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**City of La Marque**
**Regular Minutes**
**September 8, 2014**

**Minutes of the Regular Meeting of the City Council of the City of La Marque, Texas that was conducted on Monday, September 8, 2014 at 6:00 p.m. at 1109-B Bayou Road for purpose of considering the following agenda:**

**(1) Mayor Hocking called the meeting to order at 6:00 pm.**

**(2) ROLL CALL**

Mayor Hocking
Mayor Pro-Tem Bell
Councilmember Lane
Councilmember Brown
Councilmember Trube

City Manager Buttler
City Attorney Ortego
City Clerk Eldridge

**(3) INVOCATION AND PLEDGE OF ALLEGIANCE**
Mayor Pro-Tem Bell dispensed the invocation and led the Pledge of Allegiance

**(4) MINUTES**
a. City Council Workshop Meeting Minutes of August 11, 2014
b. City Council Regular Meeting Minutes of August 11, 2014
c. City Council Special Called Meeting Minutes of August 18, 2014
d. City Council Regular Meeting Minutes of August 25, 2014
e. City Council Special Called Meeting Minutes of August 26, 2014

** Councilmember Trube made a motion to approve the minutes of City Council Workshop Meeting Minutes of August 11, 2014; City Council Regular Meeting Minutes of August 11, 2014; City Council Special Called Meeting Minutes of August 18, 2014; City Council Regular Meeting Minutes of August 25, 2014; City Council Special Called Meeting Minutes of August 26, 2014. Councilmember Lane seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

**(5) PRESENTATION**
a. Proclamation – "Constitution Week"
Mayor Hocking read and presented the "Constitution Week" Proclamation to members Daughters of the American Revolution.

b. Introduction of New Employees; Administration/Misty John and Esther Bolton

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Finance Director Suzy Kou introduced each of her new employees; Alejandro Oliveros (Alex) – Utility/Sanitation Specialist; Robert Weidenbach – Accountant; Diane Millican – Customer Service Representative and Kathy Girndt – Accounting Manager

Administrative Assistant to City Manager Patty Rees introduced the two new Receptionists – Misty John and Esther Bolton

c. Recognition of Randall Aragon, Charlene Todaro, Amber Karshner – completion of "Advanced Professional Series" as prescribed by FEMA and the Texas Division of Emergency Management

Representative of Galveston County Emergency Management said that this is a very high honor and it being the only certification that FEMA offers and these three individuals are the first in Galveston County to have advanced to this level of certification.

**(6) CITIZEN'S PARTICIPATION**

1. David Pennington, Chairman of the Cemetery Committee reminded all of the "Wreaths Across America" annual project and event where wreaths are placed on the veterans graves in the cemetery, and encouraged everyone to participate. December 13, 2014 at 11:00 a.m. is the date of the ceremony this year.

**(7) PUBLIC HEARING**

Mayor Hocking recessed the Regular Meeting and opened the Public Hearings at 6:21 p.m. (addressing item "b" first)

a. Conduct a second Public Hearing to receive public input regarding the changes on the proposed FY 2014-2015 Budget, according to the City Charter, Section 6.06, 'Further consideration of budget' on proposed changes.

No one spoke.

b. Conduct Public Hearing to receive public input regarding approval of final plat of Painted Meadows Section Four, as recommended by the Planning and Zoning Commission, being a 27.3255 acre tract of land located in the J.R. Pace Survey. A-161, Galveston County, Texas; Said 27.3255 acre tract being a portion of a called 2.727 acre tract of land (Tract A) and all of a called 17.134 acre tract of land (Tract B) both recorded in the name of LM Investments, LLC in Clerk's File Number 2013045213 of the Official Public Records of Real Property of Galveston County (O.P.R.R.P.G.C.), a portion of a called 10.000 acre tract of land recorded in the name LM Investments, LLC in Clerk's File Number 2013045214 of the O.P.R.R.P.G.C., a portion of a called 45.6692 acre tract of land recorded in the name of Painted Meadows 1764. LTD in Clerk's File Number 2003081914 of the O.P.R.R.P.G.C. and a portion of a 60-foot wide Roadway Easement (unimproved) from Millie Crump, Jack A. Hall, Andre Johnson, Jr. and Ann E. Johnson to the Public, recorded in the Clerk's File No. 8843301 of the O.P.R.R.P.G.C.; said 27.3255 acre tract being more particularly described by metes and bounds attached thereto in Exhibit "A".

