



**CITY OF LA MARQUE  
CITY COUNCIL  
REGULAR MINUTES  
of  
October 28, 2024**

**1. CALL MEETING TO ORDER**

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

**2. ROLL CALL**

**PRESENT:**

Keith Bell

Joe Compian

Kimberley Yancy

Joseph Lowry

James Ross

Mayor

Mayor Pro Tem/ District B

District A

District C

District D

**3. INVOCATION AND PLEDGE OF ALLEGIANCE**

City Manager Cesar Garcia gave the invocation and members of the Richard A Kirsten VFW Post 8248 led the pledge.

**4. PRESENTATIONS**

**4.I. Proclamation: National First Responder Day**

Mayor Bell presented representatives from the La Marque Public Safety team, including the Fire, Police, and Public Works Departments with a proclamation honoring National First Responder Day.

**4.II. Proclamation: Women in Service**

Councilmember Ross presented members of the La Marque VFW with a proclamation honoring National Women in Service Week.

**4.III. Presentation: Davion Watts, Operator of the Year**

City Manager Garcia and Utilities Director Rick Sailer recognized Lead Wastewater Treatment Plant Operator Davion Watts for being named the Texas Water Utility Operator Association's Operator of the Year.

**4.IV. Presentation: Shannon Breau, Double A Licensed Operator**

Water Utilities Supervisor Shannon Breau was recognized for achieving a license as a Double A Licensed Operator, a task that only approximately 1% of operators have achieved.

**5. CITIZENS PARTICIPATION**

***\*\*Councilmember Lowry exited at 6:28 p.m.***

- Bruce *\*\*declined to give a last name\*\** (Galveston Island) began stating that he would not be willing to share his information as a Councilmember had allegedly previously doxxed him online. He shared that the same Councilmember had allegedly committed a crime by impersonating a police officer, as they had stated they could be found at the Police Department at any time and claiming their badge number as "187". Earlier in the meeting, the city honored first responders, and the Councilmember was not recognized at that time.
- Robert Harvey(*\*\*declined to give his address*) shared his thoughts that a certain Councilmember was a bully, and has been posting individuals' names, vehicles, and loved ones information online to intimidate others. He feels that the city is aware of these antics and should do something about it. He also shared additional alleged screenshots of conversations from said councilmember.

*\*\*Councilmember Lowry returned at 6:34 p.m.*

- Robert Michetich (24 N Curlew) shared an ethics complaint he filed against a Councilmember regarding an incident that happened at a La Marque Citizens Police Academy Alumni Association meeting earlier in the year. He requested that a public apology be issued.

## 6. MINUTES

### 6.I. Regular City Council Minutes 06.24.2024

Councilmember Ross made a motion to approve the minutes as submitted.

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

## 7. NEW BUSINESS

### 7.I. Resolution No. R-2024-0049

**THIS ITEM WAS TABLED.**

### 7.II. Resolution No. R-2024-0050

Mayor Pro Tem Compian asked for clarity regarding the application.

Mayor Bell asked if the grant is limited to catalytic converter programming as implied by the name.

City Manager Garcia clarified that it was not. When asked what the requested program would entail, he shared that the application would include five (5) police cars, an ATV, and up to \$20,000 in overtime budget.

City Manager Garcia clarified that the Galveston County Auto Crimes Task Force would assist with the Catalytic Converter etching program previously started by the city.

Mayor Pro Tem Compian made a motion to adopt Resolution No. R-2024-0050.

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

### 7.III. Resolution No. R-2024-0051

Mayor Pro Tem Compian made a motion to adopt Resolution No. R-2024-0051.

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

7.IV. Resolution No. R-2024-0052

City Manager Garcia shared that there was a 50% match. However, there is an application to either utilize already purchased vests as a match or to utilize American Rescue Plan Act (ARPA) funds. If both requests are denied, the city would be responsible for approximately \$13,000.

Councilmember Ross made a motion to adopt Resolution No. R-2024-0052.

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

7.V. Resolution No. R-2024-0053

City Manager Garcia announced that the city has received two (2) additional officers at 100% funding for the first three (3) years.

It was clarified that prior to this year the city had 45 sworn officer positions. During budgeting, the council increased that number by four (4) additional positions. These two positions would be in addition to that.

Councilmember Ross made a motion to adopt Resolution No. R-2024-0053.

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

7.VI. Awarding RFP 24-05 Disaster Consulting and Grant Administrative Services

Mayor Pro Tem Compian questioned awarding two companies.

Emergency Management Coordinator Kyle Hunter shared that there is a primary and secondary awardee. In the event that the primary is not available or cannot fulfill their duties, the city has another option.

Mayor Pro Tem Compian asked for a list of cities the second company has worked for.

Councilmember Yancy asked for a list of historically underutilized business vendors that the city utilizes.

