Section 554.002 is entitled to sue for:

- (1) injunctive relief;
- (2) actual damages;
- (3) court costs; and
- (4) reasonable attorney fees.

(b) In addition to relief under Subsection (a), a public employee whose employment is suspended or terminated in violation of this chapter is entitled to:

- (1) reinstatement to the employee's former position or an equivalent position;
- (2) compensation for wages lost during the period of suspension or termination; and
- (3) reinstatement of fringe benefits and seniority rights lost

because of the suspension or termination.

(c) In a suit under this chapter against an employing state or local governmental entity, a public employee may not recover compensatory damages for future pecuniary losses, emotional pain, suffering, inconvenience, mental anguish, loss of enjoyment of life, and other nonpecuniary losses in an amount that exceeds:

(1) \$50,000, if the employing state or local governmental entity has fewer than 101 employees in each of 20 or more calendar weeks in the calendar year in which the suit is filed or in the preceding year;

(2) \$100,000, if the employing state or local governmental entity has more than 100 and fewer than 201 employees in each of 20 or more calendar weeks in the calendar year in which the suit is filed or in the preceding year;

(3) \$200,000, if the employing state or local governmental entity has more than 200 and fewer than 501 employees in each of 20 or more calendar weeks in the calendar year in which the suit is filed or in the preceding year; and

(4) \$250,000, if the employing state or local governmental entity has more than 500 employees in each of 20 or more calendar weeks in the calendar year in which the suit is filed or in the preceding year.

(d) If more than one subdivision of Subsection (c) applies to an employing state or local governmental entity, the amount of monetary damages that may be recovered from the entity in a suit brought under this chapter is governed by the applicable provision that provides the highest damage award.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Amended by Acts 1995, 74th Leg., ch. 721, Sec. 3, eff. June 15, 1995.

Sec. 554.0035. WAIVER OF IMMUNITY. A public employee who alleges a violation of this chapter may sue the employing state or local governmental entity for the relief provided by this chapter. Sovereign immunity is waived and abolished to the extent of liability for the relief allowed under this chapter for a violation of this chapter.

Added by Acts 1995, 74th Leg., ch. 721, Sec. 4, eff. June 15, 1995.

Sec. 554.004. BURDEN OF PROOF; PRESUMPTION; AFFIRMATIVE DEFENSE.

(a) A public employee who sues under this chapter has the burden of proof, except that if the suspension or termination of, or adverse personnel action against, a public employee occurs not later than the 90th day after the date on which the employee reports a violation of law, the suspension, termination, or adverse personnel action is presumed, subject to rebuttal, to be because the employee made the report.

(b) It is an affirmative defense to a suit under this chapter that the employing state or local governmental entity would have taken the action against the employee that forms the basis of the suit based solely on information, observation, or evidence that is not related to the fact that the employee made a report protected under this chapter of a violation of law.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Amended by Acts 1995, 74th Leg., ch. 721, Sec. 5, eff. June 15, 1995.

Sec. 554.005. LIMITATION PERIOD. Except as provided by Section 554.006, a public employee who seeks relief under this chapter must sue not later than the 90th day after the date on which the alleged violation of this chapter:

(1) occurred; or

(2) was discovered by the employee through reasonable diligence.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Sec. 554.006. USE OF GRIEVANCE OR APPEAL PROCEDURES. (a) A public employee must initiate action under the grievance or appeal procedures of the employing state or local governmental entity relating to suspension or termination of employment or adverse personnel action before suing under this chapter.

(b) The employee must invoke the applicable grievance or appeal procedures not later than the 90th day after the date on which the

alleged violation of this chapter:

- (1) occurred; or
- (2) was discovered by the employee through reasonable diligence.

(c) Time used by the employee in acting under the grievance or appeal procedures is excluded, except as provided by Subsection (d), from the period established by Section 554.005.

(d) If a final decision is not rendered before the 61st day after the date procedures are initiated under Subsection (a), the employee may elect to:

(1) exhaust the applicable procedures under Subsection (a), in which event the employee must sue not later than the 30th day after the date those procedures are exhausted to obtain relief under this chapter; or

(2) terminate procedures under Subsection (a), in which event the employee must sue within the time remaining under Section 554.005 to obtain relief under this chapter.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Amended by Acts 1995, 74th Leg., ch. 721, Sec. 6, eff. June 15, 1995.

Sec. 554.007. WHERE SUIT BROUGHT. (a) A public employee of a state governmental entity may sue under this chapter in a district court of the county in which the cause of action arises or in a district court of Travis County.

(b) A public employee of a local governmental entity may sue under this chapter in a district court of the county in which the cause of action arises or in a district court of any county in the same geographic area that has established with the county in which the cause of action arises a council of governments or other regional commission under Chapter 391, Local Government Code.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Amended by Acts 1995, 74th Leg., ch. 721, Sec. 7, eff. June 15, 1995.

Sec. 554.008. CIVIL PENALTY. (a) A supervisor who in violation of this chapter suspends or terminates the employment of a public employee or takes an adverse personnel action against the employee is liable for a civil penalty not to exceed \$15,000.

(b) The attorney general or appropriate prosecuting attorney may sue to collect a civil penalty under this section.

(c) A civil penalty collected under this section shall be deposited in the state treasury.

(d) A civil penalty assessed under this section shall be paid by the supervisor and may not be paid by the employing governmental entity.

(e) The personal liability of a supervisor or other individual under this chapter is limited to the civil penalty that may be assessed under this section.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Amended by Acts 1995, 74th Leg., ch. 721, Sec. 8, eff. June 15, 1995.

Sec. 554.009. NOTICE TO EMPLOYEES. (a) A state or local governmental entity shall inform its employees of their rights under this chapter by posting a sign in a prominent location in the workplace.

(b) The attorney general shall prescribe the design and content of the sign required by this section.

Added by Acts 1993, 73rd Leg., ch. 268, Sec. 1, eff. Sept. 1, 1993.

Amended by Acts 1995, 74th Leg., ch. 721, Sec. 9, eff. June 15, 1995.

Sec. 554.010. AUDIT OF STATE GOVERNMENTAL ENTITY AFTER SUIT. (a) At the conclusion of a suit that is brought under this chapter against a state governmental entity subject to audit under Section [321.013](#) and in which the entity is required to pay \$10,000 or more under the terms of a settlement agreement or final judgment, the attorney general shall provide to the state auditor's office a brief memorandum describing the facts and disposition of the suit.

(b) Not later than the 90th day after the date on which the state auditor's office receives the memorandum required by Subsection (a), the

auditor may audit or investigate the state governmental entity to determine any changes necessary to correct the problems that gave rise to the whistleblower suit and shall recommend such changes to the Legislative Audit Committee, the Legislative Budget Board, and the governing board or chief executive officer of the entity involved. In conducting the audit or investigation, the auditor shall have access to all records pertaining to the suit.

Added by Acts 1995, 74th Leg., ch. 721, Sec. 10, eff. June 15, 1995.



CITY COUNCIL AGENDA FORM

Meeting Date: July 22, 2024

Prepared by: Cesar Garcia

Department: Administration

Agenda Item: 9.V.

Reviewed by: Kierra Nance

AGENDA ITEM DESCRIPTION:

Considering the Proposal for establishing a La Marque Youth Council

STAFF BRIEFING:

Proposal of Youth Advisory Council to commence fall of 2024

HISTORY:

This was an initiative that was brought up for consideration to be launched in time for the next school year in order to engage the young adults of La Marque.

FISCAL IMPACT:

Dependent on enrollment of youth



CITY OF LA MARQUE YOUTH ADVISORY COUNCIL PROPOSAL

|

STATEMENT OF PURPOSE

The City of La Marque Youth Advisory Council serves as a vital platform aimed at creating an inclusive forum that fosters communication, education, and awareness surrounding youth-related matters. By offering a dedicated space for dialogue and exchange, the council aims to address and advocate for the diverse needs of young people within our community.

A cornerstone of the Youth Advisory Council's mission is to provide students in grades 9-12 with enriching civic activities in a secure and supportive environment. These activities promote camaraderie among peers and cultivate individual confidence and leadership qualities. Through active participation in council meetings, events, and community service projects, members gain valuable hands-on experience in civic engagement and leadership development.

The Youth Advisory Council operates through a collaborative effort with the City of La Marque, facilitated by the City Manager's office. This partnership ensures that the council is well-integrated into municipal processes and initiatives, allowing youth perspectives to inform and shape local policies and programs that directly impact their lives.

Membership in the Youth Advisory Council is open to all La Marque residents in grades 9-12, fostering inclusivity and diversity among its participants. By embracing a wide range of backgrounds and perspectives, the council reflects the rich tapestry of our community and enhances its capacity to address issues pertinent to youth with comprehensive and informed approaches.

The Youth Advisory Council stands as a proactive initiative dedicated to empowering La Marque's youth population. By providing a platform for meaningful engagement, skill development, and community involvement, the council nurtures future leaders who are equipped to contribute positively to our city's social fabric and collective well-being.

GOALS

The Youth Advisory Council (YAC) is dedicated to empowering and developing young leaders in our community. The council's primary goals include fostering leadership skills through structured programs and mentorship opportunities, engaging with the community through service projects and outreach initiatives, and facilitating networking and collaboration among youth from diverse backgrounds and interests.

Our initiative aims to promote personal growth by implementing educational campaigns and workshops focused on preventing drug and alcohol abuse, while actively promoting principles of diversity, equity, and inclusion in all council activities. Additionally, the YAC will serve as a platform to motivate and energize young individuals by actively listening to and addressing their concerns and frustrations, providing them with avenues to voice their opinions and advocate for positive change.

Furthermore, the council will play a pivotal role in educating youth about the functions and responsibilities of city government, offering lectures and seminars led by local officials and community leaders. By creating a supportive and communicative environment within the YAC, we aim to empower youth to become informed, engaged citizens who actively participate in civic affairs and contribute meaningfully to the betterment of our community. Through these comprehensive efforts, the YAC will serve as a cornerstone for youth empowerment, leadership development, and community enrichment in our city.

BENEFITS

Our proposal aims to elevate the City of La Marque's commitment to youth development and leadership through the establishment of a Youth Advisory Council (YAC). This initiative seeks to empower young individuals by fostering self-confidence and nurturing essential life and leadership competencies. By actively engaging youth in significant decision-making processes, the YAC will facilitate community engagement and ensure that residents have a voice in shaping their city's future.

Moreover, the YAC will empower the City of La Marque to advocate for and implement policies and initiatives that directly address the needs of its youth population. By granting young people the authority to participate in community decision-making and express their perspectives, the council will promote inclusivity and amplify youth voices in civic affairs. Additionally, the YAC will provide valuable opportunities for youth to connect with peers across La Marque, fostering relationships and strengthening community bonds.

Through these efforts, the YAC will not only enrich the lives of young people but also contribute to a more vibrant and inclusive community where youth are empowered to thrive and contribute meaningfully to the city's growth and development.

City of La Marque Youth Advisory Council

Proposed Bylaws for 8/12/2024 – 6/30/2025

Official name of the organization: City of La Marque Youth Advisory Council

Address of organization: 1111 Bayou Rd, La Marque, TX 77568

Statement of purpose:

The purpose of the Youth Advisory Council is to offer an open forum to foster communication, education and information concerning youth and youth-related issues. The Youth Advisory Council provides students in grades 9-12 with social activities in a safe and positive environment, while promoting individual self-esteem and leadership through participation in meetings, events, and community service projects.

Youth Advisory Council promotes a comprehensive risk avoidance message to the youth for five harmful risk behaviors that are inextricably linked: alcohol, drugs, sex, tobacco, and violence. Teens, provided with consistent and sound messages, are capable of making positive choices to avoid these risk behaviors.

Procedure for amending the bylaws:

Submission of proposed changes must be made in writing and submitted to the Youth Executive Board before change(s) are voted on.

Qualification for membership:

The City of La Marque Youth Advisory Council will be a collection of students in grades 9-12 residing within the La Marque city limits who attend a high school within the geographic vicinity of the City of La Marque.

Admission procedure:

Students will submit an application which includes a short essay and response questions to gauge their commitments and interests. Following the submission, they will go through an interview process to determine eligibility.

Dues obligation of members:

Membership is not initially required to participate in Youth Council activities. Youth Council Members will decide if a membership fee will be incorporated into the future endeavors for expanded programming.

Notice requirement for general membership meetings:

At least 72 hours before a meeting.

