



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

1. CALL MEETING TO ORDER

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

2. ROLL CALL

Present:

Keith Bell	Mayor
Joe Compian	Mayor Pro Tem/ District B
Kimberley Yancy	District A
Joseph Lowry	District C
James Ross	District D

3. INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Bell gave the invocation and City Manager Cesar Garcia led the pledge.

4. PRESENTATIONS

4.1. Gulf Coast Transit District

Tim Sykes, Gulf Coast Transit District Public Affairs Specialist, and Ted Ross, Gulf Coast Transit Executive Director, gave a brief presentation introducing the Microtransit Spare Platform, a rideshare program offered by the Gulf Coast Transit District.

Mayor Pro Tem Compian asked for clarifications regarding transit services to various medical centers and hospitals. He also asked what constitutes a partnership in the presentation. It was clarified by Mr. Sykes that these are a list of businesses and organizations that frequently use their services for their citizens, customers and clients.

Mr. Ross shared that the transition was made from a traditional bus system because the former process placed a series of barriers and limitations on the riders. This on-demand service allows for more access.

Mayor Bell asked if there was any way for the representatives to visit a senior facility within the city, as the deviation from the traditional route has caused heartburn in this particular community. Mr. Sykes shared that he would be happy to meet with them, and give them a less technologically advanced solution to reserve their rides.

5. CITIZENS PARTICIPATION

- Michael Carlson (Oregon) spoke regarding a Councilmember he feels is very unprofessional. He also shared that a forensic auditor is approximately \$350 an hour and takes approximately 50-100 hours. That is money better spent, in his opinion, on infrastructure.
- Ginger Mannett (809 Grassy Knoll Trail) shared that she does not care how much a forensic audit costs, it needs to be done.
- Freida Hardeman (2607 Cedar Dr) has lived in La Marque for decades, and has concerns regarding what is going on. She shared that councils have always produced, and there needs to be transparency.
- Leonard Payne (1728 3rd Ave) shared that he remembers when the city was a sweet little town and "has gone to hell in a hurry". He voiced his frustrations with public works and infrastructure needs. He wants to know where the old equipment has gone, and wants a forensic audit.
- Sharon Boulton (1905 Howell Ave) shared that her home is 64 years old, and she does want a forensic audit. This is not the first time money has gone missing, nor the first time it is needed. If nothing has been done wrong, then it should not be an issue. She shared frustration with her street not being reconstructed, and the amount of taxes that she has to pay. She has been watching the council on Youtube and is disappointed.
- Jennifer Hymel (2319 Scott St) feels that there should be an audit due to the money that is unaccounted for. The audit should not be seen as a negative thing. She requested monthly financial updates. She does not agree with any additional taxes, and shares her concerns about drainage at her home.
- Cyrena Hileman (1900 Palm) is new to La Marque and has been watching, She believes there should be a forensic audit. If there is nothing to find then "Thank the Lord, and let's move on". She is against a tax increase, and she lives on a newer road and "be careful what you wish for" because it has become a "racetrack".
- Ted Hill (2602 13th Ave N Texas City, TX) read a statement regarding budgeting and auditing.
- Judy Sturgeon (3101 Melody Dr) stated "in the real world" audits are normal. There should be regular inter, intra, and external audits. A forensic audit may be expensive, but one serious, fair, and impartial audit is less expensive than one really good crook.
- Laura Divine (1406 Merry Ln) is a long-term resident, but is concerned about the city. She shared her concerns regarding how money is spent after the budget is passed, and the financial policy. She shared her support for a forensic audit. There are areas of the budget that need a closer look, and the trail of money. Let's get rid of this dark cloud, and move forward together.
- Clara Holcomb (2708 Magnolia Dr) asked for a forensic audit. The council works for the citizens, and they deserve to know where the money is going. She also thanked 3 city employees for removing the damaged trees in Jaycee Park.
- Richard Holcomb (2708 Magnolia Dr) shared his support for a forensic audit. If there is a crook among council or employees, they need to be brought to justice. If La Marque got voted an All America City, he'd "hate to see the runner-ups".

