1111 Bayou
La Marque, Texas 77568
409.938.9202

City of La Marque
Minutes
July 14, 2014

Minutes of the Special Called Meeting of the City Council of the City of La Marque, Texas that was conducted on Monday, July 14, 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 Brown
Councilmember Trube
Councilmember Lane

City Manager Buttler
City Attorney Ortego
City Clerk Eldridge

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

(4) MINUTES
a. City Council Special Meeting Minutes of June 30, 2014
** Councilmember Trube made a motion to approve the City Council Special Meeting Minutes of June 30, 2014. Councilmember Bell seconded the motion. **MOTION CARRIED UNANIMOUSLY**

(5) PRESENTATION - State of the Library
Library Director T. Long presented a very informative State of the Library address pertaining to the accreditation issues and some of the outreach programs that the Library offers. Those accredited libraries receive substantial support from the Texas State Library and Archives Commission. She also explained some of the criteria needs for a library to achieve the accreditation status. It was determined that to remain in an accredited state, will take extra effort, but is obtainable. (Report attached for reference)

(6) CITIZEN'S PARTICIPATION
1. Geraldine Sam, voiced her concerns with a few areas within the City, one of which included the library. She supports the Library and considers it a valuable source for information. She said she would like to see more multi-cultural events in the City, including a Fourth of July and a Juneteenth celebration.

1111 Bayou
La Marque, Texas 77568
409.938.9202

2. Herman Harper reported that the weeds are very overgrown and is creating a traffic hazard at Union and 1765.

(7) PUBLIC HEARING

a. Conduct a Public Hearing to receive public input regarding Ordinance No. **O-2014-0012**, an Ordinance of the City of La Marque, Texas amending Chapter 68, Article V, Section 68-138 (a), of the Code of Ordinances, City of La Marque, Texas, to adopt the revised Water Conservation Plan.

Mayor Hocking closed the Regular Meeting and opened up the Public Hearing at 6:52 p.m.

Geraldine Sam asked that someone explain the Water Conservation Plan.

Les Rumburg, Interim Public Works Director gave an overview of the WCP and added that it is required by the State and should be reviewed every five years. The Plan offers ways in which the City can deal with issues relating to water conservation and provides alternatives by outlining resources of how to meet the ever growing need to conserve water.

b. Conduct a Public Hearing to receive public input regarding Ordinance No. **O-2014-0013**, an Ordinance of the City of La Marque, Texas, annexing approximately 3.2779 acres of land contiguous and adjacent to the City of La Marque, Texas; and located in the City of La Marque's extraterritorial jurisdiction (ETJ), in accordance with Chapter 43.052 (h)(1) of the Texas Local Government Code, said land being generally located west of the Painted Meadows Subdivision, Section Three in Galveston County, Texas.

Geraldine Sam asked if the City has adequate water and other services to provide for this subdivision, which she was told that the water apportionments had been allocated previously for this subdivision to do so.

Mayor Hocking closed the Public Hearing and reconvened the Regular Meeting at 6:56 p.m.

(8) OLD BUSINESS

a. Discussion/possible action regarding the reappointment of members to the Boards and Commissions

** Councilmember Bell made a motion to reappoint all of the members of the Boards and Commissions that had expired terms and that were still interested in remaining to each of their Boards and or Commissions.

** Councilmember Trube seconded. **MOTION CARRIED UNANIMOUSLY.**

(9) NEW BUSINESS

a. Discussion/possible action regarding the recommendation of Planning & Zoning Commission to adopt Ordinance No. **O-2014-0014** an ordinance of the City of La Marque, Texas changing the zoning classification from R-1 Single family residential to C-1 General Commercial of a tract or parcel containing 2.612 Acres (113,755 Square Feet) of land situated in the Dougherty Tract, Stephen F. Austin League, Survey No. 4 of Galveston County, Texas, Being

1111 Bayou
La Marque, Texas 77568
409.938.9202

all of a tract of land described in deed to Sylvia Nayoda Krchnak recorder under Galveston County Clerk's file number 2013066171; said 2.612 Acre tract of land more particularly described by metes and bounds attached thereto in exhibit "A". All in the map records in the office of the county clerk of Galveston County, Texas; Amending the zoning of the City adopted the 12th day of December 2005, by ordinance number 953 ***THIS IS THE FIRST READING***

** Councilmember Trube made a motion to adopt Ordinance No. **O-2014-0014** an ordinance of the City of La Marque, Texas changing the zoning classification from R-1 Single family residential to C-1 General Commercial of a tract or parcel containing 2.612 Acres (113,755 Square Feet) of land situated in the Dougherty Tract, Stephen F. Austin League, Survey No. 4 of Galveston County, Texas, Being all of a tract of land described in deed to Sylvia Nayoda Krchnak recorder under Galveston County Clerk's file number 2013066171; said 2.612 Acre tract of land more particularly described by metes and bounds attached thereto in exhibit "A". All in the map records in the office of the county clerk of Galveston County, Texas; Amending the zoning of the City adopted the 12th day of December 2005, by ordinance number 953.