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No one spoke

**(8) OLD BUSINESS**

a. Discussion/possible action regarding adopting final plat of Painted Meadows Section Four, as recommended by the Planning & Zoning Commission, being a 27.3255 acre tract of land located in the J.R. Pace Survey. A-161. Galveston County, Texas; Said 27.3255 acre tract being a portion of a called 2.727 acre tract of land (Tract A) and all of a called 17.134 acre tract of land (Tract B) both recorded in the name of LM Investments, LLC in Clerk's File Number 2013045213 of the Official Public Records of Real Property of Galveston County (O.P.R.R.P.G.C.), a portion of a called 10.000 acre tract of land recorded in the name LM Investments, LLC in Clerk's File Number 2013045214 of the O.P.R.R.P.G.C., a portion of a called 45.6692 acre tract of land recorded in the name of Painted Meadows 1764. LTD in Clerk's File Number 2003081914 of the O.P.R.R.P.G.C. and a portion of a 60-foot wide Roadway Easement (unimproved) from Millie Crump, Jack A. Hall, Andre Johnson, Jr. and Ann E. Johnson to the Public, recorded in the Clerk's File No. 8843301 of the O.P.R.R.P.G.C.; said 27.3255 acre tract being more particularly described by metes and bounds attached thereto in Exhibit "A".

** Councilmember Bell made a motion to adopt the final plat of Painted Meadows Section Four, as recommended the Planning and Zoning Commission. Councilmember Trube seconded the motion.

Councilmember Trube asked if this item had been taken before the Planning and Zoning Commission as per city ordinance, and was advised that it had and that the previous lots from the other subdivisions in Painted Meadows One through Three had all gone through these same procedures. **MOTION CARRIED UNANIMOUSLY**.

**(9) AWARD OF BIDS/CONTRACTS AND AGREEMENTS**

a. Discussion/possible action regarding adopting Resolution No. **R-2014-0020** re-appointment of City of La Marque Alternate Municipal Judge, authorizing the City Manager to execute the Contract

** Councilmember Bell made a motion to adopt Resolution No. **R-2014-0020** re-appointment of City of La Marque Alternate Municipal Judge, authorizing the City Manager to execute the Contract. Councilmember Trube seconded. It was duly noted that this appointment in the future be discussed during budget workshops and in Executive Session in order to answer any questions that either City Council or the appointee may have. **MOTION PASSED UNANIMOUSLY.**

b. Discussion/possible action regarding adopting Resolution No, **R-2014-0021**, re-appointment of the City of La Marque Municipal Prosecutor, authorizing the City Manager to execute the Contract.

** Councilmember Trube made a motion to adopt Resolution No, **R-2014-0021**, re-appointment of the City of La Marque Municipal Prosecutor, authorizing the City Manager to execute the Contract. Councilmember Brown seconded. It was duly noted that this appointment in the

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future be discussed during budget workshops and in Executive Session in order to answer any questions that either City Council or the appointee may have. **MOTION PASSED UNANIMOUSLY.**

c. Discussion/possible action regarding authorizing the Mayor to sign the Galveston County Auto Crimes Task Force (CGACTF) grant "Cooperative Working Agreement" for FY 2014-2015.

After a brief discussion, including Tommy Hansen of Galveston County answering a few questions, Councilmember Lane made a motion to authorize the Mayor to sign the Galveston County Auto Crimes Task Force (CGACTF) grant "Cooperative Working Agreement" for FY 2014-2015. Councilmember Bell seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

d. Discussion/possible action regarding authorizing the Mayor to enter into a Mutual Aid Law Enforcement Agreement whereas participating municipalities/agencies (to include the Galveston County Sheriff's Office) may request law enforcement assistance from any entity that has signed the Agreement.

** Councilmember Bell made a motion to authorize the Mayor to enter into a Mutual Aid Law Enforcement Agreement whereas participating municipalities/agencies (to include the Galveston County Sheriff's Office) may request law enforcement assistance from any entity that has signed the Agreement. Councilmember Trube seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

**(10) NEW BUSINESS**

a. Discussion/possible action regarding the Acknowledgement of Notice and Indemnity related to the financing of Section 3 of Painted Meadows by Castlerock with Texas Capital Bank

** Councilmember Bell made a motion to approve the Acknowledgement of Notice and Indemnity related to the financing of Section 3 of Painted Meadows by Castlerock with Texas Capital Bank. Councilmember Trube seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

Randy Hall introduced his daughter Sonny Hall to the members of City Council. There were no questions asked by City Council.

b. Discussion/possible action regarding adopting Resolution No. **R-2014-0022**, authorizing the Mayor to sign the "Joint Resolution" with Galveston County Emergency Management

** Councilmember Bell made a motion to adopt Resolution No. **R-2014-0022**, authorizing the Mayor to sign the "Joint Resolution" with Galveston County Emergency Management Councilmember Lane seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

c. Discussion/possible action to accept the Quarterly Investment Reports for First and Second Quarters of 2014

** Councilmember Trube made a motion to accept the Quarterly Investment Reports for First and Second Quarters of 2014. **MOTION CARRIED UNANIMOUSLY**.

