

**LA MARQUE CITY COUNCIL**  
**LA MARQUE CITY COUNCIL CHAMBERS**  
 1109-B BAYOU ROAD  
 LA MARQUE, TEXAS 77568  
**REGULAR MEETING**  
**February 28, 2011**  
**6:00 P.M.**

The La Marque City Council met in a duly-called and announced Regular Meeting on February 28, 2011. Mayor Sam called the meeting to order at 6:00 p.m. The invocation was given by Rev. Sharon Monroe Sabom. The Mayor led the pledge to the U.S. Flag and Texas Flag. The Mayor also asked for a moment of silence in respect for the death of Bill Hopkins, Mayor of Tiki Island.

**009-2011      ROLL CALL –**

Present: Mayor Geraldine Sam, Mayor Pro-Tem Keith Bell, Councilmember Connie Trube, City Attorney Ellis Ortego, City Manager Eric Gage and City Clerk Carolyn E. Anderson

Department Directors: Police-Chief Randall Aragon, Buildings-Ana Tims, Finance-Karen Cooper, Public Works-Mike Morgan, Fire Marshal-Efrem Burns

**010-2011      APPROVAL OF MINUTES -**

**Regular Meeting of November 8, 2010**

Councilmember Trube made a motion to approve the minutes. Mayor Pro-Tem Bell seconded. The motion passed unanimously.

**Special Meeting of November 12, 2010**

Councilmember Trube made a motion to approve the minutes. Mayor Pro-Tem Bell seconded. The motion passed unanimously.

**Special Meeting of January 3, 2011**

Councilmember Trube made a motion to approve the minutes. Mayor Pro-Tem Bell seconded. The motion passed unanimously.

**Special Meeting of February 17, 2011**

Councilmember Trube made a motion to approve the minutes. Mayor Pro-Tem Bell seconded. The motion passed unanimously.

**011-2011      REPORT FROM CITY MANAGER –**

Mayor Pro-Tem Bell made a motion to approve the City Manager's Report dated February 22, 2011 as distributed. Council Member Trube seconded the motion. Council Member Trube commended all departments for the excellent reports and the fine job being done by each department. Mayor Pro-Tem Bell commended the Police Department and Chief Aragon for the 30 percent reduction in violent crimes. He believes this is due to the Community Policing Program that has been implemented. He also thanked the Public Works Department and the city workers for their diligent jobs during the recent threat of ice on the roads. The Mayor questioned whether the halfway houses in the city need permits. Mr. Gage stated that permits are required, the same as multi-family housing. After further discussion, the Mayor called for a vote on the motion and it passed unanimously.

**012-2011      SECOND READING OF ORDINANCES - (A Public Hearing Will Be Held)**

**Ordinance Number 1031– Second Reading - An ordinance amending various sections of the Code of Ordinances, establishing rules and regulations in City Parks relating to City Park hours, glass containers, restrictions on the use of motor, off-road vehicles, all-terrain vehicles, dirt bikes, driving of vehicles on grass, speed limits and the use of firearms, and setting penalties for violations.**

Mayor Sam closed the regular meeting at 6:05 pm and opened the Public Hearing at 6:05 pm. Mayor Sam asked for comments from the public.

Councilmember Trube made a motion to approve the second reading of Ordinance Number 1040. The motion was seconded by Mayor Pro-Tem Bell. Mayor Pro-Tem Bell verified with Ms. Anderson that the date for second reading had not passed. Ms. Anderson stated that March 8<sup>th</sup> was the last date for the second reading to be heard. The Mayor called for a vote and the motion passed unanimously.

The regular meeting of City Council was re-opened at 6:06 p.m.

**013-2011 NEW BUSINESS**

**Consider, Discuss and Approve Extending the La Marque Police Association Collective Bargaining Contract through September 30, 2011.**

Mayor Pro-Tem Bell made a motion to approve the La Marque Police Association Collective Bargaining Contract through September 30, 2011. Council Member Trube seconded the motion. The motion passed unanimously.