- Jayson Wohleb (700 Studio Dr) says that he has never personally had any problems with the city, but driving around the city he can see that money has not been allocated properly.
- Carolyn Small (1121 Prune St) shared that her son was a youth intern, but a Councilmember disparaged her son's selection for the program. If the council cannot protect youth from slander, then none of the city's youth programs will work.
- Re'Chard Loftis (309 Johnson) feels that the council meetings last too long and need to be shortened. In order to get good service, it costs money. If the money is not being allocated properly, that is a different story. He is tired of hearing about the forensic audit. Just do it and get it over with. He doesn't believe that anyone on council has done anything wrong, but if they have, there is a place for them. The citizens can't just offer viable problems, but solutions. If the residents are willing to pay for it, then let's get these things done.
- Robert Michetich (24 N Curlew) said that this budget is the worst he has ever seen. The budget was built on a 41 cent tax rate, when the No New Revenue rate is 39 cents. He supports a forensic audit, and as there are enough ethics concerns to go around. He will make them if needed, and they will not be in an Executive Session but very public.
- Tykeisha Murphy (2604 Cedar) shared her concerns regarding the tax rate. She wants the old La Marque back. The forensic audit is a great way to start at ground zero. The residents are willing to pay for that. La Marque has treated her very well, and she wants it to stay that way.

6. MINUTES

***Mayor Pro Tem Compian exited the room at 7:15 p.m.*

Councilmember Ross made a motion to approve all minutes as presented.

Councilmember Yancy seconded. **MOTION CARRIED WITH 4 AYES AND 1 ABSENT.**

6.I. Special City Council Minutes 08.06.2024

6.II. Special City Council Minutes 08.05.2024

6.III. Special City Council Minutes 08.01.2024

6.IV. Special City Council Minutes 07.19.2024

6.V. Regular City Council Minutes 03.11.2024

6.VI. Special City Council Minutes 03.11.2024

7. PUBLIC HEARINGS

***Mayor Bell recessed the regular meeting and enter into public hearings at 7:16 p.m.*

7.I. 2023 Impact Fee Study

This item was pulled from consideration.

7.II. FY 2024 - 2025 Budget

- Robert Michetich (24 N Curlew) requested information regarding what professional services include. There are too many holes missing. Without trust in the city's finances there are 2 strikes against the Public Safety Building Committee and the bond. Finances are not the only thing that can be audited, be recommended bringing in the public to review operations.
- Re'Chard Loftis (309 Johnson) agrees with many of the things heard tonight. The city has to be responsible for the money. The people want to trust their government. He isn't accusing anyone of anything, but there should be improvements in accountability. He is asking the council to be professional and do what they were elected to do.
- Ted Hill (2602 13th Ave N Texas City, TX) shared that the purpose of the budget is to get leverage with the funding that they have. Without proper budgeting and planning the city is at a disadvantage.
- Sharon Boulton (1905 Howell Ave) the budget should not only give a lump sum total under each line, but an itemized accounting. She has also had trouble reading the budget through the city app. She appreciates all that Council does, but the people want fairness and equity in the finances.

7.III. FY 2024 - 2025 Tax Rate

- Re'Chard Loftis (309 Johnson) asked for clarification on the difference between raising the tax rate to 41 cent versus 39 cent. City Manager Garcia shared that the difference was approximately \$386,000. He may be amicable to the 41 cent if the city can get additional services.
- Robert Michetich (24 N Curlew) still supports the No New Revenue rate. There are a lot of people that are hurting, follow the law.
- Ginger Mannett (809 Grassy Knoll) does not want the taxes raised, she is tired of paying higher taxes for nothing.
- Fredia Hartman (2607 Cedar Dr) shared that she was very impressed by the Mayor not supporting a tax rate. If it was necessary, the city's leader would not have personally spoke against it.
- Cyrena Hileman (1900 Palm) feels that the city should go through the audit first, and if everything goes well, she may vote for it next time.
- Audriana Garcia (2209 Carriage Lane) shared that she does not mind paying for things, but she would like to see where the money is going. She does not believe that there should be any increase until that is finished.
- Laura Divine (1406 Merry Ln) does not agree with raising taxes; "let's get our house in order first". The people don't trust the administration. The city needs a new police station, but if a bond is put out, then it will pass.
- Jennifer Hymel (2319 Scott) sees that a lot of community members are older and young families, but the city needs to determine what type of city we want to be. The community is affordable, and raising taxes will price out a lot of people. The City has a reputation of crime and not being ran well. She appreciates the small town feel of La Marque. She is not against paying for additional things in the future.