Quorum requirements:

Majority (50% +1) of the voting members

Frequency of meetings and meeting procedures:

A minimum of 4 (four) general meetings per calendar year.

Circumstances under which members may be expelled:

If a member has missed 2 (two) consecutive general meetings they may be expelled. Members are encouraged to email cityclerk@cityoflamarque.org if they cannot make a meeting at least 24 hours prior to the meeting date.

Dress Code:

Members must always be dressed appropriately for the deemed affair or engagement in which they take place. Proper attire is always expected as Youth Advisory Council Members will be representatives of the City, its residents, and all associates & partners of the City. It is a respected responsibility, and members are expected to uphold the standards set forth below.

- No sandals or cell phone use while engaged in Youth Advisory Council business.
- Dress for meetings will include business casual attire at the minimum.
 - If/when a uniform or a version of one is compiled for Council use and approved by the Council, that uniform must be worn accordingly at all Youth Council Meetings and/or outings.
 - If more than one uniform is approved, the appropriate one will be expected depending on the event/engagement. (Ex. Cardigans for meetings & t-shirts for community service work, etc.)
- Members will always be expected to dress modestly, neatly, and appropriately for all Youth Advisory Council events, meetings, or engagements.

Voting procedures:

All votes must be made in person at a general meeting or via virtual participation in accordance with Texas law. Each member is entitled to one vote.

The Executive Board is for individuals who want to plan and lead events for members. Executive Board members serve for one school year. Executive Board members focus on further enhancing the community by serving as links between teens and all others, and by developing ideas, implementing teen programs, and encouraging teen involvement.

Executive Board**Qualifications for a position appointment:**

Good attendance, participation in activities and events, and commitment to the Youth Advisory Council.

Only incoming seniors can hold the position of President and incoming juniors can hold the position of Vice President.

Terms of office and term limits:

Board members shall be appointed for a one-year term. There are no term limits. Board member terms will run for the entire year.

Selection process:

All candidates who wish to serve on the Executive Board must submit an Executive Board Application to the City Manager's office. Executive Board members will be interviewed and appointed by the City Manager's office and City Council.

Process for filling vacancies:

Any vacancy in a position on the board, which is caused by resignation or removal, shall be filled for the balance of the term by appointment of the remaining Executive Board.

Academic Criteria for Youth Advisory Council Members:

- Youth Advisory Council Members are encouraged to have a 2.5 G.P.A. or higher out of 4.0 before the start of the program yearly session. Any child without the adequate grades will still be allowed to participate, but will be mentored and received guidance from the Youth Advisory Council Committee to include possible introduction into a tutoring program.
- All participants with a G.P.A. below a 2.5 will be encouraged to complete a minimum of 4 hours of study hall per week or he or she may not be allowed to participate in a Youth Council functions in that given week.
- The most recent report card must be presented for verification of grades. Members will be required to submit their subsequent report cards and progress reports within one week of their distribution to continue their enrollment in the Youth Council in order to verify continuous educational progress and compliance with the Youth Council Academic Criteria.

Frequency of meetings:

The Executive Board must meet before every general meeting and once between meetings.

Quorum requirements: Majority of votes.

Circumstances under which directors may be removed:

Performance, attendance, and by the majority of votes by other Executive Board members or City Council.

Qualification for holding office:

Must be a member of Youth Advisory Council and go through necessary application and interview

Duties of officers:
President

- Shall preside at meetings
- Can appoint special committees as needed
- To inform members if they are not meeting attendance requirements
- Oversee and help committee chairs
- Youth Advisory Council presentations

Vice President

- To perform all duties and responsibilities of the President in the absence of the President.
- To serve in such capacities as assigned by the President
- Oversee and help committee chairs
- Youth Advisory Council presentations

Secretary / Treasurer

- To perform all duties and responsibilities of the Vice President in his/her absence.
- To serve in such capacities as assigned by the President and/or Vice President
- Oversee and help committee chairs
- Youth Advisory Council presentations
- Take accurate minutes and proper documentation for all meetings
- Possibly serve as Treasurer for the Council should the need become apparent. If the need becomes too apparent, a new officer position of Treasurer may be created to take on the financial responsibilities should they and as they arise.

Chair of each: Social and Recreation, Environmental, School/Educational Issues, Fundraising, Community Service.

- Organizing diverse events and activities
- Responsible for holding meetings and setting goals
- Chairs will be responsible for attendance and minutes of meetings
- Communication through newsletters, mailings, e-mails, and phone calls
- Chairs need to serve as role models
- Chairs will work to provide a friendly environment
- Representation at general meetings
- Other duties as assigned

Social and Recreation:

To organize a variety of fun social & recreational programs and events in a safe and positive environment and document said events for social media. Responsible for organization of monthly newsletter and announcements.

Fundraising:

Responsible for generating financial support by raising funds for the Youth Advisory Council.

Environmental:

To collect and share information related to a wide variety of environmental issues and to organize volunteer projects or workshops for educational purposes as well as providing service to the community. The Youth Council must sponsor a minimum of one environmental awareness program per year.

Community Service:

To organize community service projects that will provide an opportunity for members to unselfishly give their time in order to improve the quality of life for people in need; also, to make a difference by contributing their time, energy, and talents to strengthen our community.

School Issues/Education Ad Hoc Committee:

Address any school issues that may be brought up and sponsor an alcohol and/or drug awareness program.

Code of Behavior:

In order to ensure a comfortable and enjoyable experience for yourself and others, you must abide by our Code of Behavior.

- No Smoking
- No alcoholic beverages or illegal substances permitted
- Please do not shout, horseplay or throw any type of debris
- Please do not display any disorderly or disruptive conduct of any nature
- Do not engage in any behavior that could result in physical injury or harm to persons or property
- Refrain from loud, foul, or obscene language or gestures
- Matches and lighters are not permitted
- Youth Advisory Council is not responsible for personal belongings
- No explicit lyrics
- Respect your peers
- Always follow the dress code.
- Council Members are expected to exhibit trustworthiness, respect, responsibility, fairness, and citizenship.
- Follow all additional rules passed by the Youth Council regarding the Code of Behavior and its amended changes.

For everyone's comfort and safety, violators will be expelled from Youth Advisory Council.

City of La Marque Youth Advisory Council – Frequently Asked Questions

What is the purpose of a Youth Advisory Council?

The purpose of the City of La Marque Youth Advisory Council is to offer an open forum to foster communication, education and information concerning youth and youth-related issues. The Youth Advisory Council provides students in grades 9-12 with social activities in a safe and positive environment, while promoting individual self-esteem and leadership through participation in meetings, events, and community service projects. The Youth Advisory Council is a cooperative effort with the City of La Marque and is facilitated by the City Manager's office. Youth Advisory Council membership is available to all La Marque residents in grades 9-12.

What will a Youth Advisory Council Member do?

In an effort to support the future leaders of La Marque, council members will be introduced into the world of public service. They will attend general membership meetings; attend functions pertaining to the operation of the Youth Advisory Council and the City Council; and meet with elected officials and city staff to learn the intricacies of government at the municipal level. Students will have vast exposure into government and public administration as evidenced by extracurricular activities, community involvement, and numerous leadership experiences.

Youth Advisory Council members will be attaining a forum for advocacy, service, and learning while advising the City of La Marque and its City Councilmembers from its unique youth perspective. They will have the opportunity to create real ideas about what they want to do about any problems that they as a group may be facing.

This opportunity is suitable for young people who want to do something and give something, but they do not know how to express it or have not found the avenue to express their desire to serve. The City of La Marque Youth Advisory Council provides just that! Encouraging youth toward civic engagement and community service while empowering them with skills for effective advocacy is a key focus of this Youth Advisory Council. They are to use it as a vehicle of expression where they can feel empowered to bring upon positive change to situations that matter to them.

Who are Youth Advisory Council members?

The City of La Marque Youth Advisory Council will be a collection of students grades 9-12 residing within the La Marque city limits who attend a high school within the geographic vicinity of the City of La Marque.

How often are Council meetings held?

Meetings are held once per month on the third Monday of the month (in between City Council meetings). Excused absences will be allowable depending on the circumstance, but excessive absences will count negatively towards the member's participation on council.

How long do programs last?

This session of our Youth Council will run from August 2024 to June 2025 and will begin again in August of each year. The month of July will be reserved for applications and interviews. All the activities take place in the evenings and on weekends when school is in session and may involve some daytime activities on non-school days. New members are always welcome!

What type of mentoring will the program have?

The staff liaison, education liaison, and council liaison to advise and direct the YAC.

What activities do the programs offer?

Youth Advisory Council offers exciting and stimulating opportunities for teens: Social and Recreation, Community Service, Environmental, Sports, Fundraising, and the creation of an Alcohol & Drug Abuse Prevention Coalition as well as other service-learning projects decided upon by the youth council members themselves.

Why Should You Be Involved?

- Youth Advisory Council members acquire valuable experience that will assist them as they transition into adulthood and their college careers.
- Youth Advisory Council allows participants to positively impact the community in which they live.
- It is a youth run civic organization
- Meet new people
- Experience new things
- Endless volunteer opportunities and social events
- Be involved in a group concerning youth-related issues in your community
- Voice your concerns and ideas
- Be involved in positive change for your community
- Suggest youth-related programming
- Help those who are less fortunate

How to Apply?

If you are interested in becoming a Youth Council member, contact the City Manager's office at 409-938-9202 or via e-mail at c.garcia@cityoflamarque.org.

Prepared by: Cesar Garcia 409-938-9202 – cgarcia@cityoflamarque.org

MEMBER APPLICATION

APPLICANT INFORMATION

Applicant's Name: _____ Grade: _____

Birthdate (mm/dd/yyyy): _____

Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

PARENT/GUARDIAN INFORMATION

Parent/Guardian 1 Name: _____ Email: _____

Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Parent/Guardian 2 Name: _____ Email: _____

Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

SCHOOL INFORMATION

School Name: _____ Address: _____

City: _____ State: _____ Zip: _____

RESPONSE QUESTIONS

1. What are the top three social issues from the list below that you consider yourself passionate about? (Circle three):

- Animals (homeless pets, endangered animals, abused animals)
- Community revitalization
- Disaster relief
- Domestic abuse
- Education/tutoring/mentoring
- Unemployment
- Environment/conservation
- Healthcare
- Health-related issues (cancer, HIV/AIDS, obesity, etc.)
- Homelessness
- Housing (building, renovation)
- Human Rights
- Hunger
- People with disabilities
- Poverty
- Recreation/sports
- Seniors

- Technology
- Female empowerment
- Youth Leadership

2. Are you a member of your school's student council or student government? [YES/NO]

3. Approximately how many hours of community service did you complete in 2023/24 School Year?

[Less than 5] [5-25] [25-75] [More than 75]

4. Can you commit to being an active member of the council through [Insert month and year]? [YES/NO]

5. Using bullet points, please list any additional extracurriculars, leadership roles/positions you have held, or service awards you have received. (*include dates, names of awards, and your role titles*):

ESSAY QUESTIONS

What improvements would you like to see in La Marque and how do you propose the city addresses this issue?

Discuss one social issue that is important to you and why.

Name someone who has been an inspiration to you. What about them inspires you?

EXECUTIVE BOARD APPLICATION

APPLICANT INFORMATION

Applicant's Name: _____ Grade: _____

Birthdate (mm/dd/yyyy): _____

Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

PARENT/GUARDIAN INFORMATION

Parent/Guardian 1 Name: _____ Email: _____

Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

Parent/Guardian 2 Name: _____ Email: _____

Address: _____ City: _____ State: _____ Zip: _____

Phone: _____ Email: _____

SCHOOL INFORMATION

School Name: _____ Address: _____

City: _____ State: _____ Zip: _____

RESPONSE QUESTIONS

Why are you interested in becoming a member of the Executive Board?

Describe your most meaningful leadership experience.

We are all shaped by our diverse backgrounds. How will your identity or lived experiences shape and contribute to your work with the City of La Marque?

Please list any other volunteer/extracurricular commitments:

COMMUNITY SERVICE HOURS LOG

[illegible]



CITY COUNCIL AGENDA FORM

Meeting Date: July 22, 2024

Agenda Item: 9.VI.

