



1111 Bayou
La Marque, Texas 77568
409.938.9202

**City of La Marque
Special Meeting Minutes
December 15, 2014**

Minutes of the Special Meeting of the City Council of the City of La Marque, Texas that was conducted on Monday, December 15, 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) PRESENTATION

- a. Introduction of New Employee- Brittany Smith, Police Officer
- b. Introduction of New Employees-Rosemary Bell, Court Clerk and Jill Cutchin, Deputy Court Clerk
- c. Swear in and Administer Oath to Vicki King as the new Chief of Police

Mayor Hocking asked that Item 4a be addressed after the new Police Chief is sworn in. Municipal Court Judge Stephen Baker introduced and welcomed the new Deputy Court Clerk Jill Cutchin and also the new Municipal Court Clerk Rosemary Bell, who just recently achieved the certification of Court Clerk, Level III, which is the highest level of certification as a Municipal Court Clerk in the State of Texas. There is only one other Court Clerk in Galveston County that holds this Certification.

Judge Baker then introduced Vicki King, the new Police Chief for the City of La Marque and proceeded to administer the Oath of Office to her. Ms. Kings daughter pinned her badge on her. Chief King introduced and welcomed Brittany Smith, a new City of La Marque Police Officer, who has a TCLEOSE certification.



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Ms. King introduced family members present which included her sisters, two grandsons, granddaughter, niece, daughter and son in law and her mother, and acknowledged several other friends and colleagues that were also present.

"I am honored to be here as part of the La Marque family. Every officer in this room, I consider a brother or a sister, and we work and bond together to serve the citizens to enhance the quality of life for everyone in this room."

(5) CITIZEN'S PARTICIPATION

There were none.

(6) PUBLIC HEARING

- a. Conduct Public Hearing to hear public input regarding Ordinance No. **O-2014-0023**, amending Section 74.24 (a), Planning and Zoning Commission (a) Organization of Planning and Zoning Commission of the City of La Marque Code of Ordinances by authorizing City Council to appoint five (5) members and two (2) alternates to the Planning and Zoning Commission, per City Charter Amendment

Mayor Hocking closed the Special Meeting and opened the Public Hearing at 6:13 p.m.

No one spoke for or against.

Mayor Hocking closed the Public Hearing and reconvened to the Special meeting at 6:13 p.m.

(7) OLD BUSINESS

- a. Discussion/possible action regarding Ordinance No. **O-2014-0023**, amending Section 74.24 (a), Planning and Zoning Commission (a) Organization of Planning and Zoning Commission of the City of La Marque Code of Ordinances by authorizing City Council to appoint five (5) members and two (2) alternates to the Planning and Zoning Commission, per City Charter Amendment **THIS IS THE SECOND AND FINAL READING.**
- ** Councilmember Bell made a motion to adopt Ordinance No. O-2014-0023.**
**** Councilmember Lane seconded the motion. MOTION CARRIED UNANIMOUSLY.**
- b. Discussion/possible action regarding the award of the purchase of portable and mobile radio equipment to Motorola in the amount of \$218,696.60 – Interim Police Chief K. Jackson

Mayor Hocking announced that there was going to be a reception immediately following the City Council meeting to welcome the new Police Chief and invited all to stay for cake and coffee.



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Councilmember Brown asked Lieutenant Jackson if he was on an advisory board or involved in the bidding process of the radios. To which Mr. Jackson commented that he was the lead on the creation of the RFP, based on assistance of Galveston County Emergency Communications and stated that he had also received some guidance from the City Manager. Discussion continued on portable radios, mainly the APX 4500 series, and the difference in the prices from each of the vendors. Mr. Brown asked if the radios from Motorola had been cap-tested.

George Ebelt, the Senior Account Manager for Motorola Solutions, reported that the APEX platforms, which includes the 7000 and the 4000's radios had been cap tested. "We were the first to do cap testing in the Project 25."

Councilmember Brown asked if Harris County was using the 4500's for testers, since they weren't for sale yet. Mr. Ebelt answered that the Harris County Sheriff's Department is predominately using the APEX 6000 portable radios and the APEX 6500 in mobile radios.

Councilmember Brown asked about the 4500's, and stated that this series is what the City wanted. Mr. Ebelt stated that the 4500 is next to the lowest tier mobile. "The mid-tier offers more features and more talk group capacity. I gave the City pricing on the low, medium and high tiers so that the City would be able to choose what best meets the needs of public safety."

