



1111 Bayou
La Marque, Texas 77568
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**City of La Marque
Minutes
October 14, 2013**

Minutes of the City Council Regular Meeting and Public Hearing of the City of La Marque, Texas that was conducted on Monday, October 14, 2013 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 Osteen

City Manager Buttler

City Clerk Eldridge

(3) Mayor Pro-Tem Bell led the Invocation and led Pledge of Allegiance.

(4) MINUTES

a. Special Meeting and Budget Workshop held on August 8, 2013

b. Regular Meeting and Public Hearing held on September 9, 2013

c. Regular Meeting and Public Hearing held on September 23, 2013

**** Councilmember Trube made a motion to approve the minutes of the Special Meeting and Budget Workshop held on August 8, 2013, and Regular Meeting and Public Hearing held on September 9, 2013 and Regular Meeting and Public Hearing held on September 23, 2013.**

**** Councilmember Osteen seconded the motion. Motion carried unanimously.**

(5) PRESENTATIONS/DISCUSSION

a. Recognition of City Employees - Public Works

Mayor Hocking presented Nathan Epperson, Michael Jackson, and Robert David with Certificates of Appreciation for their hard and long hours working on the water line replacement at Ross & Maple. Also recognized, but not present were Dwanna Jones, Murphy Smith and Don Norman.

b. Goldwater Project – The Economics of Conservation

Retired State Senator Kip Averitt presented the Goldwater Project, a water conservation plan. It was reported that the demand for water in Texas is said to increase by 22 % by the year 2060, with the water supplies dropping by 18%. The City of La Marque is in Region H, of the State Water Plan which consists of all or part of 15 counties. This project is in the preliminary stages that will help the water planners determine whether this region is meeting their water goals in the State Water Plan. SWP states that 12% of future water supply will come from conservation. Are we meeting those goals? This region is said to double in size within the next four years. The City of San Antonio does the conservation process better



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than anyone in the country, but this was a slow process. Their citizens have some of the lowest water rates in the State, and are still using the same amount of water that they used in the 1980's. When a City sells less water, it also treats less water, therefore saving money and conserving water.

If the City of La Marque does decide to contribute a three thousand dollar donation for two years, a report will be provided to show information as to what type of conservation efforts is needed, pertaining strictly to La Marque. Each water utility district is unique in their strategies in water conservation. Each participating entity will be presented with a cost and benefit analysis report of how the conservation strategies are working out. The Subsidence District, local water authorities, ground water districts, are just a few of the supporters of this project. If the City of La Marque decides that this isn't the right time, they still want to collect data that will be included in the regional report. Other Galveston County cities that have decided to support the project include the City of Galveston, League City, Texas City and Santa Fe. The City of Houston was one of the first cities to sign up.

The question of how long it would take for the report to get back to the City arose, and it was said that after collecting the data, conducting interviews with key people, and implementing information into the software, it would take a few months to produce a report.

Mayor Hocking thanked Senator Averitt for his presentation and said that although it wasn't an action item at this time, it will be brought back in the future, since the City of La Marque is interested in conserving water.

(6) CITIZEN'S PARTICIPATION

a. Geraldine Sam thanked Interim Fire Chief Gerald Grimm, Phyllis Booker, and all of the Fire Department staff for their help in participating in Fire Prevention week and allowing the school children to come and see how the Fire Department is ran. Ms. Sam said she has concerns on resolution number R-2013-0017. According to the City Charter, La Marque is a City Manager form of government, no Mayor or Councilmember has administrative duties, this would include writing or signing a check, only the City Manager and the Finance Director can. In case of a disaster, they would have to honker down here like everyone else. In the case of a real disaster, the Mayor has the authority to call in the National Guard or other protection for the City. She is against the Mayor and any Councilmember being able to sign off on any checks.

b. David Pennington reminded everyone about the 'Wreaths Across America' Project. The project was formed in 2007, by the Worchester family, which included some veterans and a lot of volunteers. They place wreaths on graves of our fallen heroes during the Holiday Season. In 2012, the National Network of Volunteers and 'Wreaths Across America' placed over 420,000 at over 600 locations. The 'Wreaths Across America' Ceremony will be held on Saturday, December 14, at 11:00 a.m. They are looking for sponsors and volunteers. He mentioned that the La Marque has the only cemetery in Galveston County that participates in this program.

(7) PUBLIC HEARING

a. Conduct Public Hearing to receive public input regarding Ordinance No. **O-2013-0014** of the City Council of the City of La Marque, Texas amending the Code of Ordinances, Appendix "A", increasing fees associated with abandoning or taking other actions concerning streets, alleys, and public ways.