Prepared by: _____

Reviewed by: _____

Department: Human Resources

AGENDA ITEM DESCRIPTION:

Reviewing a Renewal Contract for employee insurance and Next Level Prime Documentation

STAFF BRIEFING:

The City of La Marque is taking a proactive approach to employee health and well-being by strategically lowering our spend rates for plan usage. This briefing covers the healthcare benefits renewal and Next Level Prime documentation with the TX Health Benefits Pool for the City of La Marque, including healthcare, dental, and vision coverage. By implementing the Next Level Prime program, we aim to provide more affordable and accessible healthcare options, which in turn can reduce overall healthcare costs. The plan year runs from October 1, 2024, to September 30, 2025. Ensure comprehensive understanding and readiness for changes in all coverage areas.

HISTORY:

The City of La Marque partners with the Texas Health Benefits Pool to provide comprehensive health, dental, and vision insurance for its employees. The health and dental insurance are provided through Blue Cross Blue Shield of Texas, and vision insurance is provided through EyeMed. These providers will remain unchanged.

With the introduction of Next Level Prime, the goal was to provide more affordable healthcare options and enhance access to essential services. Initially, the plan renewal offered an 8% reduction, translating into approximately \$50 per employee per month in savings. The cost for Next Level Prime is \$60 per employee per month. Originally, this would have resulted in a 2% increase to our budget for the 2024-2025 period. Through negotiations, HR was able to further minimize this increase to just 1%, effectively an additional \$5 per employee per month. For our workforce of 200, this adjustment totals an additional \$1,000 per month or \$12,000 for the year.

Additionally, through our Next Level Prime employer healthcare solution, employees and their families have unlimited access to medical care with Next Level 7-days a week for Primary Care, Preventive Care, Chronic Care, Urgent Care, and 24/7 Telemedicine & Virtual Visits, all at no cost to the member. This benefit not only reduces out-of-pocket expenses for employees but also encourages timely and regular healthcare utilization.

FISCAL IMPACT:

The fiscal impact to the city will be \$12,000 annually. The savings from the initial 9% reduction will be used to cover the majority of the cost of the Next Level Prime program. For our workforce of 200 employees for 2025 FY, this results in an additional cost of \$1,000 per month or \$12,000 for the year.

Invoice: City of La Marque
Invoice No. 1500 for October



Issue On: Oct 1, 2024
AutoPay On: Oct 1, 2024
Due On: Oct 1, 2024

Next Level Medical
Attn: Accounts Receivable
5718 Westheimer Rd. Ste. 1800
Houston, TX 77057

Total	Paid	Remaining Balance
\$10,200.00	\$0.00	\$10,200.00

Overview

Description	Qty	Amount
Current Period		
New members	170	\$10,200.00
Existing members	0	\$0.00
Dependents	0	\$0.00
No longer employed	0	\$0.00
Adjustments		
Total		\$0.00
Charges		\$0.00
Credit		\$0.00
Total		\$10,200.00



Renewal Notice and Benefit Verification Form

La Marque

Revision 1

Plan Year 10/01/2024 - 09/30/2025 (12 Months)

IMPORTANT NOTICE: A signed renewal is required by the due date in your cover letter. If TX Health Benefits Pool does not receive the fully executed renewal notice by the indicated due date, you will no longer have an option to change benefits which will result in renewal of the benefit plans listed below at the new rates and the current employer contributions.

Medical

Employer Group Medical Plan

Plan	Benefit Percent	In Net Ded	Out Net Ded	In Net OOP	Office Visit	Rates	Current	New
Copay-1K-5K ER-DAW1&2	80/50	\$1000	\$2000	\$5000	\$30	EE Only:	\$598.72	\$544.84
						EE + Spouse:	\$1,215.38	\$1,106.00
						EE + Child(ren):	\$1,053.72	\$958.90
						EE + Family:	\$1,766.16	\$1,607.22

In Network Deductible applies towards In Network OOP.

Medical and Dental Plan Accumulators will be based on Calendar Year.

Monthly Employer Contribution Amounts

TX Health Benefits Pool requires 60% employer contribution toward employee medical – Minimum employer contribution is \$326.90.

Please enter your monthly employer contribution amounts for active employees here, in dollars or percentages:

Plan	EE Only:		EE+Spouse*:		EE+Child(ren)*:		EE+Family*:	
	Amount	% of Rate**	Amount	% of Rate**	Amount	% of Rate**	Amount	% of Rate**
Copay-1K-5K ER-DAW1&2	\$_____ or _____%		\$_____ or _____%		\$_____ or _____%		\$_____ or _____%	

*If entering contributions in dollars, the dependent tier(s) **must** include the EE Only amount paid by employer in addition to any employer paid amounts for dependents. Percentages for dependent tier(s) will apply to the dependent tier amount less the EE Only amount.

****NOTE:** If a contribution percentage is provided, it will be rounded up to the nearest penny.

Are there different contributions based on other factors (ex: hourly vs salary, department or location based)? If so, please explain here:

Dental

Rates	Current (Dental III)	New (Dental III)
EE Only:	\$40.66	\$40.66
EE + Spouse:	\$83.46	\$83.46
EE + Child(ren):	\$87.74	\$87.74
EE + Family:	\$124.80	\$124.80

Please enter your monthly employer contribution amounts for active employees here, in dollars or percentages:

EE Only:		EE+Spouse*:		EE+Child(ren)*:		EE+Family*:	
Amount	% of Rate**	Amount	% of Rate**	Amount	% of Rate**	Amount	% of Rate**
\$_____ or _____%		\$_____ or _____%		\$_____ or _____%		\$_____ or _____%	

*If entering contributions in dollars, the dependent tier(s) **must** include the EE Only amount paid by employer in addition to any employer paid amounts for dependents. Percentages for dependent tier(s) will apply to the dependent tier amount less the EE Only amount.

****NOTE:** If a contribution percentage is provided, it will be rounded up to the nearest penny.

Vision

<u>Rates</u>	<u>Current (Vol Premium)</u>	<u>New (Vol Premium)</u>
EE Only:	\$10.47	\$12.58
EE + Spouse:	\$19.90	\$23.92
EE + Child(ren):	\$20.94	\$25.18
EE + Family:	\$26.71	\$32.10

Please enter your monthly employer contribution amounts for active employees here, in dollars or percentages:

<u>EE Only:</u>		<u>EE+Spouse*:</u>		<u>EE+Child(ren)*:</u>		<u>EE+Family*:</u>	
Amount	% of Rate**	Amount	% of Rate**	Amount	% of Rate**	Amount	% of Rate**
\$_____ or _____%		\$_____ or _____%		\$_____ or _____%		\$_____ or _____%	

*If entering contributions in dollars, the dependent tier(s) **must** include the EE Only amount paid by employer in addition to any employer paid amounts for dependents. Percentages for dependent tier(s) will apply to the dependent tier amount less the EE Only amount.

****NOTE:** If a contribution percentage is provided, it will be rounded up to the nearest penny.

Pre-65 Retiree Medical

Yes - Rates Same as Active

Note: Pre-65 Retiree rates will be Direct Billed to the EMPLOYER.

COBRA Eligibility and Administration (Continuation of Coverage)

COBRA Eligible? Yes

COBRA Administration through TX Health Benefits Pool? Yes

NOTE: Employer will be charged a flat monthly fee of \$80 per month regardless of how many members are utilizing COBRA, as well as \$10 per month for each member who elects COBRA.

Benefit Waiting Period

1st of mo after 30 days

Required Annual Eligibility and Enrollment Information

Please provide the following information:

1. Will you allow Employee Self Service (ESS) via TXHB Online for Open Enrollment and Qualifying Life Events? No ☐ Yes ☐

Signature Section

The undersigned employer hereby acknowledges that for an employee to receive coverage, TX Health Benefits Pool must receive enrollment information within thirty-one (31) days of the date of hire or within thirty-one (31) days of the coverage effective date, whichever is later, regardless of whether the Employer has a waiting period or a waiting and orientation period. If an enrollment is not submitted within this timeline, the employee cannot be added to the Plan until the next Open Enrollment period or a qualifying event occurs.

Employer Member Additional Acknowledgements and Agreements

1. Employer Member acknowledges and agrees that its signature on this Renewal Notice and Benefit Verification Form indicates its binding selections for renewal services through TX Health Benefits Pool.
2. Employer Member acknowledges that certain benefit service selections require completion and execution of additional forms and agreements and agrees that it will work with all due diligence and in good faith to complete, execute, and return all necessary forms and agreements to TX Health Benefits Pool prior to the beginning of the Group's open enrollment.
3. Employer Member acknowledges that TX Health Benefits Pool will only allow open enrollment for renewal services in good faith and without receiving all necessary signed benefit service forms and agreements if:
 - A. A signed Renewal Notice and Benefit Verification Form with all necessary Employer Member selections and information has been received; and
 - B. Employer Member has in good faith attempted but failed to approve and return the applicable benefit service forms and agreements timely.
4. Employer certifies that it has adopted an Employee Flexible Benefits Plan under Section 125 of the Internal Revenue Code. This Plan is offered to all eligible employees who are qualified by employment status.
5. Employer certifies that it will provide notice of the creditable status of the coverage it offers to new enrollees prior to the effective date of their coverage, as required by the Medicare Modernization Act.
6. TX Health Benefits requires groups to enroll 100% of their benefit eligible employees. This is also known as the 100% Participation Rule. Employers may have employees that wish to waive Medical coverage through TX Health Benefits Pool, however, waivers may only be granted for the reasons enumerated in your Plan Book.

Please sign by the due date and return this completed form via email to your Account Executive/Account Manager or marketing@txhb.gov.

74-6012995

Tax ID Number

Authorized Signature

Date

Printed Name

Title

The rates are based on census information five months prior to plan year. If the census changes by more than 10%, TX Health Benefits Pool reserves the right to revise rates due to census change and underwriting impact.

Rates are subject to change due to intervening events such as action taken by the TX Health Benefits Pool Board of Trustees, legislation passed during the plan year, or other events affecting benefits.

Supplemental benefits cannot be accessed without accessing the TX Health Benefits Pool Medical Benefit Plan.

YOUR RENEWAL QUOTE INCLUDES PROPRIETARY INFORMATION THAT SHOULD NOT BE SHARED WITH OTHER COMPETITORS OR USED TO CIRCUMVENT THE REQUIREMENTS OF TEXAS COMPETITIVE BIDDING LAWS. IN THE EVENT YOU RECEIVE A RENEWAL QUOTE AND LATER DECIDE TO ISSUE AN RFP, THE RENEWAL QUOTE MAY NOT BE SHARED WITH ANY OTHER COMPETITORS AS DOING SO WOULD DISADVANTAGE TX HEALTH BENEFITS POOL IN THE COMPETITIVE PROCESS. TX HEALTH BENEFITS POOL ALSO RESERVES THE RIGHT TO REVISE PREVIOUSLY ISSUED RATES IN RESPONSE TO YOUR RFP.

MASTER TERMS AND CONDITIONS

These Master Terms and Conditions (this “*MTC*” or this “*Agreement*”) govern all use of services from NLUC, PLLC, a Texas professional limited liability company (“*Next Level*”), by the entity **City of La Marque** (the “*Employer*”) (collectively the “*Parties*” and individually a “*Party*”).

WHEREAS, Next Level is in the business of offering acute and primary care medical services (as further defined below, the “*Services*”) through arrangements with licensed Texas providers;

WHEREAS, as part of its health plan and benefits, the Employer desires to offer certain of the Services provided by Next Level to Enrolled Persons (as defined below) pursuant to the terms and conditions set forth herein; and

WHEREAS, Next Level is willing to perform such Services under the terms and conditions hereinafter set forth.

NOW, THEREFORE, in consideration of the mutual covenants and agreements hereinafter set forth and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Next Level and the Employer agree as follows:

1. Next Level’s Role and Responsibilities.

- a. Next Level shall provide the Services selected from the option set forth in Schedule 1 to Enrolled Persons (as defined below) participating in the Program (as defined below).
- b. Next Level is not offering the Program as a health insurance plan or a substitute for health insurance. Additionally, the Program does not replace any existing or future health insurance or health plan coverage that an employer may maintain.
- c. Next Level shall maintain full autonomy with respect to patient care, medical decisions, recordkeeping, and any other service deemed to be the practice of medicine.

2. Definitions.

- a. “*Employer*” means **City of La Marque**.
- b. “*Date of Enrollment*” means the effective date of the Employer’s election for joining the Program (as set forth in Schedule 1), which may only be designated as the first day of a month.
- c. “*Enrolled Employee(s)*” shall mean employees employed by the Employer, whether or not the employee is covered under the Employer’s group benefit plans.
- d. “*Enrolled Person(s)*” shall mean all Enrolled Employees and their dependents (if applicable) that are eligible to make use of the Services of the Program.