Councilmember Brown continued by saying that the City wanted the lower tier version, that the City isn't that big, and that the lower tier radios have at least forty channels, then asked if the low tier has an encryption in it.

Mr. Ebelt answered "Yes, it does."

Councilmember Brown commented, "It is five hundred dollars higher than the regular radio, and it says in it in the specs."

Mr. Ebelt responded and said, "What I offered the City of La Marque was to provide the encryption in the radios that needed it, free of charge, so, that shouldn't be a concern to the City."

Mr. Brown responded "It is a concern to me. We had another company come in and it was kicked out for nonconformance of a finance package. So, you come in and offer free encryptions. That doesn't look good on your part."

Mr. Ebelt continued, "Why is that? We offered the same with the City of Dickinson in 1989, to help them out with their financial situation. It is a common practice for us to throw in features."



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Mr. Brown continued, "To me that is not good business."

Mr. Ebelt continued, "It is a five hundred dollar option, and I am offering it to the City for free of charge. We are offering a better package than what we do for the majority of the region."

Discussion continued about the price of the mics, the remote speaker mics, and that they were the same level of mic that most of the others were using within the region.

Councilmember Brown reported "When it comes time to vote, I am going to have to abstain, because I know this man personally, that has the radios. I have known him for twenty years. It's not right for me to vote for those radios, he couldn't compete here with the financial package."

Mr. Ebelt commented, "I would like to thank the City of La Marque for the opportunity to provide radio communications for your public safety groups, both Fire and Police. We responded initially, with our H-GAC offering, which is a non-bid. It is a bid through H-GAC Cooperative Purchasing. You guys put out a formal bid. We are without reproach, I have been doing this in Galveston County for over twenty years. I appreciate the opportunity. I have been working with you guys for a long time and you all have been Motorola customers for a long time, and I appreciate your business."

Councilmember Lane commented, "I have been presented with enough information to make a proper decision."

Councilmember Bell, "I had asked that this item be tabled so that the new Police Chief would have an opportunity to weigh in on this discussion that we have been having about radios. I have been a firefighter for seventeen years, and I understand the value of communication systems particularly in emergencies and in disasters. If you could give us a feel for your understanding and your preference as a police officer, with your communication systems."

Police Chief King commented, "Police radio communications are the single most important item that a police officer carries. It is more important than a weapon. It is more important than the bullets in his gun, the handcuffs that they carry or whatever else they may carry. The radios are the single most important thing. They are our lifeline. If they don't work, you don't get served and someone is going to get hurt. Many of the lives lost as the first responders in 9-11 were due to radios not working or not being able to communicate with each other. We are a small town and we have financial constraints that some of the other cities don't have, I understand this. In the case of an emergency, we will all be working together, with Texas City, Hitchcock, Dickinson and Galveston, we are not an island to ourselves. There is an advantage to all of us working from the same platform. It is essential that we are all able to communicate. I would advocate the Motorola product, the one that I have used my entire career."



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Further discussion included the City Manager going over the complete bidding process that was followed during this proposal for radios. Fire Chief Grimm was also questioned as his preference as far as radios were concerned. "I fully embrace and endorse this recommendation. I feel that Motorola is by far, the most superior of the two."

Councilmember Brown asked that a pre-job conference be scheduled in the future for these types of bidding processes, so that the City Council doesn't have to come out and air this out in the public.

** Councilmember Bell made a motion to award the bid of the purchase of portable and mobile radio equipment to Motorola in the amount of \$218,696.60.

** Councilmember Lane seconded the motion. **MOTION CARRIED WITH A VOTE OF 3 TO 1, WITH COUNCILMEMBER TRUBE OPPOSING AND 1 WITH COUNCILMEMBER BROWN ABSTAINING.**

Councilmember Brown repeated his reason for abstaining, which was that he was personal friends with one of the vendors (D & G) and his family.

(8) NEW BUSINESS

a. Discussion/possible action to approve a Post Issuance Compliance Policy and Procedure Manual on City of La Marque debts

** Councilmember Trube made a motion to approve a Post Issuance Compliance Policy and Procedure Manual on City of La Marque debts

** Councilmember Bell seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

b. Discussion/possible action to approve a set of Disclosure Procedures to ensure compliance with Federal and State securities laws

** Councilmember Lane made a motion to approve a set of Disclosure Procedures to ensure compliance with Federal and State securities laws

** Councilmember Bell seconded the motion. **MOTION CARRIED UNANIMOUSLY.**

c. Discussion/possible action regarding authorizing City Manager to enter into an agreement with Cobb Fendley to proceed with the bidding/construction process for the 2014-2015 Streets Project

** Councilmember Lane made a motion authorizing City Manager to enter into an agreement with Cobb Fendley to proceed with the bidding/construction process for the 2014-2015 Streets Project

** Councilmember Bell seconded the motion. **MOTION CARRIED UNANIMOUSLY.**



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Mrs. Trube asked questions concerning whether anyone was aware of the conditions of the water and sewer lines below the streets, pipelines, a stipulation as to not have contractors working in the rain, and what the proposed contract entails and overtime of the contractors.