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d. Discussion/possible action regarding adopting Ordinance No. **O-2014-0015**, making appropriations for the support of the City of La Marque for the fiscal year beginning October 1, 2014 and ending September 30, 2015 appropriating money to a sinking fund to pay interest and principal due on the city's indebtedness; and adopting the annual budget for the City of La Marque for 2014-2015 fiscal year. **THIS IS THE FIRST READING**

** Councilmember Bell made a motion to adopt Bell Ordinance No. **O-2014-0015**, making appropriations for the support of the City of La Marque for the fiscal year beginning October 1, 2014 and ending September 30, 2015 appropriating money to a sinking fund to pay interest and principal due on the city's indebtedness; and adopting the annual budget for the City of La Marque for 2014-2015 fiscal year. Councilmember Lane seconded the motion. **THIS IS THE FIRST READING**

e. Discussion/possible action regarding adopting Ordinance No. **O-2014-0016**, levying ad valorem taxes for use and operation of the municipal government of the City of La Marque, Texas for the 2014 Tax Fiscal Year; providing for apportioning each levy for specific purposes; and providing when taxes shall become due and when same shall become delinquent if not paid **THIS IS THE FIRST READING**

** Councilmember Trube adopting Ordinance No. **O-2014-0016**, levying ad valorem taxes for use and operation of the municipal government of the City of La Marque, Texas for the 2014 Tax Fiscal Year; providing for apportioning each levy for specific purposes; and providing when taxes shall become due and when same shall become delinquent if not paid. Councilmember Lane second the motion **THIS IS THE FIRST READING**

f. Discussion/possible action regarding adopting Ordinance No. **O-2014-0017**, amending Appendix "A", Schedule of fees and charges of the Code of Ordinances, City of La Marque, Texas by amending prescribed Solid Waste Collection Charges, per Contract. **THIS IS THE FIRST READING**

g. Discussion/possible action regarding adopting Ordinance No. **O-2014-0018**, amending Ordinance 840 relating to Utility Billing due dates and charges. **THIS IS THE FIRST READING**

**

h. Discussion/possible action regarding adopting Ordinance No. **O-2014-0019**, amending Chapter 68, Article V, Section 68-138 (b), of the Code of Ordinances, City of La Marque, Texas, to adopt, without revisions, the original Drought Contingency Plan. **THIS IS THE FIRST READING**

**(11) CITY MANAGER'S REPORT (no action needed)**

- Police/OEM
- Fire/EMS
- Financials

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Councilmember Trube asked the Fire Chief for a list of all the fire hydrants and the locations.

**(12) EXECUTIVE SESSION**

Council will adjourn into Executive Session in accordance with the Texas Government Code Sections:

1. 551.071(Consultation with Attorney) – Discuss the status of arbitration regarding Alfred Decker
2. 551.071(Consultation with Attorney) – Discuss negotiations with the La Marque Fire Association
3. 551.071(Consultation with Attorney) – Discuss negotiations with the La Marque Police Association

Mayor Hocking recessed the Regular Meeting and adjourned into Executive Session at 6:54 p.m.

**(13)** Discussion/possible action on items discussed in the Executive Session:

Mayor Hocking reconvened the Regular Meeting at 8:29 p.m.

1. Discussion/possible action regarding results of Executive Session discussion on Alfred Decker – No action was taken on this item

2. Discussion/possible action regarding negotiations with the La Marque Fire Association –
** Councilmember Bell made a motion to accept the La Marque Fire Collective Bargaining proposals for Agreement from October 1, 2013 through September 30, 2015 Councilmember Trube seconded the motion. **MOTION CARRIED UNANIMOUSLY**

3. Discussion/possible action regarding negotiations with the La Marque Police Association – No action was taken on this item.

**(14) REQUESTS AND ANNOUNCEMENTS**

Mayor Hocking reported the he had visited Bill Charbonneau who is in the hospital at this time. He asked for the citizens to keep Mr. Charbonneau in their thoughts and prayers.

City Manager reported that the horrible odor of raw sewage along Bird Street was due to some overloaded grease traps in that area.

**(15) ADJOURNMENT**

Councilmember Trube made a motion to adjourn at 8:31 p.m. Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**

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Bobby Hocking, Mayor

ATTEST:

Robin Eldridge, City Clerk

**CITIZENS REQUEST TO**

**SPEAK BEFORE COUNCIL**

***In ordered to be heard, this form must be completed and returned to the City Clerk five (5) minutes prior to the start of the meeting.***

| | |
|---|---|
| Date of Meeting: | 9.8.14 |

Citizens who wish to address the City Council about items on the agenda which are scheduled for Council action will have **three (3) minutes** to express their positions. Please indicate below the agenda item number on which you wish to comment.

| | |
|---|---|
| Council Agenda Item Number: | |

Citizens wishing to address Council regarding a topic **not** on the agenda are afforded the same amount of time during "Citizens Request for Hearing" section. Please indicate below the subject matter.

| |
|---|
| Subject on which person wishes to speak: U.S. EATS ACRAFT AMERICA |
| |
| |

Please step to the podium as soon as you are recognized by the Mayor, stating your name and address before beginning your presentation. If you have written notes you wish to present to the Mayor and Council, please furnish an extra copy for the official files. Citizens who have questions concerning procedure or the registration form may request assistance from the City Clerk. Thank you for your cooperation.

| | |
|---|---|
| Name: | DAVID PENNINGTON |
| Address: | 924 CYPRESS |
| Phone Number: | |

**If speaking on behalf of an organization:**

| | |
|---|---|
| Name of Organization: | |
| Speaker's Official Capacity: | |