



**CITY OF LA MARQUE
CITY COUNCIL
REGULAR MINUTES
of
September 23, 2024**

1. CALL MEETING TO ORDER

Mayor Bell called the meeting to order at 6:04 p.m.

2. ROLL CALL

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 Pro Tem Compian gave the invocation and Councilmember Yancy led the pledge.

4. PRESENTATIONS

4.I. Proclamation - Higher Up Texas

Mayor Bell presented Hillary Gramm, Chief Executive Officer, staff members, and Higher Up participants with a proclamation honoring the work and service of Higher Up Texas.

4.II. Proclamation - Brittany Richard

Mayor Bell and Finance Director Turner shared words of encouragement and support to the family and friends of Brittany Richard. Mayor Bell then presented the family with a proclamation in her honor.

5. CITIZENS PARTICIPATION

- Richard Holcolmb (2708 Magnolia Dr) thanked the council for getting the grass cut over at Jaycee Park.
- Clara Holcolmb (208 Magnolia) asked for set dates for utility bills. She reminded the community that residents 65 and over can have their late fees and disconnect fees waived if they register for the Senior Citizen Discount. She thanked the Mayor for his words last meeting and reminded the council that there is no I in team.
- Tami Steambarge (5109 Casa Grande St, Dickinson, TX) spoke as a resident of Dickinson, stating that the City of Dickinson is in the situation that they are in, due to the city council and Mayor. She also addressed allegations of her having a

firearm at a community event, which she cannot have due to being a felon. She asked the city to review the ethics policy of Dickinson for guidance.

- David Pennington (924 Cypress) asked the council to reconsider participation in the Galveston County Auto Crimes Task Force. The city has participated for years but would like the city to consider opting out, as tax dollars are being spent across the county and not within the city.
- Carl Beard (5511 Evelyn St) shared grievances against a Councilmember, requesting a formal inquiry into the Councilmember for threats and allegations made by the Councilmember.

***Councilmember Lowry exited the meeting at 6:41 p.m.*

- Roger Salazar (2525 St Christopher Ave, League City, TX) spoke regarding the use of City Hall's address for Lowry News Network.
- Re'Chard Loftis (309 Johnson) shared his sentiments that he is tired of hearing about the forensic audit, if the council wants to do it, then get it done. He asked for the council to look back to a previous Mayor for utilizing a city vehicle against charter, and a former City Manager as well. He asked to start before the current administration. He also shared his discontentment with the equipment purchases on the agenda, stating that the items proposed were subpar.

6. PUBLIC HEARINGS

***Mayor Pro Tem Compian exited the room at 6:44 p.m.*

***Mayor Bell recessed the regular meeting and entered into Public Hearings at 6:47 p.m.*

6.I. Ordinance No. O-2024-0016

There was no public comment.

6.II. Ordinance No. O-2024-0017

There was no public comment.

6.III. Ordinance No. O-2024-0018

There was no public comment.

6.IV. Ordinance No. O-2024-0019

There was no public comment.

6.V. Ordinance No. O-2024-0020

There was no public comment.

7. OLD BUSINESS

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

7.I. Ordinance No. O-2024-0016

Councilmember Yancy made a motion to adopt Ordinance No. O-2024-0016.

Councilmember Ross seconded. **MOTION CARRIED WITH 3 AYES AND 2 ABSENT (COMPIAN/LOWRY)**

7.II. Ordinance No. O-2024-0017

***Mayor Pro Tem Compian and Councilmember Lowry returned to the dias at 6:51 p.m.*

Councilmember Yancy made a motion to adopt Ordinance No. O-2024-0017.

Councilmember Ross seconded.

MOTION PASSED WITH 4 AYES KEITH BELL, JOE COMPIAN, KIMBERLEY YANCY, JAMES ROSS AND 1 ABSTENTION JOSEPH LOWRY

7.III. Ordinance No. O-2024-0018

Mayor Pro Tem Compian made a motion to adopt Ordinance No. O-2024-0018.

Councilmember Yancy seconded.

MOTION PASSED WITH 5 AYES KEITH BELL, JOE COMPIAN, KIMBERLEY YANCY, JOSEPH LOWRY, JAMES ROSS.