Mayor Hocking closed the Regular meeting at 6:30 p.m. to open the Public Hearing regarding Ordinance No. **O-2013-2014**. No one spoke.



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b. Conduct Public Hearing to receive public input regarding Ordinance No. O-2013-0015, 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.

Mayor Hocking left open the Public Hearing regarding Ordinance No. O-2013-2015.

1. Geraldine Sam asked if the City was increasing the water and sewer rates. The rates were not supposed to be increasing. She said she still has garbage left in her cans now, if she is going to pay more she wants all of her garbage removed. She also asked how much it was going to increase.

City Manager Carol Buttler explained that the fees will be increasing a few cents per year eventually increasing to one dollar, according to the City's contract with Republic Services. Last year there was no increase, and they offered recycling. There is a gradual amount increase each year for the next three years by a few cents, to keep from having a large amount of increase at one time, the City agreed to have a gradual increase spread across a few years. The City needed something more stable so that it could be budgeted appropriately.

c. Conduct Public Hearing to receive public input regarding Ordinance No. O-2013-0016 to amend FY Budget 2012-2013 by increasing (decreasing) certain expenditures and increasing (decreasing) certain revenues to individual budget accounts in certain funds.

Mayor Hocking left open the Public Hearing regarding Ordinance No. O-2013-2016.

Geraldine Sam said that the proposed ordinance is very vague, and asked what is the City going to increase and decrease of certain revenues in or out of and which budgets? She asked that this be explained.

City Manager explained that revenues and expenditures are looked at and see what unanticipated expenses that occurred throughout the year, then make sure that there is enough revenue to cover those expenditures.

Director of Finance Suzy Kou explained that most of the changes are in the salary lines items and due to the shortage of employees, almost in every department in the City, and also in the audit services line item, due to extensive audit that was required. These were unforeseen expenditures which were not anticipated; and that all are itemized on the city's website.

Mayor Hocking closed the Public Hearing and reconvened the Regular Meeting at 6:39 p.m.

(8) OLD BUSINESS

a. Discussion/possible action to receive public input regarding Ordinance No. O-2013-0014 of the City Council of the City of La Marque, Texas amending the Code of Ordinances, Appendix "A", increasing fees associated with abandoning or taking other actions concerning streets, alleys, and public ways. **This is the second and final reading.**

City Attorney Ellis Ortego advised that the wording was incorrect on this item, and asked for it to be tabled.

** Councilmember Osteen made a motion to table this item.

** Councilmember Trube seconded the motion. Motion carried unanimously.



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b. Discussion/possible action regarding Ordinance No. **O-2013-0015**, 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. **This is the second and final reading.**

** Councilmember Trube made a motion to approve Ordinance O-2013-0015.

** Councilmember Osteen seconded the motion for discussion only, and referred to page 76, said that there were errors on the page, and on page 77, the chart is not legible.

** Councilmember Trube withdrew her motion.

** Councilmember Osteen withdrew his motion.

** Councilmember Osteen made a motion to table this item.

** Councilmember Trube seconded the motion to table this item. Motion carried unanimously.

c. Discussion/possible action regarding Ordinance No. **O-2013-0016** to amend FY Budget 2012-2013 by increasing (decreasing) certain expenditures and increasing (decreasing) certain revenues to individual budget accounts in certain funds. **This is the second and final reading**

** Councilmember Trube made a motion to approve Ordinance No. O-2013-0016.

** Councilmember Osteen seconded the motion. Motion carried unanimously.

Councilmember Bell asked if this was a budget amendment and was assured that it was and that it was amendment to the 2012-2013 budget; it is basically compared to balancing a checkbook.

d. Discussion/possible action regarding the City of La Marque's participation in the National League of Cities (NLC) Service Line Warranty Program.

Councilmember Osteen said that he had received some calls from some of the elderly citizens and that they were under the understanding that they had to participate in this program.

Ms. Buttler explained that it was on a volunteer basis. It will be placed on CTY connect and will be explained further and it will be made clear that it is strictly on a volunteer basis.

No action is required on this item at this time.

(9) NEW BUSINESS

a. Discussion/possible action regarding Employee Health Benefits.

Councilmember Osteen and liaison for the City on the Benefits Committee referred to page 131, showing the current and proposed premiums.

** Councilmember Osteen made a motion to approve Humana Option #1 for the Employee Health Benefits.

** Councilmember Trube seconded the motion. Motion carried unanimously.

b. Discussion/possible action authorizing the City Manager to execute the renewal of the Interlocal Agreement between the City of La Marque and the County of Galveston for OSSSI (Sungard) for high-speed data connectivity.