8. OLD BUSINESS

***Mayor Bell closed the public hearings and reconvened the regular meeting at 7:47 p.m.*

8.I. 2023 Impact Fee Study

***This item was pulled from consideration.*

8.II. FY 2024 - 2025 Budget

Councilmember Ross feels that the council has beat the budget like a dead horse. He understands the concerns of the public and hopefully it will be done at the final budget workshop onto the following day.

***Councilmember Lowry exited the meeting at 7:52 p.m.*

Councilmember Yancy shared that the council proposed a rate at 41 cents knowing that the rate could be reduced, but not raised. She gave a brief overview of what the SB2 law actually entails.

***Mayor Bell exited the room at 7:53 p.m.*

***Councilmember Lowry and Mayor Bell returned at 7:54 p.m.*

Councilmember Yancy shared that there are streets to be fixed and water towers that need to be replaced. When is the city going to fix some of the infrastructure? She shared that dropping to 39 cents, there would need to be an infrastructure bond, to address those issues. The residents want the streets to be fixed, but need to be educated on the costs of these projects. City Manager Garcia shared that a single street, Jefferson, is projected to cost upwards of 1 million dollars.

Councilmember Yancy asked City Manager Garcia directly if the increase in the tax rate would help without needing an infrastructure bond. City Manager Garcia explained that the 40-cent tax rate would only increase the revenue by \$386,000 and not be sufficient in completing repairs. He stated that the best course of action would be an infrastructure bond to address the street repairs and water problems in the city.

Councilmember Lowry stated that the city does not have a tax problem, but has a spending problem.

Mayor Bell shared his disappointment in the budget and process that has been used this year. The budget book had a lot of errors and omissions in it that caused concern among members of both the council and community. He attributes a lot of these issues to a young city manager and a new finance director who are working together for the first time, but also acknowledges that this is inconsequential to the people of La Marque. He shared his thoughts that while he does not believe that there is not anything criminal or nefarious going on in the government, he cannot support the current proposed tax rate and again proposed a 39-cent rate. Mayor Pro Tem Compian clarified the previous statements of the City Manager regarding the \$386,000. This is a representation of the difference in income from the 41-cent rate in the current fiscal year and next fiscal year at the same 41-cent rate. He indicated that the funds would be a use of additional income to help with the maintenance and operations within the city as well as to address the interest or sinking fund.

Mayor Pro Tem Compian also discussed the lists provided by the Fire Department and the Police Department about their needs versus wants. He identified significant salary increases in the police and fire collective bargaining agreement

and increases in their supplies that will require additional personnel. He shared his concern about the challenges as a community to identify the split between needs and wants. He feels that the city does a terrible job of "telling our story". There should be two (2) police officers per one thousand (1,000) residents, and four (4) firefighters per apparatus. The city needs to make the investments now because the costs will continue to go up. He feels that the city should hold the budget and create a plan that will get the police, firefighters, and equipment that the city needs. He requested that the city gradually increase the homestead exemption to \$40,000, but right now the city needs stability. He also believes that personnel should receive their cost of living increase because all personnel deserve a livable wage. He has been working on a plan that he believes will achieve all that is required. He again, as in previous meetings, requested a finance ad hoc committee to work on these items throughout the year.

Councilmember Yancy asked for further clarification regarding the proposed ad hoc committee.

Mayor Pro Tem Compian shared that there are dynamic people in the community that can do these things.

NO ACTION WAS TAKEN.

8.III. FY 2024 - 2025 Tax Rate

Councilmember Ross identifies with everyone who has spoken of being a fixed income. He has spoken with many of those individuals in his district, and they support a 40-cent rate. He shared that he, on a fixed income, has to pay \$80 a year for recycling that he does not utilize and cannot opt out of, but asking residents to pay \$60 a year to increase service is out of the question.

Councilmember Lowry shared his thoughts that the city needs to get their ducks in a row before asking for increases. There should be a breakdown, and although the Mayor requested a zero (0) budget, he does not believe that has been received. It is his belief that the city does not have a taxing problem but a spending problem. Councilmember Ross supported an increase in the homestead exemption, while maintaining the tax rate, if it means that infrastructure will be improved, as areas in his district still have clay sewer pipes.