7.IV. Ordinance No. O-2024-0019

Debbie Vasik, of Cahoon Consulting, answered the question proposed by Mayor Pro Tem Compian at a previous meeting, would this ordinance change require additional cost for current homeowners.

Ms. Vasik shared that it would only require additional cost after substantial improvement, defined as 50% +1 of the current value of the home.

Mayor Pro Tem Compian made a motion to adopt Ordinance No. O-2024-0019.

Councilmember Yancy seconded. **MOTION CARRIED WITH 4 AYES AND 1 NAY (LOWRY).**

7.V. Ordinance No. O-2024-0020

Mayor Pro Tem Compian made a motion to adopt Ordinance No. O-2024-0020.

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

7.VI. TML Board of Trustees Election

Mayor Pro Tem made a motion to nominate Robert Davis for Place 11, Rudy Zapata for Place 12, Harlan Jefferson for Place 13, and James Quin for Place 14.

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

7.VII. TML Region 14 Board Director Ballot

Councilmember Yancy made a motion to nominate Joe Zimmerman for TML

Region 14 Board of Directors. Councilmember Ross seconded. **MOTION CARRIED UNANIMOUSLY.**

7.VIII. Forensic Audit

Councilmember Lowry believed that the forensic audit is a necessity for the city, the citizens want it.

***Councilmember Ross exited the room at 7:04 p.m.*

Councilmember Lowry made a motion to have a forensic audit.

MOTION DIES DUE TO LACK OF SECOND.

Mayor Bell gave a brief recap of the special meeting held earlier in the day, sharing the discovery that there is no information that is available to the

auditors that is not available to the council. He believes that the council needs to dig deeper, and provide a scope for a forensic audit. If there are issues, they surely can be found, and submitted to the appropriate entities to be investigated and/or prosecuted.

Councilmember Lowry reiterated and belabored his point that the city needs a forensic audit. He closed stating "I'm for it, you're against it and we'll leave it at that".

***Councilmember Ross returned at 7:11 p.m.*

Mayor Bell refuted the premise of the statements made by Councilmember Lowry, again, sharing that a scope of work is needed.

Councilmember Lowry repeated that there is no trust in the city government. He does not trust the information being given to him.

Mayor Bell stated that Councilmember Lowry is the spirit of disinformation. He noted that the councilmember had personally stated that he has spent over \$200,000 in legal fees but had nothing to find.

Councilmember Lowry retorted that "if we have a weak district attorney that won't pick up charges, doesn't mean the crimes weren't committed".

City Attorney Knebel advised the council to restrict their conversation to the item noticed on the agenda, which is in relation to the city's finances.

Mayor Bell reiterated that both the Finance Director Turner and the City Auditor have both shared that there is no basis for a forensic audit.

Finance Director Turner explained the purchasing policy. She clarified that there are 27 purchasing cards in the possession of staff members. She is very strict on purchasing cards, as she is aware that a city could get in trouble because of purchasing cards.

Councilmember Ross asked for clarifications regarding purchasing.

Finance Director Turner shared that when she arrived she noticed an issue with the purchasing process and that has been corrected. She denied any knowledge of impropriety.

Mayor Bell suggested that the council be open to the scope of work. If any impropriety is found, it should be reviewed.

NO ACTION WAS TAKEN ON THIS ITEM.

8. NEW BUSINESS

8.1. Resolution No. R-2024-0047

Chief Aragon shared that the city is only responsible for the fringe benefits and auxiliary costs, netting a savings of approximately \$30,000

Aaron Skaggs, the City's Auto Crimes Task Force Officer, spoke of the benefits the city receives by participating in the task force.

Councilmember Lowry thanked the Gulf Coast Auto Crimes Task Force for the work that they do. He feels that this is a necessary expense.

Mayor Pro Tem Compian asked for clarity regarding the numbers presented.

Officer Skaggs explained that the numbers could be better. However, he believes there will be an uptick in 2024.

Mayor Pro Tem asked what would happen if the city were to do away with this particular grant, specifically for the officer that is currently involved.

Officer Skaggs indicated that he was originally on the La Marque Patrol Unit and his

position was already filled within the department. If this grant is not renewed, he would return to the La Marque Police Department under the Patrol Unit and another officer would be let go due to over staffing. He also discussed the difficulties of pulling away from the grant as other cities have done so and cannot immediately secure funding should they reapply.