Mayor Pro Tem Compian made a motion to award disaster consulting and grant administrative services contracts to Grantworks and DCMC Partners.

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

7.VII. CWSRF Area of Impact

City Manager Garcia stated that at a previous meeting the council requested that staff bring back the areas of impact for the Clean Water State Revolving Fund (CWSRF) Loan. This funding, if awarded, would cover a combination of engineering, pipeline rehabilitation of approximately five (5) miles on the west side sewer system and about three (3) miles of pipeline rehabilitation on the east. This would also include the continuance of manhole restoration of approximately an additional 200 manholes.

Mayor Pro Tem Compian asked for understanding regarding the complexities of the Manhole Replacement Project.

Utilities Director Sailer shared that this project is to reduce the amount of inflow and infiltration on the sanitary sewer system. Simply put, reducing the amount of rainwater that gets into the system to stop overloading the sewer system.

A lengthy discussion regarding the consequences of an elevated inflow and infiltration rate ensued.

**NO ACTION TAKEN.**

## 7.VIII. Wastewater Treatment Plant Expansion Project

Utilities Director Sailer gave a lengthy overview of the history of the project, wastewater treatment plant operations, and proposed modifications due to lack of funding. He recommended utilizing a different type of treatment system that will still perform at a high level but is more economically feasible, and is also partially automated.

Mayor Bell questioned if this item was time-sensitive.

It was determined that while it was not immediate, there is a timeline expectation from the General Land Office, as this project has been in design for quite a while.

Mayor Bell feels that this item is a missed opportunity as these items should have been workshopped. He also noted that there seems to be an influx of time-sensitive items that are coming from the Public Works Department, and the council needs time to do their due diligence.

Councilmember Yancy asked where the cost savings would be in the new design. Rick Garcia (Ardurra) shared that the new design would have a smaller footprint which would save an estimated 2 million dollars in concrete costs, and an additional 2 million dollars in equipment as the new design does not have a clarifier. He also shared that since the initial design the General Land Office has added new rules, such as the requirement to elevate 3 feet above the 100-year flood plain, in addition to rising construction costs after the COVID pandemic. Councilmember Ross questioned the Bar Screen at the wastewater treatment plant and asked that this project be moved forward as the residents have been told time and time again that improvements are being made at the treatment plant.

Mayor Pro Tem Compian reiterated that the wastewater treatment plant has to be corrected as there are orders from the Texas Commission on Environmental Quality (TCEQ).

Discussions regarding the project timeline ensued.

City Manager Garcia added that, with the smaller system, there are lower maintenance and operation costs also to be considered.

Mayor Bell asked clarifying questions regarding the initial cost estimate, and if there were more than two possible design processes.

Mr. Garcia identified that there are other designs available. He estimated about 5-7. However, the two presented are the most commonly used in the area.

*\*\*Councilmember Yancy exited the room at 8:01 p.m.*

Mayor Pro Tem Compian questioned what prevents the city from proceeding with a bid for both project designs. It was determined that there was nothing stopping the city from issuing two bids.

Mayor Pro Tem Compian made a motion to issue a revised plan as requested and authorized the release of a bid for a project that fits within the allotted budget. Councilmember Ross seconded. **MOTION CARRIED UNANIMOUSLY.**

## 8. CITY MANAGER REPORT

*\*\*Councilmembers Lowry and Ross pulled item 8.1 for discussion*

*\*\*Councilmember Yancy pulled item 8.III for discussion*

8.I. Monthly Statistics for September 2024

Councilmember Lowry thanked Public Works for the drainage works they have been performing.

At the request of Councilmember Ross, City Manager Garcia clarified that although the sales tax numbers for the month are lower than the previous year, the overall sales tax collection has increased over the previous year.

Mayor Bell questioned if there had been any study done on the impacts of the I45 expansion on the city's sales tax.

Councilmember Ross shared that in a previous city he lived in, during the I45 expansion, the businesses were significantly impacted during the expansion, even during the holidays. He shared that the Texas Department of Transportation did provide some reimbursement relief for those businesses.

*\*\*Councilmember Yancy returned to the meeting at 8:11 p.m.*

8.II. Cohort Member of the Road to Zero Coalition (RTZ)

Stood as submitted.

8.III. Clarity regarding Coffee with a Cop Event

City Manager Garcia gave a brief update regarding the reports he had received regarding this event.

8.IV. Items for the Good of the Order

City Manager Garcia shared an update regarding the projects and timelines provided by the Texas Department of Transportation.

City Manager Garcia thanked Utility Director Sailer for his service to the city as he will be leaving before the next council meeting.

The council thanked him for his service to the community and wished him well on his next endeavor.