Brad Matlock of Cobb Fendley responded, "What we provided in the documents was our estimated cost based on our experience with some of the projects that we have done in the area within the past few months. We were asked by staff to remove a portion of the top and bring in new asphalt as a surface only, which is to mill and an overlay these streets. This is what we were asked to do. We have not been provided with any geotechnical reports. This price in the contract does not include any prices of the base of any of these streets. "

City Manager Carol Buttler suggested that based on the supposed condition of some of the streets, and that all of the streets on this list are fairly equal in deterioration. We need to know if the city is interested in concrete or asphalt on some or all of the streets. We should meet with Cobb Fendley representatives and look at what a full design would be, then bring it back to City Council before we go out for a formal bid."

Mr. Matlock added, "I know what you want, and we can provide this. We can get you the full details to reconstruct, which, the reconstruction of all these roads will be at a higher price. I just want you all to be prepared for that. It will be City Council's decision of what roads get done and with what amount of money. I would rather you all wait until we get a proposal together, because what I provided tonight was just to get a bid together to get a contractor to do an overlay."

Councilmembers Lane and Bell both withdrew their motions. Motion was made by Councilmember Bell to table this item and seconded by Councilmember Lane. **MOTION CARRIED UNANIMOUSLY.**

- d. Discussion/possible action regarding the reappointment of Don Johnson to the Harris-Galveston-Subsidence for a two-year term

Mayor Hocking asked that this item be tabled until the first meeting in January. Councilmember Bell seconded. **MOTION CARRIED UNANIMOUSLY.**

(9) EXECUTIVE SESSION

There was no Executive Session

(10) REQUESTS AND ANNOUNCEMENTS

Councilmember Trube thanked all for attending. Welcomed Chief King to the City of La Marque. Shared the Bill of Rights, the first amendment. Wished everyone a Merry Christmas.

Councilmember Brown shared with everyone a Christmas sleigh that he has had built by Farmers and shared pictures with everyone. The Christmas Parade Marshall will ride and it will also be used for other activities.



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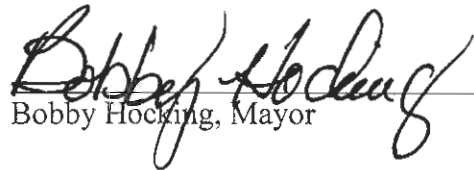
Councilmember Lane wished all a very Merry Christmas and a Happy New Year, and asked for a prayer for our country and our City and said the best is yet to come for the City of La Marque.

Mayor Pro-Tem Bell acknowledged the presence of the President of La Marque School Board, Nakeisha Paul, and said that prayers are with her and the school district along with support. "We have made history tonight. We have just sworn in the first female Police Chief in our City's history. I am extremely proud of you and I am excited about your leadership."

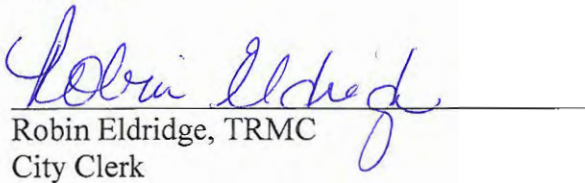
Mayor Hocking Congratulated Chief King also on her new position. "We are very fortunate that you came our way. We look forward to the improvements that you will make in our Police Department" Thanked her family for sticking with her and supporting her. He thanked David Pennington and the wonderful job that was done with the "Wreaths across America" ceremony, held this past Saturday. A special prayer for the family of Fred Heinemann, one of the founders of A & A Machines, who recently passed. Then wish everyone a very Merry Christmas.

(11) ADJOURNMENT

Councilmember Trube made a motion to adjourn. Councilmember Lane seconded the motion. **MOTION CARRIED UNANIMOUSLY.**


Bobby Hocking, Mayor

ATTEST:


Robin Eldridge, TRMC
City Clerk