** Councilmember Osteen made a motion for discussion.

** Councilmember Bell seconded the motion.

Chief Aragon explained that it is a budgeted item and interlocal agreement with the County of Galveston for high speed data software.

** Councilmember Bell made a motion to approve the renewal of the interlocal agreement for high speed data connectivity.

** Councilmember Osteen seconded the motion. Motion carried unanimously.



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c. Discussion/possible action authorizing O'Reilly Auto Parts as the City's repair & Service Parts Supplier under the Buy Board Contract for all City Vehicles & Miscellaneous Supplies in the amount of \$32,750.00.

** Councilmember Trube made a motion to authorize O'Reilly Auto Parts as the cities repair and Service Parts supplier under the Buy Board Contract for all City Vehicles & Miscellaneous supplies in the amount of \$32,750.00.

** Councilmember Brown seconded the motion. Motion carried unanimously.

Osteen asked about page 165, stated that it doesn't explain what it is and specify which department.

d. Discussion/possible action regarding the recommendation of LJA Engineering, Inc., to award the Construction of 36" Sanitary Sewer Improvements (Project No. E019-094B) to IPR Central, LLC in the amount of \$507,779.50.

** Councilmember Trube made a motion to approve the recommendation of LJA Engineering, Inc., to award the construction of a 36" Sanitary Sewer Improvements Project to IPR Central LLC.

** Councilmember Brown seconded the motion. Motion carried unanimously.

e. Discussion/possible action authorizing John A. Walker, Inc., under the TIPS/TAPS contract to repair hail damaged roofs on City owned buildings in the amount of \$138,584.00.

Councilmember Trube made a motion authorizing John A. Walker, Inc., to repair the hail damaged roofs in various city owned buildings.

Mayor Hocking seconded the motion.

Councilmember Osteen referred to page 207, and asked if this would be double-dipping. He was told that this was due to hail damage, that occurred in April of this year, and not related to the hurricane. Only the damage that was done by the hail will be repaired. This will be clarified.

Mayor Hocking made an amendment to the motion to include only repairing of the roofs damaged by the hail storm. Councilmember Bell seconded the motion. Motion carried unanimously.

f. Discussion/possible action regarding the award of bid for Fire Apparatus Maintenance and Repair Services to Siddons-Martin Emergency Group for Preventive Maintenance and Repair Services for one (1) year from date of award with two (2) additional one (1) year renewal options

** Councilmember Bell made a motion to approve the award of the bid for Fire Apparatus Maintenance & Repair Services to Siddons-Martin Emergency Group for preventative maintenance and repair services

** Councilmember Brown seconded the motion.

Councilmember Osteen stated that he was happy about a three year contract.

Chief Grimm stated that they were looking for a fixed rate over a period of three years, and this is a good rate. Siddons-Martin is a local business in La Marque.

Councilmember Trube asked if this would be in conflict of interest as the fire employees do make some repairs. She was told that each person that engages in these type of repairs have signed a conflict of interest statement. It was also determined that this was routine type of operation as a firefighter.

Motion carried unanimously.

g. Discussion/possible action regarding the award of contract for Emergency Medical Service Billing and Collections to Intermedix Technologies, Inc. dba A.D.P.T.

This item was pulled from the agenda due to a posting error.

h. Discussion/possible action cancelling the second Regular City Council Meetings of November 25, 2013 and December 23, 2013 due to Thanksgiving and Christmas Holidays.

** Councilmember Bell made a motion to cancel the second regular City Council meetings for the month of November and also the month of December.



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** Councilmember Trube seconded the motion. Motion carried unanimously.

i. Discussion/possible action authorizing the City Manager to extend an agreement for Fire Services with Gerald Grimm for up to one year.

** Councilmember Bell made a motion to extend an agreement for Fire Services with Gerald Grimm for up to one year.

** Councilmember Osteen seconded the motion. Motion carried unanimously

j. Discussion/ possible action regarding a Resolution No. **R-2013-0017**, authorizing certain officers of the City to sign and endorse checks and drafts of the City of La Marque bank accounts. **This item was tabled at the City Council meeting held on September 23, 2013.**

** Councilmember Bell made a motion to adopt Resolution R-2013-0017.

** Councilmember Brown seconded the motion.

Ms. Buttler stated that after the last meeting based on some concerns, she presented a previous resolution, a copy of minutes from last year, and also an opinion from the City Attorney.