Mayor Pro Tem Compian agreed that he wants tax rates to decrease. However, they must be planned. He reminded the public that the city gets audited every year, but it is not communicated to the public properly. He also reminded everyone that there are huge unfunded liabilities. He also shared that the "SB2 Law" is worded as such, that no matter what the council decides to do, it will always be presented as a tax increase.

Mayor Bell shared that there is a fundamental misunderstanding of the argument. He believes that the public would agree that the city has many needs, but the numbers are not accurate. It doesn't matter what the city needs if the numbers are not accurate, it breeds distrust. He feels that until the trust issue is solved, there will not be support, in his opinion, to raise one additional penny in taxes. He respects both Mayor Pro Tem Compian and Councilmember Ross's positions.

NO ACTION WAS TAKEN.

8.IV. Boards and Commissions

Mayor Pro Tem Compian reported that the parks board has now been reduced to 5

members, and he needs to appoint a member to the Planning & Zoning commission.

Mayor Bell made a motion to appoint Dash Cantu, a resident and member of the La Marque Police Department, to the Public Safety Building Committee.

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

9. NEW BUSINESS

9.I. Proposed Resolution

Councilmember Ross made a motion to adopt Resolution R-2024-0045.

Councilmember Lowry seconded. **MOTION CARRIED UNANIMOUSLY.**

9.II. Sanitary Sewer Pipeline Replacement

Mayor Bell requested information regarding how the company was selected.

City Manager Garcia shared that three quotes were obtained. This item was presented to the EDC and they agreed to cover the initial cost of \$90, 050 with no overruns.

Mayor Pro Tem Compian made a motion to approve the sanitary sewer pipeline replacement. Councilmember Ross seconded. **MOTION CARRIED UNANIMOUSLY.**

Mayor Pro Tem Compian requested that overruns be brought to the council in an open meetings.

9.III. Senior Community Service Employment Program (SCSEP)

Mayor Bell asked for clarification on whether retired police personnel can assist the police department, possibly by scheduling interviews and making calls regarding cold cases.

Human Resource Manager Hoosier shared that this program is focused on low-income seniors, paying approximately 9.75 an hour for 18 hours a week.

City Manager Garcia responded that the Mayor's question would need to go before the agency and the department.

Deputy Chief Waggoner did not believe it would be allowed due to Civil Service requirements.

Councilwoman Yancy shared that the program has been around for a long time and can be a huge benefit to the city.

Mayor Pro Tem Compian shared his hopes for three (3) qualified individuals to be selected to answer phones.

Mayor Pro Tem Compian made a motion to authorize the city to become a host agency for the Senior Community Service Employment Program. Councilmember Yancy seconded. **MOTION CARRIED UNANIMOUSLY.**

9.IV. Bayou Fest 2024

Chairperson Mike "Rock" Bock was available to answer questions on behalf of the Parks Board.

Mayor Bell asked if the Parks Board had voted to participate. Chairman Bock said that four (4) members are "all in" and one (1) is not.

When asked by Councilmember Lowry if the event would be a "big one", Chairman Bock shared that he is trying but has hit some roadblocks.

Deputy City Manager Joshua Pritchett gave a breakdown of the funding for Bayou

Fest.

Mayor Bell questioned if the event would need more funding. After a lengthy discussion, it was determined that additional funding would be needed.

Discussions regarding Hotel Occupancy Tax (HOT) fund appropriations ensued.

Mayor Pro Tem Compian wants this event to be successful, and requested that the city not micromanage the event, and let the volunteers do it.

Discussions regarding accounting principles ensued.

NO ACTION WAS TAKEN.

9.V. Forensic Audit

Councilmember Lowry asked if City Manager Garcia knew where every single penny that has been spent by the city is. City Manager Garcia shared that he does.

Councilmember Lowry then questioned why there were issues with the budget.

Councilmember Lowry asked if the City Manager could say for certain "without a shadow of a doubt" that no contractor within the city has any ties to a contractor working within the city. City Manager Garcia shared that there is no way anyone can know "without a shadow of a doubt".

Finance Director Turner shared that she had reached out to a forensic audit firm, and she was told that she would need to produce a scope of work for them to start.