- e. **“Program”** means the Next Level PRIME direct program offered and operated by Next Level.
- f. **“Provider”** shall mean a physician, physician’s assistant or nurse practitioner employed or engaged by Next Level.
- g. **“Services”** comprising the Program shall include unlimited telemedicine visits and an unlimited number of visits with a Provider to seek medical evaluation and management visits related to chronic illnesses, and one annual wellness physical examination. The Program Services shall also include **“Urgent Care Services”** coverage, which shall entail an unlimited number of visits with a Provider at any Next Level location to seek treatment for an acute medical concern, such as a sudden illness or injury. The Services covered shall include the visit with a Provider, x-rays, IV fluids, casting, and CLIA-waived laboratory testing such as rapid strep, flu, RSV, Mono, Covid, trichomonas, urine pregnancy, and urinalysis. The Services must be provided at a Next Level location or via the Next Level telemedicine platform (the **“Platform”**) in order to be covered by the Program. The Services under the Program shall not include: (a) any treatment or testing administered at a hospital visit (or any other healthcare facility) in connection with a chronic illness; (b) any visits to other physicians (including specialists) in connection with the chronic illness or in connection with complications from the chronic illness; or (c) any services not specifically mentioned in this definition. Other commonly utilized Services such as durable medical equipment, vaccines, Covid-related testing and non-CLIA waived laboratory testing listed in Schedule 2 are included in the price per employee per month.

3. **Direct Provider Program.**

- a. Enrollment. Enrolled Employees and Enrolled Persons shall be enrolled in the Program (which shall include the Services designated in Schedule 1). Pursuant to the terms of Schedule 2. If labs need to be sent to an outside laboratory, Next Level will use Quest Laboratories. These labs will be treated as either a self-pay cost to the Enrolled Persons billed from Quest Laboratory OR the Enrolled Person may submit his/her insurance information to Quest for processing.
- b. Monthly Fee. Employer shall pay a monthly fee for the included Services as set forth in Schedule 1 (the **“Monthly Fees”**). The Monthly Fees are due by the 1st day of each month. The Program and the included Services will be initiated only upon receipt of the first month’s payment of the Monthly Fees but no earlier than the first day of the month after payment of the Monthly Fees has been received. A one percent (1%) penalty will be charged against any Monthly Fees that are not timely received by the 5th business day of each month.
- c. Covered Person Determination. The Employer shall determine, in its sole discretion, which of its employees and their eligible dependents shall be considered an Enrolled Employee and/or Enrolled Person.

4. **Additional Services Outside of Direct Provider Program.**

- a. The Employer acknowledges and agrees that the Employer may elect for eligible Enrolled Persons to receive certain Services relating to the diabetes management program of Next Level (the “***Diabetes Management Services***”) in accordance with the terms set forth on Schedule 3 attached hereto. The Employer understands and acknowledges that the fees for the Diabetes Management Services (the “***Diabetes Management Fees***”) as set forth on Schedule 3 attached hereto shall be separate from the Monthly Fees paid by the Employer under the terms of Schedule 1 attached hereto. The Employer and Next Level shall coordinate on the contents and transmittal of an initial screener (an “***Initial Screener***”) to be sent to Enrolled Persons who are considering the Diabetes Management Services. Enrolled Persons who successfully complete the Initial Screener will then be further evaluated for eligibility by Next Level in accordance with the terms of Schedule 3 attached hereto.
 - b. The Employer also acknowledges that Enrolled Persons may elect to enter into direct arrangements with Next Level regarding certain health services (e.g., weight loss services) that are not covered under the Services set forth in this Agreement (collectively, the “***Direct Services***”). Any fees for such Direct Services shall be paid for directly by the Enrolled Persons to Next Level and shall be separate from the Monthly Fees or any other fees paid by the Employer under this Agreement.
5. **Confidentiality.** From time to time during the Term of this Agreement, either Party (as the “***Disclosing Party***”) may disclose or make available to the other Party (as the “***Receiving Party***”), non-public, proprietary, or confidential information of the Disclosing Party (“***Confidential Information***”), which includes (as it pertains to the Confidential Information of Next Level) but is not limited to pricing, methods, design and structure of the Program. The terms of this Agreement shall constitute Confidential Information. However, Confidential Information does not include any information that: (a) is or becomes generally available to the public other than as a result of the Receiving Party’s breach of this Section 5; (b) is or becomes available to the Receiving Party on a non-confidential basis from a third-party source; *provided*, that such third party is not and was not prohibited from disclosing such Confidential Information; (c) was in the Receiving Party’s possession prior to the Disclosing Party’s disclosure hereunder; or (d) was or is independently developed by the Receiving Party without using any Confidential Information. The Receiving Party shall: (x) protect and safeguard the confidentiality of the Disclosing Party’s Confidential Information with at least the same degree of care as the Receiving Party would protect its own Confidential Information, but in no event with less than a commercially reasonable degree of care; (y) not use the Disclosing Party’s Confidential Information, or permit it to be accessed or used, for any purpose other than to exercise its rights or perform its obligations under this Agreement; and (z) not disclose any such Confidential Information to any person or entity, except to the Receiving Party’s Group (as defined below) who need to know the Confidential Information to assist the Receiving Party, or act on its behalf, to exercise its rights or perform its obligations under this Agreement.

If the Receiving Party is required by applicable law or legal process to disclose any Confidential Information, it shall, prior to making such disclosure, use commercially reasonable efforts to notify the Disclosing Party of such requirements to afford the Disclosing

Party the opportunity to seek, at the Disclosing Party's sole cost and expense, a protective order or other remedy. For purposes of this Section 5, the "**Receiving Party's Group**" shall mean the Receiving Party's affiliates and its employees, officers, directors, shareholders, partners, members, managers, agents, independent contractors, attorneys, accountants, and financial advisors. Notwithstanding the foregoing, Next Level will not be obligated to provide Confidential Information to the Employer regarding any patients, including but not limited to information protected under the Health Insurance Portability and Accountability Act of 1996.

6. **Term, Termination, and Survival.**

- a. **Term.** The term of this Agreement (the "**Term**") shall commence as of **October 1, 2024**, or the first day of the month after payment has been received, whichever is later (such date, the "**Effective Date**"), and shall continue through **September 30, 2025**, unless sooner terminated pursuant to the terms of this Agreement (such period, the "**Initial Term**"). This Agreement may be renewed for successive one (1) year terms with a six percent (6%) escalator annually (each, a "**Renewal Term**"), upon the written agreement of the Parties. The Initial Term and the Renewal Terms shall, collectively, constitute the Term of this Agreement.
- b. **For Cause Termination.** Either Party may terminate this Agreement, effective upon written notice to the other Party (the "**Defaulting Party**"), if the Defaulting Party:
 - i. Breaches this Agreement, including a failure to pay fees and compensation due under this Agreement, and such breach is incapable of cure, or with respect to a breach capable of cure, the Defaulting Party does not cure such breach within ten (10) business days after receipt of written notice of such breach;
 - ii. Becomes insolvent or admits its inability to pay its debts generally as they become due;
 - iii. Becomes subject, voluntarily or involuntarily, to any proceeding under any domestic or foreign bankruptcy or insolvency law;
 - iv. Is dissolved or liquidated or takes any corporate action for such purpose;
 - v. Makes a general assignment for the benefit of creditors; and/or
 - vi. Has a receiver, trustee, custodian, or similar agent appointed by order of any court of competent jurisdiction to take charge of or sell any material portion of its property or business.
- c. The rights and obligations of the Parties set forth in this Section 6 and any right or obligation of the Parties in this Agreement which, by its nature, should survive termination or expiration of this Agreement, will survive any such termination or expiration of this Agreement, and with respect to Confidential Information, the rights and obligations set forth in Section 5 hereof will survive such termination or expiration of this Agreement.

7. **Effects of Termination.** In the event of a termination of this MTC, Next Level shall continue to perform the Services under this MTC through the designated termination date. However, if the termination date falls on any date other than the last day of the month, Next Level shall continue to perform the Services under this MTC until the last day of the month of the termination date. For example, if the termination date is March 15, Next Level shall continue to perform the Services under this MTC through March 31.
8. **The Program is Not Health Insurance.** The Employer acknowledges and agrees that the Program is not a health insurance plan or a substitute for health insurance. Rather, the Program is a contract to provide medical services at a discounted rate. Additionally, the Employer acknowledges and agrees that the Program does not replace any existing or future health insurance or health plan coverage that the Employer may offer to its employees (including any Enrolled Employees). The Employer also acknowledges and agrees that (a) the Services provided by Next Level are only a limited set of services that are a limited benefit under the Employer's medical plan and that, standing alone, the Services do not qualify as minimum essential coverage under the Patient Protection and Affordable Care Act (as amended, "***PPACA***"), (b) Next Level is not providing any legal or regulatory advice or service to the Employer, (c) Next Level assumes no fiduciary or other responsibility of any kind with respect to the Employer or its assets, notices, disclosures, or reporting obligations, and (d) Next Level is not taking on any administrative or fiduciary functions related to the medical plan of the Employer.
9. **Employer Responsibility.** The Employer is solely responsible for determining whether the Program is appropriate for use with its group health plan and compliant with all applicable laws, including but not limited to the implications of participating in the Program if the Employer offers a high deductible health plan that can be paired with a health savings account. The Employer shall determine and be solely responsible for advising its employees whether they may use funds from a Health Savings Account to pay for any services provided by Next Level. The Employer acknowledges and agrees that Next Level has made no representations to the Employer regarding the consequences that may result from the Employer's employees' use of funds from a Health Savings Account to pay for any services provided by Next Level. Next Level advises the Employer to seek legal counsel regarding this matter. The Employer agrees to indemnify and hold Next Level harmless with regard to any claims, losses, and/or damages related to the matters discussed in Section 9.
10. **Marketing Plan and Medical Plan Assurances.**
 - a. Next Level and the Employer shall enter into a written marketing plan (the "***Marketing Plan***") pertaining to the Services that will be offered to Enrolled Persons (which shall also include, without limitation, the Diabetes Management Services and any Direct Services). The Marketing Plan may include methods by which each of Next Level and the Employer communicate directly with Enrolled Persons regarding the offered Services.
 - b. The Employer understands, acknowledges, and agrees that the Employer is solely responsible for complying with the Employee Retirement Income Security Act (as amended, "***ERISA***"), the PPACA, the Internal Revenue Code of 1986 (as amended, the

“*Code*”), the Consolidated Omnibus Budget Reconciliation Act (as amended, “*COBRA*”), and any other applicable law governing the medical plan of the Employer, including, without limitation, any such provisions or rules relating to annual or lifetime benefit limits, preventative care, maximum out-of-pocket or cost sharing restrictions (including restrictions related to high-deductible health plans and associated health savings accounts), privacy and security in relation to the Health Insurance Portability and Accountability Act (as amended, “*HIPAA*”), HIPAA portability, all United States Equal Employment Opportunity Commission non-discrimination or other requirements related to group health plans and the voluntary nature of incentives, continuation coverage requirements, and any required coordination of benefits with respect to the Services provided under this MTC.