** Councilmember Brown seconded. **MOTION CARRIED UNANIMOUSLY.**

b. Discussion/possible action regarding the recommendation of the Planning & Zoning Commission to adopt Ordinance No. **O-2014-0013**, an ordinance of the City of La Marque, Texas, annexing approximately 3.2779 acres of land contiguous and adjacent to the City of La Marque, Texas; and located in the City of La Marque's extraterritorial jurisdiction (ETJ), in accordance with Chapter 43.052 (h)(1) of the Texas Local Government Code, said land being generally located west of the Painted Meadows Subdivision, Section Three in Galveston County, Texas. ***THIS IS THE SECOND AND FINAL READING***.

** Councilmember Bell made a motion to adopt Ordinance No. **O-2014-0013**, an ordinance of the City of La Marque, Texas, annexing approximately 3.2779 acres of land contiguous and adjacent to the City of La Marque, Texas; and located in the City of La Marque's extraterritorial jurisdiction (ETJ), in accordance with Chapter 43.052 (h)(1) of the Texas Local Government Code, said land being generally located west of the Painted Meadows Subdivision, Section Three in Galveston County, Texas.

** Councilmember Trube seconded. **MOTION CARRIED UNANIMOUSLY.**

c. Discussion/possible action regarding approval of the Second Amendment to Public Improvement District (PID) Development and Financing Agreement for Section 4 of Painted Meadows.

** Councilmember Bell made a motion to approve of the Second Amendment to Public Improvement District (PID) Development and Financing Agreement for Section 4 of Painted Meadows

** Councilmember Trube seconded. **MOTION CARRIED UNANIMOUSLY.**

1111 Bayou
La Marque, Texas 77568
409.938.9202

d. Discussion/possible action regarding adopting Ordinance No. **O-2014-0012**, an ordinance of the City of La Marque, Texas amending Chapter 68, Article V, Section 68-138 (a), of the Code of Ordinances, City of La Marque, Texas, to adopt the revised Water Conservation Plan ***THIS IS THE SECOND AND FINAL READING***

** Councilmember Trube made a motion to adopt Ordinance No. **O-2014-0012**, an ordinance of the City of La Marque, Texas amending Chapter 68, Article V, Section 68-138 (a), of the Code of Ordinances, City of La Marque, Texas, to adopt the revised Water Conservation Plan.

** Councilmember Brown seconded. After a brief discussion concerning water loss, and the threat that it could bring to a City, **MOTION CARRIED UNANIMOUSLY.**

e. Discussion/possible action authorizing the City Manager to fund the Human Resources Coordinator position as established by City Council during budget workshop sessions for FY 2013-2014.

** Councilmember Bell made a motion to authorize the City Manager to fund the Human Resources Coordinator position as established by City Council during budget workshop sessions for FY 2013-2014.

** Councilmember Brown seconded.
Councilmember Bell asked if this position was going to be coupled with another position.
City Manager Carol Buttler said that for a City our size, a Human Resource Coordinator position is important and needed for all that this position will be responsible for.

** Councilmember Trube voiced her concerns and said that she felt it should be a part-time position. **MOTION CARRIED WITH A VOTE OF 4 TO 1, WITH COUNCILMEMBER TRUBE VOTING IN OPPOSITION.**

f. Discussion/possible action regarding the approval of a Pipeline Application and authorizing the issuance of a permit for Bridgetex Pipeline Company, LLC for their project through La Marque City limits, specifically as it applies to encroachment at three specified City Right-of-Ways

Les Rumburg explained that this particular application, simply, for several reasons, didn't go any further than the application and payment of the permit stage, and now they are at a critical stage to begin their work. A lengthy discussion followed between Tom Byers, a representative of Magellan, Bob Thomas, Right-of-Way Project Manager of BridgeTex Pipeline Project, and David Turnbo of Gullet & Associates, Permit Department, concerning negotiations that could increase or improve the quality of life for the citizens of La Marque, for the risk of placing dangerous chemicals underground.

** Councilmember Bell made a motion to approve the Pipeline Application and authorizing the issuance of a permit for BridgeTex Pipeline Company, LLC for their project through La Marque City limits, specifically as it applies to encroachment at three specified City Right-of-Ways with the caviat that BridgeTex Pipeline offer $25,000.00 for improvements or donations to the City to improve the quality of life. Motion dies for lack of a second motion.