9. EXECUTIVE SESSION

*\*\*Mayor Bell recessed the Regular Meeting and entered into Executive Session at 8:19 p.m.*

9.I. Section 551.071 (Consultation with Attorney)

9.II. Section 551.074 (Personnel Matter)

9.III. Section 551.074 (Personnel Matter)

10. ACTIONS TAKEN FROM EXECUTIVE SESSION

*\*\*Mayor Bell closed the Executive Session and reconvened the regular meeting at 9:13 p.m.*

10.I. Section 551.071 (Consultation with Attorney)

**NO ACTION WAS TAKEN.**

10.II. Section 551.074 (Personnel Matter)

Councilmember Lowry made a motion "based on the evidence and information presented and in accordance with the charter provisions of the City of La

Marque", that Keith Bell be removed from the Office of Mayor for his failure to meet and/or maintain the voter-approved residency requirements.

City Attorney Knebel clarified that the meeting was not noticed for that.

*\*\*Motion dies due to lack of second.*

Councilmember Ross clarified that per the Galveston County Appraisal District, the Mayor still has a homestead in the City of La Marque. Therefore, by charter and state law, he is a resident of the City of La Marque.

Councilmember Lowry stated that he could prove the residency of Keith Bell is not in the City of La Marque.

Councilmember Ross made a motion that until Mayor Keith Bell no longer has a homestead exemption or could produce a lease in the City of La Marque, this item not be brought to council again. Councilmember Yancy seconded.

Mayor Bell stated that this has been a talking point for approximately two years and shared a list of requirements that he has met regarding meeting the legal residency requirement. He identified that Councilmember Lowry cannot tell him when to enjoy his properties, however many properties he may have.

*\*\* Councilmember Lowry began to interrupt Mayor Bell and was asked repeatedly to refrain. Due to the disturbance, the meeting was recessed at 9:23 p.m. and reconvened at 9:42 p.m. Mayor Pro Tem Compian did not return from the recess.*

Mayor Bell stated that if this was a serious issue it would have been addressed previously; this issue serves as a divisive tactic. He has been on the council for 20 years and has been able to work with everyone on the dias. He has a proven track record. He identified that Councilmember Yancy has been able to work with everyone for the past three (3) years. The only person who has not done so is Councilmember Lowry. He gave a list of things the council could have been working on instead of "bringing false accusations about residency", focusing specifically on District C issues such as interest in the property owned by Texas City Terminal Railroad, drainage concerns, dredging in Omega Bay canals, street repairs, and other areas of interest. He shared that the dias should be a place that "we work together to solve problems that the residents of this great city have with the city services that they are being provided. Nothing more, nothing less".

**MOTION CARRIED UNANIMOUSLY.**

#### 10.III. Section 551.074 (Personnel Matter)

Councilmember Ross made a motion to take no action until the next meeting, when the council could sit down with the Citizen's Police Academy (Alumni Association) and the Chief of Police. Councilmember Yancy seconded.

Councilmember Lowry requested a censure and a public apology to the officers and members of the La Marque Citizens Police Academy Alumni Association.

**MOTION CARRIED WITH 3 AYES AND 1 NO VOTE (LOWRY).**

#### 11. REQUESTS & ANNOUNCEMENTS

Councilmember Lowry requested a residency discussion for the next meeting, to include audio and documents from a public investigator.

Councilmember Ross requested adjusted times for the traffic light at Cedar and Highway 3. He announced Trunk or Treat at the VFW on Halloween Night and the

Veterans Day Breakfast on November 10th.

Councilmember Yancy requested a traffic study at Delaney Road as the previous study was done by former City Manager Jackson. She asked for a ribbon-cutting for Amazon, as well as replacement of stop signs in District A and in District C. She feels that a road should be renamed in honor of Kay Bailey Hutchinson, and the library after Geraldine Sam. She asked for a meeting between herself, City Manager Garcia, Attorney Knebel, and the District Attorney regarding disorderly conduct in the Council Chamber. She also asked the community for prayer and forgiveness.

Mayor Bell hoped to continue to move the city forward as he has for the past 20 years. He reminded everyone that the city council is in office to unite the community and provide services, not to cause division. He, again, celebrated the award-winning individuals in the Wastewater Treatment Plant. He honored the Veterans in anticipation of Veterans Day. He recalled the wonderful events over the past few weeks. He spoke about the Doorstep Democracy event on November 16th. He congratulated the community on the upcoming Mahan Boat Ramp modifications, the data storage groundbreaking, and the success of Trunk or Treat the previous week. He stated that instead of a traditional town hall, he intends to do a block walk with council and staff members to see what the people of the community think about the jobs that are being done and areas that can be improved. This will be followed by a traditional town hall. This event will be titled Doorstep Democracy.

## 12. ADJOURNMENT

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

*\*\*Meeting was adjourned at 10:03 p.m.*