**Consider, Discuss and Approve Extending the Yearly Contract for Prosecutor Robert Barfield through March 31, 2012.**

Mayor Pro-Tem Bell made a motion to approve extending the yearly contract for Prosecutor Robert Barfield through March 31, 2012. Council Member Trube seconded the motion. The motion passed unanimously.

**Consider, Discuss and Approve Extending the Yearly Contract for Alternate Judge Carlton Getty through March 31, 2012.**

Mayor Pro-Tem Bell made a motion to approve extending the yearly contract for Alternate Judge Carlton Getty through March 31, 2012. Council Member Trube seconded the motion. The motion passed unanimously.

**Consider and approve awarding LJA Engineering Project #E019-009D the Water Plant Replacement with the Concrete Ground Storage Tank to the low bidder Long & Son, Inc. of Houston, TX in the amount of \$1,115,000.00**

Council Member Trube made a motion to approve awarding LJA Engineering the project in the amount of \$1,115,000.00 Mayor Pro-Tem Bell seconded the motion. Mayor Pro-Tem Bell asked Mr. Gage if the million dollars is part of the FEMA funds. Mr. Gage his understanding is correct. The motion passed unanimously.

**Consider, Discuss and Approve awarding LJA Engineering Project #E019-090E Construction Surface Water Take Point No. 2, Well & Generator Addition to the low bidder Alsay, Inc. of Houston, TX in the amount of \$914,600.00.**

Council Member Trube made a motion to approve awarding LJA Engineering the project in the amount of \$914,600.00. Mayor Pro-Tem Bell seconded the motion. Mayor Pro-Tem Bell confirmed with Mr. Gage that these funds are FEMA money. The motion passed unanimously.

**Consider, Discuss and Approve awarding LJA Engineering Project #E019-090A the Construction of Fire Station Generator Replacement to the low bidder Crescent Electric of La Marque, TX in the amount of \$56,580.00**

Mayor Pro-Tem Bell made a motion to reject Item f on the agenda. Council Member Trube seconded the motion. Mayor Pro-Tem Bell stated for the record that after the bid was awarded, the company tried to increase the bid by upwards of \$7,000. Mayor Sam asked Mr. Gage if the City would be opening this project up for bid again. Mr. Gage stated that as soon as the paperwork is completed, the project would be opened again for bid. There being no further discussion, the motion passed unanimously.

**Consider, Approve and Authorize the City Manager to enter into a contract agreement with LJA Engineering for engineering services in the amount of \$129,000 for the 2010 Street & Overlay Improvement Program**

Mayor Pro-Tem Bell made a motion to authorize the City Manager to enter into a contract with LJA Engineering for engineering services in the amount of \$129,000 for the 2010 Street & Overlay Improvement Program. Council Member Trube seconded the motion. The Mayor asked Mr. Gage how soon the project would start. Mr. Gage stated that plans are to start by the end of summer. He further explained that plans are to hire at least three contractors to complete the project all at one time. There being no further discussion, the motion passed unanimously.

**Consider, Discuss and Approve an Agreement between the Galveston County Fire Fighter's Association and the La Marque Fire Department, Inc.**

Mayor Pro-Tem Bell made a motion to accept the agreement. Council Member Trube seconded the motion. The motion passed unanimously.

**Consider, Discuss and Approve rezoning for property described as ABST 2 SF Austin SUR TR 37 (37-2) 2.000 Acres; 3010 Gulf Frwy**

Council Member Trube made a motion to table Agenda Items I, J, T and U. Mayor Pro-Tem Bell seconded the motion. The motion passed unanimously.

**Consider, Discuss and Approve rezoning for the property described as ABST 150 JD Moore SUR PT of Lot 44 (44) Highland City; 600 Hwy 3.**

Council Member Trube made a motion to table Agenda Items I, J, T and U. Mayor Pro-Tem Bell seconded the motion. The motion passed unanimously.

**Consider, Discuss and Approve Resolution 1146 – A Resolution granting to Galveston County Landfill, TX, LP a permanent pipeline easement and an adjacent temporary construction easement through designated City of La Marque Right-of-Way described as Ave "A" south of State Highway FM 1764.**

Councilmember Trube made a motion to approve Resolution 1146. Mayor Pro-Tem Bell seconded. The motion passed unanimously.