Councilmember Lowry asked for clarification on the types of vehicles that this task force is responsible for. Officer Skaggs replied that the Task Force is for anything titled, from side-by-sides, vehicles, airplanes, etc.

Councilmember Yancy made a motion to adopt Resolution No. R-2024-0047.

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

8.II. Resolution No. R-2024-0048

Mayor Pro Tem Compian made a motion to adopt Resolution No. R-2024-0048.

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

8.III. Construction Bid Award

Councilmember Lowry asked the council to rebid this item, stating that there was only one bid, the bidder provided one LLC and the DBA is under another name. He also noted that the quote is lower than the bid estimate provided by the city engineer.

Utilities Director Sailer shared that the city has done its due diligence, meeting with the contractor on various occasions.

Mayor Pro Tem Compian asked clarifying questions assessing the urgency of the project, and the verification process.

Councilmember Lowry reiterated his question regarding the LLC and DBA.

Deputy City Manager Pritchett shared that a DBA is just for marketing purposes.

Mayor Pro Tem Compian made a motion to approve the construction bid award to JBD Construction for the Westwood Storm Water Improvement Project Phase 2.

Councilmember Yancy seconded. **MOTION CARRIED 4 AYES and 1 NAY (LOWRY).**

8.IV. Grant Award

Councilmember Yancy made a motion to accept the grant award from the National Recreational and Parks Association in the amount of \$20,000. Councilmember Ross seconded. **MOTION CARRIED UNANIMOUSLY.**

8.V. Interlocal Agency Agreement

Chief Merryman shared that this is a standard contract. However, this edition is a one-year contract with 3 automatic term renewals.

***Mayor Pro Tem Compian exited the meeting at 7:48 p.m.*

Councilmember Ross made a motion to approve the La Marque Fire Department's participation in the Gulf Coast Fire Fighters Contract from 2025-2028.

Councilmember Lowry seconded. **MOTION CARRIED WITH 4 AYES AND 1 ABSENT (COMPIAN).**

8.VI. Purchasing : Tasers

Councilmember Yancy made a motion to approve utilizing SB224 Catalytic Converter Grant funds to purchase 50 Axon Taser 7 devices for equipping police

officers. Councilmember Ross seconded. **MOTION CARRIED WITH 4 AYES AND 1 ABSENT (COMPIAN).**

8.VII. Purchasing : Flock Cameras

Councilmember Yancy made a motion to approve utilizing the SB 224 Catalytic Converter Grant funds to purchase Flock cameras. Councilmember Ross seconded. **MOTION CARRIED 4 AYES 1 ABSENT (COMPIAN).**

8.VIII. Purchasing : Zero Turn Mowers

***Mayor Pro Tem Compian returned to the dials at 7:51 p.m.*

Councilmember Lowry agreed with the resident regarding the purchase and requested that the City Manager look into the recommendations made.

Councilmember Ross questioned if the Bobcat dealer in La Marque could provide the necessary materials.

It was clarified that Bobcat does not sell this product.

City Manager Garcia discussed the process upon which the John Deere mower was chosen and the Parks Board's approval for recommendation at their last meeting.

Mayor Pro Tem Compian made a motion to approve the purchase of the John Deere Zero Turn Mower. Councilmember Ross seconded.

Councilmember Yancy requested that the city monitor the usage.

MOTION CARRIED UNANIMOUSLY.

8.IX. Purchasing : Dome Climber

Mayor Pro Tem Compian made a motion to approve the purchase of a Game Time Dome Climber from Cunningham Recreation to be installed at Westlawn Park in the amount of \$2,277.56 from Parks User Fees. Councilmember Yancy seconded. **MOTION CARRIED UNANIMOUSLY.**

8.X. Purchasing : Pickleball Court Windscreens

Mayor Pro Tem Compian made a motion to approve the purchase of windscreens for the pickle ball courts at Mac McGaffey Highland Bayou Park in the amount of \$4,600. Councilmember Yancy seconded.

Mayor Pro Tem commented that the City's Pickleball court has found great use.

Mayor Bell used point of clarification to state that the Parks User Fee Fund was utilized three (3) times on this agenda and requested a ratification in form of a budget amendment.

Mayor Pro Tem noted that these purchases would go towards Fiscal Year 2024-2025.