After a short discussion, Councilmember Osteen still felt like the resolution should refer to the Mayor having the signatory right to sign checks, but under emergency situations.

** Councilmember Bell withdrew his motion, after the word from the City Attorney.

** Councilmember Brown withdrew his motion.

** Councilmember Osteen made a motion to table this item until the new 'emergency verbiage' can be inserted into the Resolution.

** Councilmember Trube seconded the motion. Motion carried unanimously.

k. Discussion/possible action regarding a Resolution No. **R-2013-0018**, nominating an additional member(s) to appear on the ballot of the Board of Directors of the Galveston Central Appraisal District for two year terms, beginning January 1, 2014 through December 31, 2015.

Mayor Hocking explained that the City of La Marque can place up to five nominees to the ballot of the Board of Directors and has twenty-nine votes that can be distributed among those persons nominated. Mayor Hocking recommended David Moss to be nominated to the Board of Directors in addition to Mr. Jones, which the City has previously submitted as a nominee.

** Councilmember Osteen made a motion to nominate David Moss to the Board of Directors of the Galveston Central Appraisal District.

** Councilmember Brown seconded the motion. Motion carried unanimously.

l. Discussion/possible action regarding a Resolution No. **R-2013-0019**, **ratifying** the expenditure of \$28,500.00 payable to Cobb Fendley & Associates, Inc. to perform engineering design services for force-main replacement at Hwy 3 @ Cedar Drive.

Councilmember Trube made a motion to adopt Resolution R-2013-0019, ratifying the expenditures of \$28,500.00 payable to Cobb Fendley & Associates, Inc. to perform engineering design services for force-main replacement at HWY 3 @ Cedar Drive.

Councilmember Osteen seconded the motion. Motion carried unanimously.

(10) CITY MANAGER REPORT – No Council Action Necessary

- **Judicial**
- **Police**
- **Fire**
- **Library**



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Councilmember Osteen, referred to page 262, the numbers of door hangers issued have dropped off by around 300, and also a drop-off in 'on-calls' and asked if this was because the City Marshall has been tied up with Code Enforcement.

City Manager Ms. Buttler stated that some of the code enforcement cases are tied to those citizens that have outstanding warrants, so that shouldn't interfere. The numbers may vary from month to month, and also reminded of the shortage of one court staff employee.

Councilmember Trube referred to page 318, and asked if the number of times that the city has had to call other entities had dropped, and asked if this was due to Medic 2 being up and running? This was confirmed.

(11) REQUESTS AND ANNOUNCEMENTS

Councilmember Trube asked if everything was ready and staff was getting prepared for Bayou Fest. Councilmember Brown reported that he picked up the 60th birthday banner for the City, and it will be flown at Bayou Fest. The City logo may come in before then also. He reported that he attended the Resolution Committee meeting at the recent TML conference. He spoke on behalf of the resolution that would allow cities the option of posting legal notices via website instead of an official newspaper, and reported that the Resolution Committee passed it and that it will be brought before the Legislative in the next session.

Mayor Hocking said that he has heard from four different local Mayors that also attended the Resolution Committee meeting at TML, and that Mr. Brown delivered a great speech. Mayor Hocking said that he appreciated Mr. Brown representing the city in that capacity.

Councilmember Osteen reaffirmed what David Pennington said in support of the Cemetery Commission on the 'Wreaths Across Texas' Program.'

Mayor Hocking reminded the public that Bayou Fest begins at 8:00 a.m., this Saturday, with the fishing tournament that has been renamed 'Cowboy Jones Children's Fishing Tournament'. The memorial is going forth and will be taking place at noon, there will be an unveiling of the memorial for Mr. Jones, the Boy Scouts will be raising all the flags. He also said he appreciated staff for their hard work in getting the park ready for this annual event.

He also thanked City Council for their time and efforts at the workshop earlier, then commented to Councilmember Mr. Osteen, "I respect you a great deal. This Council is moving forward in unity. We are going to agree to disagree, but will work together to get things done for the City."

(13) ADJOURNMENT

** Councilmember Trube made a motion to adjourn at 7:40 p.m.

** Councilmember Osteen seconded the motion. Motion carried unanimously

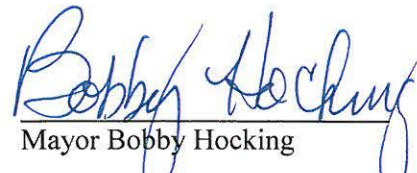


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ATTEST:



Robin Eldridge, TRMC
City Clerk



Mayor Bobby Hocking