- c. The Employer further acknowledges, agrees, and represents that the Employer has modified, to the extent necessary, any applicable HIPAA privacy notices to permit the uses and disclosures of the protected health information pertaining to the Employer’s medical plan that may arise from and out of the Employer electing to make the Services available to Enrolled Persons, including, without limitation, the use of such protected health information as part of health care operations or for promoting the Services to Enrolled Members (but no additional services of Next Level). The Employer shall be responsible for determining which, if any, of such incentives shall fulfill any applicable federal, state, or local income or employment tax withholding obligations with respect to such provided incentives.
 - d. The Employer also acknowledges and agrees that (i) the Services provided by Next Level are only a limited set of services that are a limited benefit under the Employer’s medical plan and that, standing alone, the Services do not qualify as minimum essential coverage under the PPACA, (ii) Next Level is not providing any legal or regulatory advice or service to the Employer, (iii) Next Level assumes no fiduciary or other responsibility of any kind with respect to the Employer or its assets, notices, disclosures, or reporting obligations, and (iv) Next Level is not taking on any administrative or fiduciary functions related to the medical plan of the Employer.
11. **Independent Contractor**. Each of the Parties to this MTC is an independent contractor with respect to the other Party, and neither Party is an agent, employee, or representative of the other. Neither Party will represent itself as an agent of the other or assume or create any obligation in the name of the other.
12. **Choice of Law**. This MTC and all related documents including all exhibits and schedules attached hereto, and all matters arising out of or relating to this MTC, whether sounding in contract, tort, or statute, are governed by, and construed in accordance with, the laws of the State of Texas, United States of America, without giving effect to the conflict of laws provisions thereof to the extent such principles or rules would require or permit the application of the laws of any jurisdiction other than those of the State of Texas.
13. **Choice of Forum**. Each Party irrevocably and unconditionally agrees that it will not commence any action, litigation, or proceeding of any kind whatsoever against the other Party in any way arising from or relating to this MTC, including all exhibits, schedules, attachments,

and appendices attached to this MTC, and all contemplated transactions, including, but not limited to, contract, equity, tort, fraud, and statutory claims, in any forum other than the United States District Court for the Southern District of Texas or the courts of the State of Texas sitting in Harris County, Texas, and any appellate court from any thereof. Each Party irrevocably and unconditionally submits to the exclusive jurisdiction of such courts and agrees to bring any such action, litigation, or proceeding only in the United States District Court for the Southern District of Texas or the courts of the State of Texas sitting in Harris County, Texas. Each Party agrees that a final judgment in any such action, litigation, or proceeding is conclusive and may be enforced in other jurisdictions by suit on the judgment or in any other manner provided by law.

14. **WAIVER OF JURY TRIAL.** EACH PARTY ACKNOWLEDGES THAT ANY CONTROVERSY THAT MAY ARISE UNDER THIS MTC, INCLUDING EXHIBITS, SCHEDULES, ATTACHMENTS, AND APPENDICES ATTACHED TO THIS MTC, IS LIKELY TO INVOLVE COMPLICATED AND DIFFICULT ISSUES AND, THEREFORE, EACH SUCH PARTY IRREVOCABLY AND UNCONDITIONALLY WAIVES ANY RIGHT IT MAY HAVE TO A TRIAL BY JURY WITH RESPECT TO ANY LEGAL ACTION ARISING OUT OF OR RELATING TO THIS MTC, INCLUDING ANY EXHIBITS, SCHEDULES, ATTACHMENTS, OR APPENDICES ATTACHED TO THIS MTC, OR THE TRANSACTIONS CONTEMPLATED HEREBY.
15. **Indemnification.** The Employer shall indemnify, protect, defend, and hold harmless Next Level, its officers, directors, agents, representatives, affiliates, partners, members, and their respective successors and assigns, from and against any loss, liability, claim, damage, and expense (including attorneys' fees) arising out of or based upon: (a) the Employer's breach of this MTC, or (b) the Employer's false representation or misrepresentation to its employees regarding the services contemplated by this MTC, including the cost for the Services offered and performed by Next Level.
16. **Entire Agreement.** This MTC, including and together with any exhibits, schedules, attachments, and appendices, constitutes the sole and entire agreement of the Parties with respect to the subject matter contained herein, and supersedes all prior and contemporaneous understandings, agreements, representations, and warranties, both written and oral, regarding such subject matter.
17. **Notice.** All notices hereunder must be in writing to the other Party. If to Next Level, the notice shall be sent to:

NLUC PLLC
5718 Westheimer Road, Suite 1800
Houston, Texas 77057
Attn: Juliet Breeze
Email: jbreeze@nlucc.com

with a copy to:

Attn: _____
Email: _____

Notices to any other Party must be transmitted to the Party's designated address via nationally-known express delivery and deemed given the next business day after actual delivery.

18. **Severability**. If any term or provision of this MTC is found by a court of competent jurisdiction to be invalid, illegal, or unenforceable in any jurisdiction, such invalidity, illegality, or unenforceability shall not affect any other term or provision of this MTC or invalidate or render unenforceable such term or provision in any other jurisdiction.
19. **Amendments**. No amendment to, modification of, or termination of this MTC will be effective unless it is in writing and signed by the Parties.
20. **Waiver**. No waiver by any Party of any of the provisions of this Agreement shall be effective unless explicitly set forth in writing and signed by the Party so waiving. Except as otherwise set forth in this Agreement, no failure to exercise, or delay in exercising, any right, remedy, power, or privilege arising from this Agreement shall operate or be construed as a waiver thereof, nor shall any single or partial exercise of any right, remedy, power, or privilege hereunder preclude any other or further exercise thereof or the exercise of any other right, remedy, power, or privilege.
21. **Force Majeure**. Next Level shall not be liable or responsible to the Employer, nor be deemed to have defaulted or breached this Agreement, for any failure or delay in fulfilling or performing any term of this Agreement when and to the extent such failure or delay is caused by or results from acts or circumstances beyond the reasonable control of Next Level including, without limitation, acts of God, flood, fire, earthquake, explosion, governmental actions, war, invasion or hostilities (whether war is declared or not), terrorist threats or acts, riot, or other civil unrest, national emergency, revolution, insurrection, epidemic, lock-outs, strikes or other labor disputes (whether or not relating to either Party's workforce), or restraints or delays affecting carriers or inability or delay in obtaining supplies of adequate or suitable materials, or telecommunication breakdown or power outage; *provided*, that if the event in question continues for a period in excess of sixty (60) days, the Employer shall be entitled to give notice in writing to Next Level to terminate this Agreement.

[Signature Page Follows]

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed as of the dates below (but to be made effective as of the Effective Date) by their respective duly authorized officers. This Agreement may be executed in multiple counterparts, each of which shall be considered an original and all of which, taken together, shall constitute one and the same instrument.

EMPLOYER:

City of La Marque

By: _____

Signature: _____

Title: _____

Date: _____

NEXT LEVEL:

NLUC PLLC

By: Allyson Waybright

Signature: _____

Title: VP of Business Development

Date: _____

SCHEDULE 1

NEXT LEVEL PRIME	
Membership	Time of Service Payment
 \$60 PEPM	\$0
<u>INCLUDED</u>	
<i>All CLIA-waived labs (Rapid Strep, Flu, RSV, Mono, Covid, Urinalysis, Trichomonas, Urine Pregnancy)</i>	
<i>X-rays, IV Fluids, Casting/Splinting</i>	
<i>All Labs, DME, and Immunization listed in <u>Schedule 2</u></i>	
<u>NOT INCLUDED</u>	
<i>All Diabetes Management Services listed in <u>Schedule 3</u></i>	
<i>Any Direct Services (e.g., weight loss services) that are selected by Enrolled Persons, which shall be payable directly by the Enrolled Persons.</i>	

SCHEDULE 2

IMMUNIZATIONS

Flu shot (4+ years)
Flu shot (6mo-4yr)
High dose flu
PPD/ TB Skin
PPD/ TB X - Ray
Hepatitis B adult per vaccination
Hepatitis B child per vaccination
TD (Tetanus)
TDAP
MMR
DTaP
Polio
Pneumococcal conj (PCV13)
Varicella
HepA (1-18 year)
HepA (18+ years)
HPV
Meningococcal (Menactra)
Shingrix
Rotavirus
Hib
MEN B
Pneumococcal (PPSV23)

DME

Airgel Ankle Stirrup
Gameday Ankle Brace
Universal Wrist Support
Arm Sling (Padded)
Crutches
Lumbar Support
Neoprene Hinged Knee Wrap
Pneumatic Walking Boot
Post Op Shoe
Slimline Cast Boot
Thumb Spica/Wrist Splint

COVID

Rapid Antigen Test

NEXT LEVEL LABS

CHEMISTRY

CMP
Lipid panel
TSH
Free T4
Total T3
HIV screen
Hemoglobin A1c
Microalbumin, Urine (w/creatinine)
Vitamin D
Hepatitis B Antibody
Hepatitis B Surface Antigen
Uric Acid
PSA
Vitamin B12/Folate
Testosterone, male
Hepatitis C Ab
Vitamin B12
Lipase
Folic Acid
Amylase
Hepatitis A
RPR Screen
Magnesium

Iron, total
Estradiol
FSH
LH
HCG Quantitative
Sedimentation Rate

CYTOLOGY

Pap smear

HEMATOLOGY

CBC

MICRO

Urine Culture
Throat Culture
Wound Culture

****Labs not on the list above will need to be sent to an outside laboratory. Next Level utilizes Quest Laboratories. Labs sent to Quest will be treated as either a self-pay cost to the employee/patient billed from Quest Laboratory to the employee/patient OR the employee/patient may submit their insurance information to Quest for processing.*

SCHEDULE 3

DIABETES MANAGEMENT SERVICES***

1. **Diabetes Management Services.** Participation in the Next Level diabetes management program (the “***Diabetes Management Program***”) will include the following:
 - a. Virtual consultations with medical providers employed or engaged by Next Level (each, a “***Provider***”), including an initial evaluation and monthly check-ins and progress follow-up sessions thereafter;
 - b. Initial laboratory diagnosis confirmation medication management review;
 - c. Up to twelve (12) additional virtual sessions with counselors employed or engaged by Next Level;
 - d. Up to twelve (12) additional virtual sessions with health coaches employed or engaged by Next Level; and
 - e. Either Semaglutide or Tirzepatide medication management.
2. **Eligibility Criteria.** In order to be eligible for the Diabetes Management Program, an Enrolled Person who has successfully completed the Initial Screening must satisfy the following medical criteria (the “***Diabetes Program Criteria***”). For the avoidance of doubt, no eligibility determinations by Next Level will be made on a basis that discriminates against any person with a health status (as defined in HIPAA and as modified by the PPACA and subsequent legislation and guidance).
 - a. The Enrolled Person must have the initial evaluation check performed by a Provider and must also submit laboratory test results confirming a diagnosis of Diabetes (*i.e.*, the Enrolled Person’s A1c must be equal to at least 6.5).
 - b. The Enrolled Person must have access to the prescription medications described as part of the Diabetes Management Program through a compounding pharmacy.
3. **Fees; Pharmacy Disclosure.**
 - a. The Diabetes Management Fees will be comprised of two (2) distinct payments: (i) fees charged by a third-party pharmacy (a “***Pharmacy***”) for the prescription drugs, prescription fulfillment, and shipping of the prescriptions, and (ii) a fee charged by Next Level for the clinical and care facilitation services performed by Next Level.
 - b. The clinical and care facilitation services fees charged by Next Level shall be equal to a monthly amount determined as follows: (i) \$250 per month per Enrolled Person participating in the Diabetes Management Program with Semaglutide medication management assistance, and (ii) \$450 per month per Enrolled Person participating in the Diabetes Management Program with Tirzepatide medication management assistance.

- c. Next Level's preferred Pharmacy for fulfilling prescriptions and performing the other pharmacy-related services for the Diabetes Management Program is Empower Pharmacy (the "***Preferred Pharmacy***"). In the event that the Preferred Pharmacy is utilized for the Diabetes Management Program, then Next Level will be able to facilitate charging the Preferred Pharmacy's fees for the pharmacy-related services performed as part of the Diabetes Management Program, which shall be independently determined by the Preferred Pharmacy and which shall be passed along by Next Level to the Preferred Pharmacy without offset.
 - d. Notwithstanding the foregoing, each Enrolled Person retains the right to select their Pharmacy of choice, though electing to use an alternate Pharmacy for the pharmacy-related services of the Diabetes Management Program will result in such Pharmacy separately charging for their pharmacy-related services. The Employer shall ensure that all eligible Enrolled Persons are informed of their right to utilize a pharmacy of their choice.
4. **Billing and Collection.** Next Level shall invoice the Employer on a monthly basis for the Diabetes Management Fees incurred for the applicable period, and the Employer shall pay such invoiced amount within ten (10) business days of receipt of the invoice.

****The Diabetes Management Fees are not included in the monthly fees paid by the Employer. Instead, the fees for the Diabetes Management Services will be billed and collected separately from the Employer pursuant to the terms of this Schedule 3.*



What Does Next Level PRIME Include?
(This is not everything we provide, but an overview.)
All Services Are Available 7 Days A Week

Primary Care, Preventive Care, Chronic Care:

Annual physicals: Well Man/Woman Exams, Well Child Exams
Preventive Screenings
Chronic Disease Management: Diabetes, High Blood Pressure, High Cholesterol, Thyroid Conditions
Headaches/Migraines
Blood Draws
Vaccinations/Immunizations
Depression/Anxiety
Specialist Referrals
Advanced Imaging Referrals
Medication Refills
Arthritis
Fatigue
Asthma
Allergies

Urgent Care Services:

Upper Respiratory Infections
Cold/Flu/COVID/Strep Throat
Urinary Tract Infections/Yeast Infections
X-ray for Acute Injury
Sprains & Strains
Splints & Casts for Broken Bones
Gastroenteritis
IV fluids for Dehydration
Stitches for Lacerations
Abscesses
Pink Eye
Rashes
Headaches
Ear infections

Telemedicine/Virtual Visits:

- **24/7 Access**

Care Navigators: Licensed RNs

- Available 7 days a week.
-

Health & Wellness Coaching:

- Each individual will receive information on nutrition, exercise, dieting, behavior modifications, body image, and more!
- Individuals will learn healthy habits and how to manage long-term continued success.