1111 Bayou
La Marque, Texas 77568
409.938.9202

** Councilmember Bell made a second motion, by asking for a $50,000.00 donation that could help pave a street or otherwise improve the quality of life within the City of La Marque. He changed the motion to $15,000.00 for the next three years earmarking this money for Bayou Fest. Mayor Hocking seconded the motion. Motion fails.

** Councilmember Trube disagreed with asking for any donations or other forms of negotiations from BridgeTex Pipeline when they are almost finished with their project.

** Councilmember Brown made a motion to approve the pipeline application with the caviat of a $50,000.00 donation. Motion failed for lack of a second motion.

Councilmember Trube made a motion to approve the pipeline application and show our appreciation and let them go back and be grateful for what they can bring back. Mayor Hocking seconded the motion. Motion fails.

Councilmember Lane made a motion to table this item until they can go back and speck with their higher-ups and get back in touch with us the next day as to what can be negotiated. Councilmember Bell seconded the motion. **MOTION CARRIED WITH A VOTE OF 4 TO 1, WITH COUNCILMEMBER TRUBE VOTING IN OPPOSITION.**

g. Discussion/possible action regarding the appointment of five members to a Charter Review Committee in preparation for the November 4, 2014 Election. Mayor made a blanket motion for the appointment of the following:

** Councilmember Brown appointed Carolyn Anderson
** Councilmember Trube appointed James Osteen
** Councilmember Lane appointed Jerry Lewis
** Mayor Pro-Tem Bell appointed John Hander
** Ron Crowder as Chairman of the Committee

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

(10) CONTRACTS AND AGREEMENTS

a. Discussion/possible action regarding awarding a bid to Creative Signs & Caasco Signs through the BuyBoard not to exceed $45,000.00 for fabrication and installation of an LED marquee to display City messages to the public.

** Councilmember Bell made a motion to award a bid to Creative Signs & Caasco Signs through the BuyBoard not to exceed $45,000.00 for fabrication and installation of an LED marquee to display City messages to the public

** Councilmember Brown seconded. After a brief discussion, **MOTION CARRIED UNANIMOUSLY.**

b. Discussion/possible action regarding award of bid stated as CFA Project No. 1312-051-01 to Alcott, Inc. dba TCH for construction of a Force Main Replacement located at Hwy 3 and Cedar Drive in the amount of $193,085.00

1111 Bayou
La Marque, Texas 77568
409.938.9202

** Councilmember Trube made a motion to award bid stated as CFA Project No. 1312-051-01 to Alcott, Inc. dba TCH for construction of a Force Main Replacement located at Hwy 3 and Cedar Drive in the amount of $193,085.00

** Councilmember Brown seconded. **MOTION CARRIED UNANIMOUSLY.**

c. Discussion/possible action regarding authorizing the City Manager to extend an agreement for contract Fire Chief services with Gerald Grimm for up to one (1) additional year.

** Councilmember Bell made a motion to authorize the City Manager to extend an agreement for contract Fire Chief services with Gerald Grimm for up to one (1) additional year.

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

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

- Development Services
- Judicial
- Police/OEM
- Fire/EMS
- Library
- Public Works
- EDC

Councilmember Trube referred to Linebarger activity report, there is a discrepancy in the total amount. The formula will be double checked to see that it is correct. She was also concerned of the number of animal calls and asked about reviewing the noise ordinance in relevance to loud music.

Councilmember Bell referred to page 214 and asked Darrell Singleton if the issues of 2011 and 2013 Bellview had been resolved. The City Attorney said that he had received some Demolition orders and lis pendens from those addresses. Asked the Chief about the number of Police Officer vacancies, to which Chief Aragon responded. Asked about the reason why the City was denied the Trails Fund Grant, to which the City Manager responded.

(12) EXECUTUVE SESSION

Council adjourn into Executive Session in accordance with the Texas Government Code Sections at 8:46 p.m. to discuss the following in closed session:

1. 551.071(Consultation with Attorney) – Discuss the Appeal of 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

(13) REQUESTS AND ANNOUNCEMENTS

Mayor thanked everyone for attending, and Councilmember Lane for the motion concerning the pipeline.

1111 Bayou
La Marque, Texas 77568
409.938.9202

Mayor Hocking reconvened the Regular Meeting at 10:05 p.m.

(14) ADJOURNMENT

Councilmember Trube made a motion for adjournment. Mayor Hocking seconded. **MOTION CARRIED UNANIMOUSLY.**

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:	7 - 14 - 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:
HIGH WEED AT CORNER of UNION 1765

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:	Herman Harper
Address:	102 Union
Phone Number:	409 935-3074

If speaking on behalf of an organization:

Name of Organization:	
Speaker's Official Capacity:	

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:	7/14/14

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:
Concerns in city -

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:	Geraldine Sam
Address:	2412 Stonewall
Phone Number:	409-9356069

If speaking on behalf of an organization:

Name of Organization:	
Speaker's Official Capacity:	