



**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