Councilmember Lowry says that there has never been a forensic audit for the city. The taxpayers want it and they deserve it. Everyone is taking this item as a negative thing, but it doesn't have to be.

City Manager Garcia said that it is the council's will to do a forensic audit, that is their will. He just needed to know what was being asked. He then proceeded with explaining what the procurement process would be.

Councilmember Lowry asked for acquaintances to be revealed through this process, "maybe a connection between an elected official and a contractor". He also asked for a tip line to be enacted. He shared that the cost projections keep changing, and a person that forced a forensic audit in Texas City attended the meeting earlier.

Councilmember Yancy clarified that the City of Texas City has never had a forensic audit. She shared that the Galveston Daily News contacted her earlier in the day because Councilmember Lowry stated that her vehicle was purchased with city funds. She was offended, and adamantly denied the accusations against her. She shared that the council has to sign affidavits each year regarding conflicts of interests.

She asked the City Manager, was there money missing? City Manager Garcia said no.

Councilmember Lowry stated that the city can use the cost as a fear factor, but the citizens have already said they don't care. The annual audit is a routine audit. They can only audit the information that is given to them. It is not a forensic audit.

Councilmember Yancy asked if Councilmember Lowry was the one who called the Galveston Daily News and made the accusations of her car being paid for through public funds. Councilmember Lowry responded that he shared his thoughts on how a person with no job and a husband with a part-time position could afford a BMW after being elected to this position "is a red flag for anyone with common

sense". Councilmember Yancy responded by stating that if that is why the Councilmember is so adamant about the forensic audit, he should not imply that others are doing something wrong.

Mayor Bell shared that the council were all elected by the community to do the job. They were not voted to sit on the Dias and argue.

Councilmember Ross shared that he would support a forensic audit for Fund 12, Fund 99, the disaster fund, and the reserve fund, going all the way back to Hurricane Harvey.

Mayor Pro Tem Compian said it hurts him when the council has that sort of back and forth, it is not how he behaves. He apologized to Councilwoman Yancy because that was not necessary. He shared that the forensic audit is not timely. He believes that a forensic audit is to bring together accounting and legal. He again, as he has in the past, shared his support for a city CPA. He said that there *has* to be a scope of work, and that should come from a licensed auditor. Once a report has been brought to council, then the council can determine next steps. He gave a few examples of what can be found in forensic audits.

Finance Director Turner shared that there have been some procedural issues that need to be addressed.

Mayor Bell shared his thoughts that a lot of what is being dealt with, is politics, and it shows in how things are phrased. When the council gets into the chamber and on the Dias, the politics have to stop, and the work of the people has to be done. His heart hurts for Councilmember Yancy. No one likes to be accused of things that they feel they did not do. He understands that Councilmember Lowry feels strongly about the need for a forensic audit. He shared his opinion that budget projections do not provide an accurate accounting of the city's finances. It doesn't say that money is missing, it just means that better preparations should have been made. He does not believe he has ever heard a Councilmember fight against a routine or forensic audit. His thought is that whenever the concept of a forensic audit is brought up, it is associated with an accusation of wrongdoing and human nature is to push back. Audits can uncover mistakes, and for that reason, he believes that there is nothing wrong with starting those discussions. He agreed with Mayor Pro Tem Compian that a scope of work needs to be established first. This is the first step. He has heard many people say the cost doesn't matter, but it should. It should not determine if an audit is done, but it should be considered.

Fiscal irresponsibility should not be uncovered through fiscal irresponsibility.

Councilmember Lowry made a motion to speak with the auditing firm that Finance Director Turner has been speaking with to get more information on what a forensic audit would look like for the City of La Marque. Councilmember Ross seconded.

Mayor Pro Tem requested to clear up the language and asked for a motion to solicit advice from the city's auditing firm regarding the process of a forensic audit.

MOTION WAS WITHDRAWN by Councilmember Lowry.

Councilmember Lowry made a new motion to meet with the current auditing firm on the process and scope of a potential forensic audit in public. Councilmember Ross seconded.

Councilmember Yancy reiterated that no one in the city is against a forensic audit; they are against being called a criminal.

MOTION CARRIED UNANIMOUSLY.