- Program is personalized for each individual.
- Reduce risk of chronic health conditions and reverse diseases.
- Accountability services and education to adopt lifelong healthy habits.
- Diabetes Program Available

Behavioral & Emotional Wellness Counseling: Mental Health

- Available to children, adolescents, adults, couples, and families.
- Cognitive behavioral therapy
- Mindfulness therapy
- Relational therapy
- Education on community resources to overcome barriers to care.
- Long term therapy needs will be referred to outside behavioral health providers.

Weight Loss Solutions:

- The care team at Next Level has designed a weight loss program that provides our patients with everything they will need to successfully shed excess weight for a happier, healthier life.
- Virtual consultation with our medical providers to evaluate your individual needs and find the right approach for you. We will prescribe medications that will help you achieve your health goals.
- Complete initial lab work and follow up studies to track your health journey.
- Up to 12 additional sessions with our health coaches.
- Up to 12 additional sessions with our emotional wellness counselors.
- Monthly follow ups and progress monitoring PRIME will work with partner pharmacies to have the needed medications delivered to your door.

Lab:

- **All CLIA-waived labs (Rapid Strep, Flu, RSV, Mono, Covid, Urinalysis, trichomonas, urine pregnancy)**
- **Additional labs included below.**

Amylase, CMP, Lipid panel, TSH, Free T4, Total T3, HIV screen, Hemoglobin A1c, Microalbumin, Urine (w/creatinine), Vitamin D, Hepatitis B Antibody, Hepatitis B Surface Antigen, Uric Acid, PSA, Vitamin B12/Folate, Testosterone for male, Hepatitis C Ab, Hepatitis panel, Vitamin B12, Lipase, Folic Acid, Magnesium, Iron, Total Estradiol, FSH, Thyroid Panel with TSH, LH, HCG Quantitative, Liver Panel, Sedimentation Rate, CBC, Urine Culture, Throat Culture, Wound Culture

***Labs not on the list above will need to be sent to an outside laboratory. Next Level utilizes Quest Laboratories. Labs sent to Quest will be treated as either a self pay cost to the employee/patient billed from Quest Laboratory to the employee/patient OR the employee/patient may submit their insurance information to Quest for processing.

Immunizations/Vaccines:

- Flu shot (4+ years), Flu shot (6mo-4yr), High dose flu, PPD/ TB Skin, PPD/ TB X – Ray, Hepatitis B adult per vaccination, Hepatitis B child per vaccination, TD (Tetanus), TDAP, MMR, DTaP, Polio, Pneumococcal conj (PCV15), Varicella, HepA (1-18 year), HepA (18+ years), HPV, Meningococcal (Menactra), Shingrix, Rotavirus, Hib, MEN B, Pneumococcal (PCV20)

Durable Medical Equipment:

- Airgel Ankle Stirrup, Gameday Ankle Brace, Universal Wrist Support, Arm Sling (Padded), Crutches, Lumbar Support, Neoprene Hinged Knee Wrap, Pneumatic Walking Boot, Post Op Shoe, Slimline Cast Boot, Thumb Spica/Wrist Splint

Next Level App PRIME Features:

- Direct Phone Number to PRIME Team
- Direct Email Address to PRIME Team
- Chat with PRIME Team (text message)
- Schedule Appointments
- Get In Line For First Available
- Vitals Checker
- Can I Skip A Visit:
 - Cold/Flu/COVID, Sinus Infection, Seasonal Allergies, Pink Eye, Stomach Bug, Food Poisoning, Migraine, UTI, Yeast Infection, Erectile Dysfunction, Birth Control, Hair Loss, Herpes Simplex Virus, Stop Smoking
- Access our prescription savings tool
- Family Account access
- Access documents and lab results
- Get a medication refill and review medical list

Dedicated Team:

- Account Manager drives member engagement, single point of contact for questions/concerns/feedback
- Vice President of Business Development responsible for overall performance of the program
- Vice President of PRIME responsible for medical management and operation of the program
- Present onsite at health & wellness fairs, employer sponsored events
- Monthly utilization reports



CITY COUNCIL AGENDA FORM

Meeting Date: July 22, 2024

Prepared by: Kierra Nance

Department: City Clerk

Agenda Item: 9.VII.

Reviewed by: Kierra Nance

AGENDA ITEM DESCRIPTION:

Amending the proposed budget calendar for City Council budget meetings and public hearings

STAFF BRIEFING:

Each year the council approves a budget calendar in accordance with the La Marque Charter, due to scheduling conflicts with certain councilmembers that arose after the initial passing of the budget calendar, staff found it prudent to review the calendar.

HISTORY:

- Section 6.02 of the City Charter - Preparation and submission of budget.
The City Manager, at least sixty days prior to the beginning of each budget year, shall submit to the city council a budget and an explanatory budget message in the form and with the contents provided by Sections 6.13 to 6.16.
- For such purpose, at such date as he shall determine, he, or an officer designated by him, shall obtain from the head of each office, department or agency estimates of revenue and expenditure of that office, department or agency, detailed by organization units and character and objects of expenditure, and such other supporting data as he may request; together with an estimate of all capital projects pending or which such department head believes should be undertaken (a) within the budget year and (b) within the five next succeeding years.
- In preparing the budget, the City Manager shall review the estimates, shall hold hearings thereon and may revise the estimates, as he may deem advisable.

FISCAL IMPACT:

N/A

Fiscal 2024-25 Annual Operating and Capital Plan Calendar of Events for Budget Preparation and Adoption



(week of) April 8th	Budget training-all directors
(week of) May 6 th	Budget Kickoff
May 13 th - June 14 th	Departments input budgets into system
June 17 th - June 21 st	City Manager and Finance Director meet with each department director to discuss their budget in detail
June 24 th - July 5 th	Finance Director reviews individual departmental budget
July 8 th - July 12 th	City Manager and Finance Director balance the budget
July 25 th -29 th	Certified Values for 2024 received from Appraisal District
August 1 st	City Manager Proposed Budget (<i>Special Council Meeting</i>)
August 1 st	Budget filed with City Clerk
August 5 th , 6 th , and 8 th	Council workshops (Proposed)
August 12 th , August 13 th	Council workshop (Proposed)
August 12 th	Announcement of Public Hearings (August 26 th and September 9 th)
August 14 th	Publication of tax rates: newspapers, TV, website, etc.
August 26 th	First Tax Public Hearing
September 9 th	Second Tax Public Hearing
August 26 th	First Budget Public Hearing
August 26 th	Budget & Tax Adoption First Reading

September 9th

Budget Hearing & Adoption-Second and Final Reading;
Ordinance Public Hearing (*Per Charter*)

September 9th

Tax Rate Hearing & Adoption Second & Final Reading;
Ordinance Public Hearing (*Per Charter*)

October 1

Fiscal Year Begins

Sources: City Charter Article VI Section 6

Local Government Code 140.010

Local Government Code 102.0065

Tax Code Chapter 26

Senate Bill 1510 (2013)

Senate Bill 1760 (2015)

H.B. 1953 (2015)





CITY COUNCIL AGENDA FORM

Meeting Date: July 22, 2024

Prepared by: _____

Department: City Clerk

Agenda Item: 10.I.

Reviewed by: Kierra Nance

AGENDA ITEM DESCRIPTION:

STAFF BRIEFING:

Now that the City Clerk's office is fully staffed for the first time since the implementation of the Part-Time Records Coordinator position and the funding of the Deputy City Clerk's position, the office has begun a strenuous audit process to ensure that all policies, procedures, and documents are current and stored in accordance with the most recent legislation.

HISTORY:

March 2024—The City Clerk and Deputy City Clerk began auditing the City Council minutes and found a series of minutes that had not been approved by the council since 2011. The team began correcting this area of opportunity and presented the missing items from 2020 to Q1 of 2024 in this meeting. Minutes from previous meetings are still under review.

June 2024 - City Clerk Intern completed a complete minutes review, of all boards and commissions. A plan is being formulated to have all areas of opportunity corrected by Oct. 1.

July 2024 - A Departmental Policy Review has begun, reviewing all department policies and procedures, which is an ongoing process.

FISCAL IMPACT:

N/A

AGENDA & MINUTES POLICY

In an effort to maintain service and be good stewards of time, the City Clerk's Office has implemented the following agenda policy

CITY COUNCIL AGENDAS:

- City Council agenda items are due on the second and fourth Wednesday of the month
 - For the Council meeting held on the second Wednesday of the month, the agenda items are due on the fourth Wednesday of the previous month
 - For the Council meeting held on the fourth Wednesday of the month, the agenda items are due on the second Wednesday
- All items are to be created and completed utilizing the City's agenda software system.
- All items are required to follow the set "approvals." If an item has not been submitted for approval prior to the item deadline, it will not be considered for the corresponding meeting.
- Supporting documents are required to be submitted individually. No PDF packets will be approved.
- Ordinances are to be presented to council on the 2nd Monday of the Month.
- Resolutions are to be presented to council on the 4th Wednesday of the Month.
- **COUNCIL ITEMS ONLY:** In the event that an item is "tabled" or modified by motion at the time of a Council meeting and is required to return to the Council for reconsideration, the department has until NOON on Thursday to modify the item.
- If an item is found NOT to be able to be submitted prior to the deadline, the department director must submit a written request for extension and receive permission from both the City Clerk and City Manager PRIOR to the original deadline.

BOARDS AND COMMISSION AGENDAS

- All agendas are to be created using the City's agenda software system.
- All items are to be created and completed utilizing the City's agenda software.
- All items are required to follow the set "approvals." If an item has not been submitted for approval prior to the item deadline, it will not be considered for the corresponding meeting.
- Supporting documents are required to be submitted individually. No PDF packets will be approved.
- Boards, Commissions, and Committee agendas are due at NOON on the Wednesday prior to the Board meeting.
 - *i.e. If a meeting is scheduled for the second Thursday of the month, the agenda is due on the first Wednesday of the month*

POSTING:

Once an agenda is posted a link will be sent to the staff liaison. Agenda postings are completed by the City Clerk's Office by 3 p.m. on the Thursday prior to the meeting.

IF A LINK HAS NOT BEEN RECEIVED BY THE POSTING DEADLINE: Contact the City Clerk's Office and/or City Administration.

CITY OF LA MARQUE

PROCEDURES FOR LEGAL PUBLICATIONS FOR ORDINANCES AND BIDS

In accordance with the state law, all ordinances containing penalties and all bids are to be published. In an effort to maintain consistency in publication, all publications are to be made on Wednesday, barring extenuating circumstances, to which the secondary posting date would be Friday.

Ordinances:

- All ordinances of the City of La Marque containing penalty **MUST** be published for each public hearing of the ordinance.
- Upon final approval all ordinances must be published.
- The newspaper will provide an affidavit of publication for each publication. All affidavits are to be filed with each ordinance.

Bids:

- All bids are to be published according to the schedule pertaining to the publication requirements.
- Bids are to be published once before the bid opening date.
- Bids are to be received electronically by Civic Plus and this must be clearly stated in the published bid.
- The newspaper will provide an affidavit of each publication. All affidavits are to be filed with each bid file.