City Manager Garcia shared that the funds requested are a revolving fund from the two dollar (\$2) Parks fee that is collected on the utility bills.

Mayor Bell, again, asked for the budget amendment and City Manager stated he would satisfy this request.

MOTION CARRIED UNANIMOUSLY.

8.XI. Galveston County Appraisal District (GCAD) Board of Directors Nominations
NO ACTION WAS TAKEN.

8.XII. Notice of Tyco and BASF PFAS Settlement Opt Out Deadlines

City Attorney Knebel gave a brief overview.

****MOTION TAKEN AFTER ACTIONS FROM EXECUTIVE SESSION**

Councilmember Ross made a motion that the city opt out in accordance with the recommendation by the City Attorney until later or further clarification from the EPA has been solidified on the settlement. Councilmember Yancy seconded. **MOTION CARRIED UNANIMOUSLY.**

9. CITY MANAGER REPORT

9.I. Development Services Director Position Posting

This item stood as submitted.

9.II. August 2024 Court Stats

This item stood as submitted.

9.III. August 2024 Public Works Statistics

This item stood as submitted.

9.IV. Authorization to Use Grant Funds : District D Water Lines

This item stood as submitted.

9.V. Items for the Good of the Order

Deputy City Manager Pritchett announced the Jimmy Hayley Golf Tournament, National Night Out Oct. 1, BayouFest Oct 18-19, and the PINK OUT for City Council meetings in October.

10. EXECUTIVE SESSION

****Mayor Bell recessed the Regular Meeting and entered into Executive Session at 8:06 p.m.**

****Mayor Pro Tem Compian exited the meeting at 9:38 p.m.**

10.I. Section 551.074 (Personnel Matter)

10.II. Section 551.074 (Personnel Matter)

10.III. Section 551.074 (Personnel Matter)

10.IV. Section 551.074 (Personnel Matter)

10.V. Notice of Tyco and BASF PFAS Settlement Opt Out Deadlines

11. ACTIONS TAKEN FROM EXECUTIVE SESSION

****Mayor Bell closed the executive session and reconvened the regular meeting at 10:24 p.m.**

11.I. Section 551.074 (Personnel Matter)

NO ACTION TAKEN ON THIS ITEM.

11.II. Section 551.074 (Personnel Matter)

NO ACTION TAKEN ON THIS ITEM.

11.III. Section 551.074 (Personnel Matter)

Councilmember Yancy requested that Councilmember Lowry produce documents to prove that he is not a convicted felon.

Councilmember Lowry rebutted that this is a smear campaign and has no documents to produce as he is not a convicted felon.

Councilmember Yancy stated that she is tired of hearing residents and outside sources stating this and wants to have documentation to put this to rest.

Councilmember Lowry shared his frustrations and adamantly denied the claims being made against him as a convicted criminal.

Mayor Bell stated that neither City Attorney Knebel nor City Clerk Nance have received any documents and therefore until documented proof of a conviction is given, this needs to be put to rest.

NO ACTION TAKEN ON THIS ITEM.

11.IV. Section 551.074 (Personnel Matter)

NO ACTION TAKEN ON THIS ITEM.

12. REQUESTS & ANNOUNCEMENTS

Councilmember Yancy promoted National Night Out at Mac McGaffey Highland Bayou Park, Bayou Fest on October 18th - 19th, and a District A Town Hall on October 7th. She also gave an update on new businesses in District A which included a new gas station and the reopening of Church's Chicken. She stated that the city was recently awarded the All-America City honors and the city should be acting accordingly. She expressed her thanks for the support and love from the council and residents and requested that the residents pray for the representative to be a voice and represent the people to make a difference and change.

Mayor Bell promoted the Reverse Town Hall, where council and staff would be going door-to-door to better understand the citizens' concerns. He noted that after the door-to-door opportunity, a traditional town hall would be held and the date for this is upcoming. He also promoted National Night Out and shared that it would be a great opportunity for citizens to speak with elected and appointed officials. He expressed his view on governing, stating "when a government is taken out of the role of governing, chaos ensues". He noted that the time spent covering these things instead of important topics like drainage or street repairs is not the business of the people and that time could have been spent better.

13. ADJOURNMENT

Councilmember Ross made a motion to adjourn. Councilmember Yancy seconded.

*****MEETING WAS ADJOURNED AT 10:47 P.M.***