***Mayor Pro Tem Compian exited the room at 10:01 p.m.*

9.VI. TML Board of Trustees Election

Mayor Bell asked City Clerk Nance if a vote was required that evening. City Clerk Nance indicated that the vote was not yet due back to the Texas Municipal League but added this item to the agenda so that council could familiarize themselves with the candidates. She stated that this item would be placed on the September 9th agenda.

Councilmember Lowry requested a print out of the names.

NO ACTION TAKEN.

9.VII. Emergency 90 Contract for Disaster Consulting 2024

Emergency Management Coordinator Kyle Hunter shared that this item was presented to council at the last meeting in the City Manager's Report. GrantWorks is one of the city's grant administrators, and they have experience in this area. Mayor Pro Tem Compian made a motion to ratify a 90-day emergency contract with GrantWorks for Disaster Consulting and Grant Administration. Councilmember Ross seconded. **MOTION CARRIED UNANIMOUSLY.**

9.VIII. RFP - Disaster Consulting and Grant Administration

Councilmember Yancy made a motion to authorize a Request for Proposal for Disaster Consulting and Grant Administration. Councilmember Ross seconded. **MOTION CARRIED UNANIMOUSLY.**

10. CITY MANAGER REPORT

***Items 10.III and 10.V were pulled for discussion*

10.I. July 2024 Library Statistics

This item stood as submitted.

10.II. July 2024 Municipal Court stats

This item stood as submitted.

10.III. July 2024 Public Works / Utilities Department Statistics

Mayor Pro Tem Compian said that the information included is great information and needs to be on the website. He also requested that the report include the values of the projects.

10.IV. August 2024 City of La Marque Sales Tax Report

This item stood as submitted.

10.V. Galveston County Crime Rate Ranking 2020-2023

Councilmember Yancy congratulated the city for dropping from being ranked #2 to #4.

***Councilmember Lowry exited the meeting at 10:07 p.m.*

10.VI. Items for the Good of the Order

City Manager Garcia announced an upcoming Community CPR class.

11. REQUESTS & ANNOUNCEMENTS

Mayor Pro Tem Compian announced his completion of a Cyber Security Awareness Training and provided his certificate of completion to City Clerk Nance. He also congratulated Neighborhood Baptist Church on their 50th anniversary. He shared that he attended the 50th Anniversary Celebratory Services and enjoyed the music. He commended Pastor Franklin and the Neighborhood Baptist Church community for their important presence within the La Marque community.

Councilmember Ross stated he was looking forward to finishing up the budget tomorrow. He also shared upcoming events at the VFW, including a fish fry on September 7th from noon until they run out of fish and a garage sale on September 14th and asking for ten dollar (\$10) donations with an auxiliary for a round bag auction for a later date.

Councilmember Yancy wished everyone a Happy Labor Day weekend. She also addressed the article that said the city is paying for her security surveillance system at her home. She stated that this is a mistake that needs to be corrected. She also indicated that it was due to harassment that she and her family have endured from Councilmember Lowry both as a citizen and as a councilmember.

Mayor Bell interjected and requested that Councilmember Yancy not name names. Councilmember Yancy continued by sharing appreciation for her son and his Christian values. She stated that the Bible calls everyone to "love people unconditionally in spite of what they do to us". She noted that she and her constituents are being attacked and claimed that "you're seeing what racism looks at its finest, but we are not going back". Councilmember Yancy also noted that standing silently and saying nothing is acceptance. She thanked former Councilmember James Osteen and his wife for being a beacon of strength for her and her family. She referenced the recent resignation of Sean Skipworth of Dickinson due to ongoing harassment and noted that "no American should stand for this" and that she is not going anywhere. She applauded Mayor Bell for the love he continues to show people, even when that love is not returned. She expressed her love for the entire community and to council "and there is nothing you can do about it".

Councilmember Lowry requested information from City Manager Garcia regarding the security cameras purchased by the City for any Councilmember's home address. Mayor Bell interjected that Mr. Lowry cannot ask for an answer from City Manager Garcia as this section is for requests. Councilmember Lowry stated that he already had the answer and that he has the receipts.

Mayor Bell interjected stating that attacks will not be tolerated.

Councilmember Lowry continued stating that he has copies of checks that were written to Councilmember Yancy for cash and the District Attorney has copies of this as well. He noted that this is why he wanted a forensic audit.