DRAFT

Funder	Project	Total Project Cost	Total Grantor Share	City Share	Entity Type
	PARKS				
TPWD	Mahan Park Boat Ramp - Planning	\$104,067.00	\$78,050.25	\$26,016.75	State
TPWD	Mahan Park Boat Ramp - Construction	\$627,300.00	\$470,475.00	\$156,825.00	State
AARP	Living Communities	\$40,000.00	\$40,000.00	\$0.00	Federal
NRPA	Senior Grant	\$2,500.00	\$2,500.00	\$0.00	Foundation
AARP	Bike Audit	\$2,500.00	\$2,500.00	\$0.00	Federal
	WASTEWATER				
GLO	WWTP Expansion - 2.25 MGD	\$40,000,000.00	\$39,600,000.00	\$400,000.00	State
GLO	WWTP 100yr Flood Proofing	\$12,104,951.49	\$11,983,901.97	\$121,049.51	State
GLO	Lift Station Upgrades	\$9,394,004.00	\$9,300,063.96	\$93,940.04	State
GLO	Manhole / SS Pipeline Rehab	\$7,493,145.00	\$7,418,963.55	\$74,181.45	State
	STORMWATER				
GLO	Westlawn - SW Improvements	\$1,447,527.00	\$1,447,527.00	\$0.00	State
GLO	SW Management Plan	\$935,480.00	\$841,932.00	\$93,548.00	State
GLO	Wisteria Stormwater Project	\$500,000.00	\$425,000.00	\$75,000.00	State
	WATER				
GLO	Phase 1 2" Waterline Replacement	\$4,165,500.00	\$4,165,500.00	\$0.00	State
Congressional Allocation	FY24 Congressional Earmark	\$2,000,000.00	\$2,000,000.00	\$0.00	State
Reconnecting Streets	Texas Ave Waterline	\$1,875,000.00	\$1,500,000.00	\$375,000.00	Federal
	STREETS				
U.S. DOT / TxDOT	Main Street Sidewalks	\$1,730,767.00	\$1,730,767.00	\$0.00	State
U.S. DOT / TxDOT	Highway 3 Sidewalks	\$4,671,891.00	\$4,671,891.00	\$0.00	State
H-GAC	Transportation Safety Plan	\$400,000.00	\$400,000.00	\$0.00	State
	PUBLIC SAFETY				
COPS Grant Fund	COPS - Hiring 6 FT Police Officers	\$1,474,390.08	\$750,000.00	\$724,390.08	Federal
DOJ	TAPS-Teen And Police Service Academy	\$66,000.00	\$66,000.00	\$0.00	Federal
Rural and Small Communities Grant	Crime Analyst	\$300,000.00	\$300,000.00	\$0.00	Federal
Catalytic Converter	One (1) Mobile Video Surveillance Camera Tower	\$48,200.00	\$48,200.00	\$0.00	State
Catalytic Converter	Unmanned Aerial Vehicle (Drone)	\$36,965.00	\$36,965.00	\$0.00	State
Catalytic Converter	Forty (40) License Plate Readers-Flock Cameras (5 Years)	\$663,500.00	\$663,500.00	\$0.00	State
K-9 for America	Arson K-9	\$35,000.00	\$35,000.00	\$0.00	Foundation
	COMMUNITY				
ICMA	Economic Mobility & Opportunity	\$24,000.00	\$24,000.00	\$0.00	Foundation
		Project Total	Grantor Total	City Share	
		\$90,142,687.57	\$88,002,736.73	\$2,139,950.83	

Funding Entity	Opportunity Type	Project Total	Federal Match	City Match	Status	City Department
FEMA-Assistance to Firefighter Grant (AFG)	Thermal Imaging (TICS)	\$34,592.00				
FEMA-Assistance to Firefighter Grant (AFG)	2- Radios	\$180,489.25				
FEMA-Assistance to Firefighter Grant (AFG)	2- Powerload Stretcher	\$88,788.18				
FEMA-Assistance to Firefighter Grant (AFG)	36 Sets of Turnout Gear	\$163,656.00				
	Application Total	\$467,525.43	\$445,262.31	\$22,263.12	Awaiting	Fire Department
Small, Rural & Tribal (SRT)	25-Body Worn-Cameras (Economic Waiver Requested)	\$97,500.00	\$48,750.00	\$48,750.00	Awaiting	Police Department
Lonestar Grant	65-Radios (PD &FD)	\$454,000.00	\$454,000.00	\$0.00		Police/Fire Department
Lonestar Grant	40 Body-Worn Cameras	\$48,000.00	\$48,000.00	\$0.00		Police Department
Lonestar Grant	25 Bullet Proof Vest	\$25,000.00	\$25,000.00	\$0.00		Police Department
Lonestar Grant	10 In-Car Radios	\$68,000.00	\$68,000.00	\$0.00		Police Department
Lonestar Grant	49 Flock Cameras & 2 Pole Cameras	\$334,050.00	\$334,050.00	\$0.00		Police Department
Lonestar Grant	2- Powerload Stretcher	\$88,788.18	\$88,788.18	\$0.00		Fire Department
Lonestar Grant	36-Turnout Gear	\$210,560.10	\$210,560.10	\$0.00		Fire Department
Lonestar Grant	3-Jaws of Life	\$190,000.00	\$190,000.00	\$0.00		Fire Department
				\$0.00	Awaiting	
FEMA-Fire Prevention and Safety (FP&S)	Community Risk Reduction-Public Education La Marque On-the-Go Education Unit	\$40,000.00	\$38,059.23	\$1,904.77	Awaiting	Fire
Blue Cross Blue Shield/HAC Walking Trails	MLK Walking Trails and Recreation-Round 2	\$60,000.00	\$60,000.00	\$0.00	Awaiting	Parks
Firehouse Subs	12 AED's for City Buildings	\$20,641.20	\$20,641.20	\$0.00	Awaiting	Fire/City
Community Based Violence Intervention	3 Officers and Equipment & 13 Vehicles	\$1,957,688.76	\$1,957,688.76	\$0.00	Awaiting	Police
Rural and Small Development Violent Crime Reduction	1 Gang Officer & Equipment	\$300,000.00	\$300,000.00	\$0.00	Awaiting	Police Department
Safe Streets for All (SS4A)	Adding an additional 175 streetlights city-wide	\$2,524,667.00	\$2,019,674.00	\$504,993.00	Awaiting	Public Works
National Parks and Recreation	Youth Council Program	\$20,000.00	\$20,000.00	\$0.00	Awaiting	Community
Department of Transportation	2.5 miles Sidewalks and Shared Use Paths	\$14,999,492.00	\$2,372,914.00	\$626,984.00	Awaiting	Public Works
GOMESA	Highland Bayou Park Erosion Construction & Planning	\$4,298,000.00	\$4,298,000.00	\$0.00	Awaiting	Parks
Patrick Leahy Bullet Proof Vest	Bullet Proof Vest including Reimbursement of 8 vest purchased since April of 2024 to date. Match Waiver Requested	\$26,258.95	\$13,129.48	\$13,129.49	Awaiting	Police
COPS Grant	Hire 2 Community Policing Officers (Requested follow up information (6/24/24)	\$580,624.00	\$435,523.00	\$145,147.41	Awaiting	Police
		Total Project Cost	Total Grantor Match	Total City Match		
		\$26,810,795.62	\$13,448,040.26	\$1,363,171.79		

MUNICIPAL COURT

June 2024



Total Cases Pending

Traffic Misdemeanors

5819

Non-Traffic Misdemeanors

5295

New Cases Filed

Traffic Misdemeanors

337

Non-Traffic Misdemeanors

148

Disposed Cases

Traffic Misdemeanors

277

Non-Traffic Misdemeanors

64

Warrants Issued

Arrest Warrants

283

Capias Pro Fine Warrants

227

Notes :

OFFICE OF COURT ADMINISTRATION
TEXAS JUDICIAL COUNCIL



OFFICIAL MUNICIPAL COURT MONTHLY REPORT

Month June Year 2024

Municipal Court for the City of La Marque

Presiding Judge Kerry Pettijohn

If new, date assumed office _____

Court Mailing Address 1111 Bayou Road

City La Marque, Tx Zip 77568

Phone Number (409) 938-9245

Fax Number _____

Court's Public Email court@cityoflamarque.org

Court's Website www.ci.la-marque.tx.us

THE ATTACHED IS A TRUE AND ACCURATE REFLECTION OF THE RECORDS OF THIS COURT

Prepared by Stacy Froeschner

Date 2024-07-01 Phone Number _____

PLEASE RETURN THIS FORM NO LATER THAN 20 DAYS FOLLOWING THE END OF THE MONTH REPORTED TO:

OFFICE OF COURT ADMINISTRATION
P O BOX 12066
AUSTIN, TX
78711-2066

PHONE: (512) 463-1625
FAX: (512) 936-2423

CRIMINAL SECTION

Court		Traffic Misdemeanors			Non-Traffic Misdemeanors			
Month	June	Year 2024	Non-Parking	Parking	City Ordinance	Penal Code	Other State Law	City Ordinance
1. Total Cases Pending First of Month:			5,817	0	2	3,158	1,754	383
a. Active Cases			1,448	0	1	174	150	80
b. Inactive Cases			4,369	0	1	2,984	1,604	303
2. New Cases Filed			337	0	0	72	59	17
3. Cases Reactivated			61	0	0	38	29	8
4. All Other Cases Added			0	0	0	0	0	0
5. Total Cases on Docket (Sum of Lines 1a,2,3&4)			1,846	0	1	284	238	105
6. Dispositions Prior to Court Appearance of Trial:								
a. Uncontested Dispositions								
(Disposed without appearance before a judge (CCP Art. 27.14))			166	0	0	26	14	8
b. Dismissed by Prosecution			4	0	0	2	0	4
7. Disposition at Trial:								
a. Convictions								
1) Guilty Plea or Nolo Contendere			3	0	0	0	0	0
2) By the Court			0	0	0	0	0	0
3) By the Jury			0	0	0	0	0	0
b. Acquittals:								
1) By the Court			0	0	0	0	0	0
2) By the Jury			0	0	0	0	0	0
c. Dismissed by Prosecution			1	0	0	0	0	2
8. Compliance Dismissals:								
a. After Driver Safety Course (CCP, Art. 45.0511)			38					
b. After Deferred Disposition (CCP, Art. 45.051)			44	0	0	4	2	1
c.City After Teen Court (CCP, Art. 45.052)			0	0	0	0	0	0
d. Date From After Tobacco Awareness Course (HSC, Sec. 161.253)								
e. After Treatment for Chemical Dependency (CCP, Art. 45.053)								
f. After Proof of Financial Responsibility (TC, Sec. 601.193)			3					
g. All Other Transportation Code Dismissals			18	0	0	0	0	0
9. All Other Dispositions			0	0	0	1	0	0
10. Total cases Disposed (Sum of lines 6,7,8&9)			277	0	0	33	16	15
11. Cases Placed on Inactive Status			154	0	0	70	55	13
12. Total Cases Pending End of Month:			5,877	0	2	3,197	1,797	385
a. Active Cases (Equals Lines 5 minus the sum of Lines 10&11)			1,415	0	1	181	167	77
b. Inactive Cases (Equals Line 1b minus Lines 3 plus Line 11)			4,462	0	1	3,016	1,630	308
13. Show Cause Hearings Held			256	0	0	78	69	7
14. Cases Appealed:								
a. After Trial			0	0	0	0	0	0
b. Without Trial			0	0	0	0	0	0

CIVIL / ADMINISTRATIVE SECTION

Court	
Month June	Year 2024
1. Total Cases pending First of Month:	0
a. Active Cases	0
b. Inactive Cases	0
2. New Cases Filed	0
3. Cases Reactivated	0
4. All Other Cases Added	0
5. Total Cases on Docket (Sum of Lines 1a,2,3,&4)	0
DISPOSITIONS	
6. Uncontested Civil Fines or Penalties	0
7. Default Judgments	0
8. Agreed Judgments	0
9. Trial Hearing by Judge/Hearing Officer	0
10. Trial by Jury	0
11. Dismissed for Want of Prosecution	0
12. All Other Dispositions	0
13. Total Cases Disposed (Sum of Lines 6 thru 12)	0
14. Cases Placed on Inactive Status	0
15. Total Cases Pending End of Month:	0
a. Active Cases (Equals Line 5 minus the sum of Lines 13&14)	0
b. Inactive Cases (Equals Line 1b minus Line 3 plus Line 14)	0
16. Cases Appealed:	
a. After Trial	0
b. Without Trial	0