Mayor Bell interjected again asking for the attacks to stop. He reiterated that Mr. Lowry was elected by the people of District C with a focus on fixing streets and Councilmember Yancy was elected by District A to help with cutting crime. He stated that "we are adults" and need to get along to work for the common good of the people. He asked Chief Aragon to "beef up the police presence" at future council meetings. He addressed the dias, stating that if council gets out of hand, the police department will escort you off the dias.

Councilmember Lowry then stated that he was here to represent the city and fight

crime.

Mayor Bell stated that he said a lot during the interruption and will not "beat a dead horse" or lecture anyone. He stated that the council is old enough to do the right thing. He reminded everyone that Monday is Labor Day, shared his appreciation for the sacrifices made by all American workers and all American workers deserve our gratitude. He also announced the city office closure to celebrate the holiday. He noted that Council will resume the budget workshop tomorrow at 12:00 noon. He encouraged everyone to attend.

City Manager Garcia reminded the citizens that in order to comment during council meetings, they must comment via Zoom as no comments are accepted from YouTube.

12. EXECUTIVE SESSION

***Councilmember Lowry exited the meeting at 11:10 p.m.*

12.I. Section 551.071 (Consultation with Attorney)

12.II. Section 551.074 (Personnel Matters)

13. ACTIONS TAKEN FROM EXECUTIVE SESSION

***Mayor Bell closed the executive session and reconvened the regular meeting at 11:37 P.M.*

13.I. Section 551.071 (Consultation with Attorney)

NO ACTION WAS TAKEN ON THIS ITEM.

13.II. Section 551.074 (Personnel Matters)

Councilmember Yancy shared that the council is doing their best to work together. She shared that it was deplorable to speak of an employee, especially a minor, in that manner. She understands that Councilmember Lowry is a new Councilmember, and this is a slow walk. She recommended that Councilmember Lowry sit down with the family and apologize. She hopes that the Councilmember sees that the council is trying to work with him, and this is his opportunity to make it right.

Councilmember Ross stated that "no person on this planet" would allow somebody over the age of 18 to say something about somebody under the age of 18. He stated that he understood the game and play sometimes, however council will have to make decisions with or without the councilmember sooner or later. He requested that Councilmember Lowry sit down with some of the councilmembers and come to an understanding on how to fix the behavior. He began to make a motion to table this until a further event. However, Mayor Bell asked that Councilmember Ross wait on making the motion and allow Mayor Pro Tem Compian the chance to speak.

Mayor Pro Tem Compian shared that the action discussed was censure. He feels that there is not enough evidence to move forward in that manner. He has standards however, and would never involve youth. He feels that respect is number one. There was great disrespect this evening. That is not how he operates. He looked to the Mayor for guidance and wisdom at this moment.

Mayor Bell shared that censures are a tool that councils use to make distinctions, a contrast between what a majority body believes the responsibilities are to the

public. In his experience, in order for a censure to be effective it must be unanimous, and the council would need to stand as a whole to share what they believe as a body. He does not feel that the council is "there" on this particular issue. He believes that it is a consensus that it is inappropriate to make commentary regarding an employee, especially a child. He shared that he felt Councilwoman Yancy's pain and frustration. Over the past 20 years, he has learned the hard way how to not react to the things that provoked him, just as the Apostle Paul. He shared that four (4) people cannot raise the standard of decorum for a five (5) member council. Everyone will need to "buy-in" to what it means to be a councilmember in La Marque. If so the first step would need to first "do no harm" to the city and residents. In order to do that, they need to learn to communicate with each other and the public in a way that does no harm. Unfortunately, at this time, that is not happening. He is sad for Ms. Smalls and her children for the things that they have been through. He appreciates Councilmember Yancy's willingness to try to move forward in a different way. Councilmember Ross made a motion to table the censureship and make a written request for Councilmember District C to make a formal apology to the Smalls family. Mayor Pro Tem Compian seconded. **MOTION CARRIED UNANIMOUSLY.**

14. ADJOURNMENT

Councilmember Yancy made a motion to adjourn. Mayor Pro Tem Compian seconded. **MOTION CARRIED UNANIMOUSLY.**

***Meeting was adjourned at 11:57 p.m.*