JUVENILE / MINOR ACTIVITY

Court	
Month June Year 2024	
1. Transportation Code Cases Filed	6
2. Non-Driving Alcoholic Beverage Code Cases Filed	0
3. Driving Under the Influence of Alcohol Cases Filed	0
4. Drug Paraphernalia Cases Filed (HSC, Ch. 481)	0
5. Tobacco Cases Filed (HSC, Sec. 161.252)	1
6. Failure to Attend School Cases Filed (Ed.Code, Sec. 25.094)	0
7. Education Code (Except Failure to Attend) Cases Filed	0
8. Violation of Local Daytime Curfew Ordinance Cases Filed (Local Govt. Code, Sec. 341.905)	3
9. All Other Non-Traffic Fine-Only Cases Filed	4
10. Transfer to Juvenile Court:	
a. Mandatory Transfer (Fam.Code, Sec. 51.08(b)(1))	0
b. Discretionary Transfer (Fam.Code, Sec. 51.08(b)(1))	0
11. Accused of Contempt and Referred to Juvenile Court (Delinquent Conduct) (CCP, Art. 45.05(c)(1))	0
12. Held in Contempt by Criminal Court(Fined and/or Denied Driving Privileges) (CCP, Art. 45.050(c)(2))	0
13. Juvenile Statement Magistrate Warning:	
a. Warnings Administered	0
b. Statements Certified (Fam.Code, Sec. 51.095)	0
14. Detention Hearings Held (Fam. Code, Sec. 54.01)	0
15. Orders for Non-Secure Custody Issued	0
16. Parent Contributing to Nonattendance Cases Filed (Ed. Code, Sec. 25.093)	0

ADDITIONAL ACTIVITY

Court		NUMBER GIVEN	NUMBER REQUESTS FOR COUNSEL
Month	Year		
June	2024		
1. Magistrate Warnings:			
a. Class C Misdemeanors		82	
b. Class A and B Misdemeanors		0	0
c. Felonies		0	0
			TOTAL
2. Arrest warrants Issued:			
a. Class C Misdemeanors			283
b. Class A and B Misdemeanors			0
c. Felonies			0
3. Capiases Pro Fine Issued			227
4. Search Warrants Issued			0
5. Warrants for Fire, Health and Code Inspections Filed (CCP, Art. 1805)			0
6. Examining Trials Conducted			0
7. Emergency Mental Health Hearings Held			0
8. Magistrate's Orders for Emergency Protection Issued			0
9. Magistrate's Orders for Ignition Interlock Device Issued (CCP.Art. 17.44)			0
10. All Other Magistrate's Orders Issued Requiring Conditions for release on Bond			0
11. Driver's License Denial, Revocation or Suspension Hearings Held (IC, Sec.521.300)			0
12. Disposition of Stolen Property Hearings Held (CCP, Ch. 47)			0
13. Peace Bond Hearings Held			0
14. Cases in which Fine and Court Costs Satisfied by Community Service:			
a. Partial Satisfaction			0
b. Full Satisfaction			0
15. Cases in Which Fine and Court Costs Satisfied by Jail Credit			0
16. Cases in Which Fine and Court Costs Waived for Indigency			14
17. Amount of Fines and Court Costs Waived for Indigency			\$5,793.60
18. Fines, Court Costs and Other Amounts Collected:			
a. Kept by City			\$46,034.17
b. Remitted to State			\$23,609.72
c. Total			\$69,643.89



CITY COUNCIL AGENDA FORM

Meeting Date: July 22, 2024

Prepared by: Rick Sailler

Department: Public Works

Agenda Item: 10.IV.

Reviewed by: Kierra Nance

AGENDA ITEM DESCRIPTION:

STAFF BRIEFING:

- The various tasks (projects) completed in June are provided on the attached Work Order Summary
- The various tasks (projects) completed in the 2nd Quarter of 2024 are provided on the attached Work Order Summary.
- Pothole repairs in June = 263; repairs made throughout the 2nd Qtr. = 1,122
- Drainage Channels cleaned, cleared or graded in June = 20 (3,000 feet); 2nd Qtr. = 36 (approximately 5,000 feet)
- Stormwater crew is concentrating on cleaning culverts to ensure flow through the pipes; this includes larger street culverts, not just driveway culverts. The culvert cleaning is the #1 priority to ensure proper stormwater flow. June = 53;
- Mosquito control is being completed by applying larvicide in drains, culverts and stormwater inlets and using larger 'dunks' in standing water locations. The larvicide treatment is more effective than fogging or spraying, by inhibiting the growth cycle of mosquitoes. We have four staff members in the training program for mosquito spraying, but they will need to obtain an applicators license before they can spray.
- Project Updates:
 - Westlawn Stormwater - 90% complete - final restoration completed, project closeout and final payment upcoming.
 - Sanitary Sewer I&I Reduction (manholes) - 30% complete, manhole work ongoing, inspecting pipes for CIPP lining
 - Lift Station Upgrades -- pumps on order, site work to begin soon.
 - WWTP Expansion - Design consideration options due to construction costs.
 - Main Street Waterline - 35% completed; just recently crossed Bayou Road - headed to 12th Avenue.
 - Stormwater Master Plan - Contract documents submitted, Kickoff Meeting upcoming.
 - Westwood Stormwater Improvements -- Release for Construction Bids
 - 2-inch Waterline Replacement - 85% Design - final review, Bidding phase upcoming.
 - WWTP Bar Screen Replacement - Engineering design phase

- Wisteria Stormwater Improvements - Contractual phase - Kickoff Meeting upcoming.

HISTORY:

FISCAL IMPACT:

We are still refining the financial impacts of the various tasks completed by PW staff.



City of La Marque's
Monthly
Month of June, 2024

Parks	Projects Started	Projects Completed	Worker Total	Worker Total - OT	Man Hours Total	Man Hours Total - OT
Bayou Park	4	8	\$ 1,010.53	\$ 0.00	43	0
Cemetery	0	1	0	0	0	0
Highland Bayou Park	1	1	\$ 165.35	0	7	0
Jaycee Park	1	2	\$ 587.96	0	25	0
Walter Feigle Park	1	2	\$ 257.22	0	11	0
Westlawn Park	0	1	0	0	0	0
	1	1	0	0	0	0

Sewer	Projects Started	Projects Completed	Worker Total	Worker Total - OT	Man Hours Total	Man Hours Total - OT
Sanitary Sewer Back-Up	39	105	\$ 6,764.36	\$ 745.02	712	24
Service Repair	37	96	\$ 1,929.52	\$ 745.02	73	24
	2	9	\$ 4,834.84	0	639	0

Stormwater	Projects Started	Projects Completed	Worker Total	Worker Total - OT	Man Hours Total	Man Hours Total - OT
Channel cleaning / regrading	36	73	\$ 3,211.23	\$ 0.00	132	0
Culvert Cleaning	19	20	\$ 2,104.66	0	84	0
Drain / Grate Repair	16	53	\$ 1,106.57	0	48	0
	1	0	0	0	0	0

Streets	Projects Started	Projects Completed	Worker Total	Worker Total - OT	Man Hours Total	Man Hours Total - OT
Brush/Debris Removal	108	227	\$ 11,593.00	\$ 0.00	474	0
Pothole	38	72	\$ 8,508.28	0	342	0
Signs - Misc	35	49	\$ 1,168.47	0	51	0
Stop Sign	3	16	\$ 97.68	0	4	0
Street Sign	25	77	\$ 1,054.02	0	46	0
Street Sweeping	3	9	\$ 289.89	0	12	0
View Obstruction	2	2	\$ 74.16	0	3	0
	2	2	\$ 400.50	0	16	0

	Projects Started	Projects Completed	Worker Total	Worker Total - OT	Man Hours Total	Man Hours Total - OT
Water	50	77	\$ 9,939.89	\$ 3,175.70	2,773	99
Leak - Service or Main	34	47	\$ 9,641.64	\$ 3,114.72	2,760	97
Pressure	16	28	\$ 298.25	\$ 60.98	13	2
Valve Maintenance, repair / replace	0	2	0	0	0	0
Totals	237	490	\$ 32,519.01	\$ 3,920.72	4,134	123



City of La Marque's
Quarterly Performance Report
04/01/24 to 07/01/24

Projects Started		Projects Completed	
Alleys / ROW Mowing		2	2
Mowing	1		1
Tree / Brush Removal	1		1

Projects Started		Projects Completed	
Parks		16	14
Bayou Park	2		2
Cemetery	1		2
Highland Bayou Park	3		2
Jaycee Park	2		2
Mahan Park	1		0
Martin Luther King Park	1		1
Walter Feigle Park	1		1
Westlawn Park	5		4

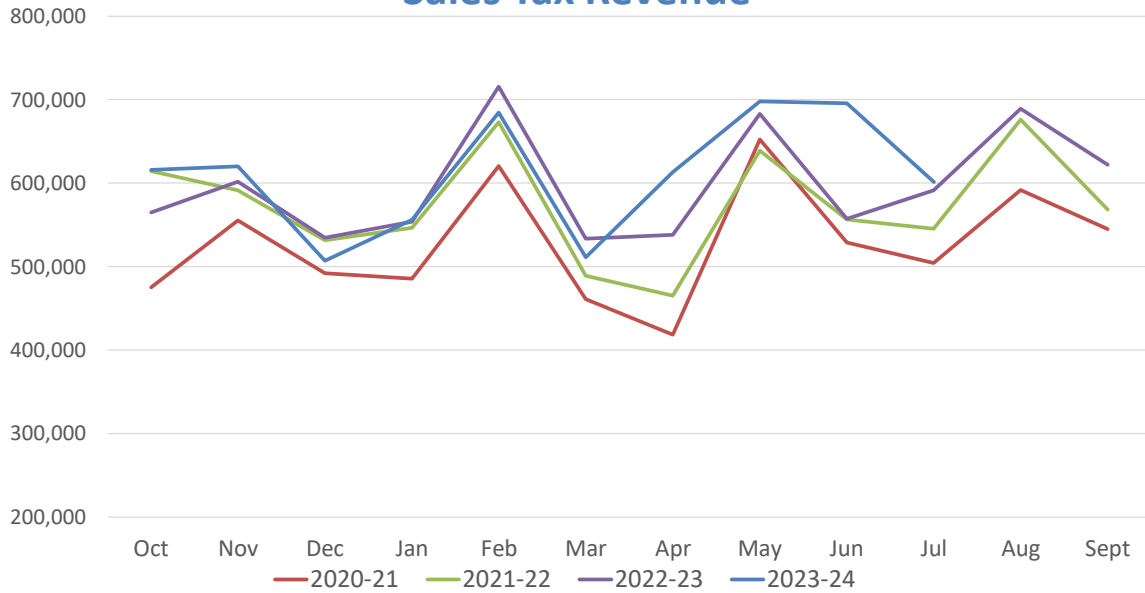
Projects Started		Projects Completed	
Sewer		189	243
Sanitary Sewer Back-Up	155		171
Sanitary Sewer Main Repair	14		16
Service Repair	16		19
Sewer Line TV Inspection	4		37

Projects Started		Projects Completed	
Stormwater		115	98
Channel cleaning / regrading	59		36
Culvert Cleaning	52		60
Drain / Grate Repair	3		2
Litter Control	1		0

Projects Started		Projects Completed	
Streets	429		371
Brush/DebrisRemoval	93		94
Concrete Repair	13		2
Pothole	101		87
Signs - Misc	34		38
Stop Sign	91		89
Street Sign	41		9
Street Sweeping	2		2
Streetlights	5		3
Tree Trimming (Overgrown)	49		47
Projects Started		Projects Completed	
Utility Line Locates	71		67
Utility Line Locates	71		67
Projects Started		Projects Completed	
Water	118		123
Concrete Work	1		1
Leak - Service or Main	108		112
Valve Maintenance, repair / replace	9		10
Totals	940		918



Sales Tax Revenue



	2020-21	2021-22	2022-23	2023-24	Variance	% Change
Oct	474,908	614,387	564,989	615,789	50,800	8%
Nov	555,351	591,122	601,617	619,862	18,245	3%
Dec	492,045	531,587	534,367	507,167	-27,200	-5%
Jan	485,376	546,590	553,612	556,087	2,475	0.4%
Feb	620,387	672,968	715,843	684,276	-31,567	-5%
Mar	461,055	488,951	533,386	511,172	-22,214	-4%
Apr	418,314	465,157	538,045	613,321	75,276	12%
May	652,259	638,759	682,998	698,196	15,198	2%
Jun	528,884	556,317	557,247	695,669	138,422	20%
Jul	504,261	545,362	591,396	601,266	9,870	2%
Aug	591,760	676,212	688,897			
Sept	544,742	568,161	622,050			
Total	<u>6,329,343</u>	<u>6,895,574</u>	<u>7,184,447</u>	<u>6,102,805</u>	<u>229,305</u>	<u>3.8%</u>