**Consider, Discuss and Approve Resolution 1147 - Gulf Coast Water Authority Refunding – City of La Marque**

Councilmember Trube made a motion to approve Resolution 1147. Mayor Pro-Tem Bell seconded. The motion passed unanimously.

**Consider, Discuss and Approve Resolution 1148 – Gulf Coast Water Authority Refunding – Authorizing Amendment to Water Facilities Financing Agreement**

Councilmember Trube made a motion to approve Resolution 1147. Mayor Pro-Tem Bell seconded. The Mayor questioned the amount of the refund. Mr. Jonathan Frels with Vinson & Elkins, counsel for Gulf Coast Water Authority, addressed the Council regarding the details of the estimated \$30,000 in savings on an annual basis.

**Consider, Discuss and Approve Resolution 1151 – Authorizing the Galveston County Mosquito Control District, Aerial Spraying for Mosquitoes that the Federal Aviation Administration Requires to Make on a Yearly Basis**

Councilmember Trube made a motion to approve Resolution 1147. Mayor Pro-Tem Bell seconded. Mayor Sam just wanted to clarify how soon they could start spraying before the motion passed unanimously.

**Consider, Discuss and Approve Recommendation of David Wight Construction Co., Inc., as the lowest qualified bidder – Backflow Preventer, Surface Water Take Point #1 in the amount of \$13,486.00**

Councilmember Trube made a motion to approve The David Wight Construction Co., Inc. contract. Mayor Pro-Tem Bell seconded. The motion passed unanimously.

**Consider, Discuss and Approve Investment Report for Quarter Ending December 31, 2010.**

Mayor Pro-Tem Bell made a motion to approve the Investment Report for Quarter Ending December 31, 2010. Council Member Trube seconded. The Mayor questioned the need for a workshop. Mr. Gage stated that the Mayor was welcome to come by City Hall and he and Ms. Cooper would be glad to address any questions concerning investments. The motion passed unanimously.

**Consider, Discuss and Approve Budget Amendments for the fiscal year ending September 30, 2010**

Council Member Trube made a motion to approve the Budget Amendments for the fiscal year ending September 30, 2010. Mayor Pro-Tem Bell seconded. The motion passed unanimously.

**Consider, Discuss and Approve Re-Plat of lots described as ABST 150 Page 4, Lots 3 & 4, Blk G, The Highlands; 1316 Lamar**

Council Member Trube made a motion to approve the re-plat as described. Mayor Pro-Tem Bell seconded. The motion passed unanimously.

**Consider, Discuss and Approve Re-Plat of lots described as ABST 2 SF Austin SUR #4, PT of Lot 43 (43-2) Mainland Homesteads MH 1970 14 x 80 BRN: 4911 FM 1765**

Council Member Trube made a motion to approve the re-plat as described. Mayor Pro-Tem Bell seconded. Mayor Pro-Tem Bell asked City Inspector Ana Tims if she had had any comments from the surrounding neighbors. Ms. Tims stated that the neighbors are aware

of the plans for the auto body shop on the property and are fine as long as the Lawndale side of the property is re-platted. There being no further discussion, the motion passed unanimously.

**Consider, Discuss and Approve rezoning for property described as: ABST 150, Page 5E, PT of BLK 50 (500-1) Div K Cook & Stewart SUB MH 1970 Dixie 12 x 42 WHT: 2001 Oak from residential to (C-1) (General Commercial)**

Council Member Trube made a motion to table Agenda Items I, J, T and U. Mayor Pro-Tem Bell seconded the motion. The motion passed unanimously.

**Consider, Discuss and Approve rezoning the property described as a tract of land out of Lot 43 in Mainland Homesteads, a subdivision in Galveston County, Texas.**

Council Member Trube made a motion to table Agenda Items I, J, T and U. Mayor Pro-Tem Bell seconded the motion. The motion passed unanimously.

**Consider, Discuss and Approve waiving liability insurance at Mahan Park (center circle) for volleyball tournaments sponsored by Crush It Sports May 21, June 11 and June 25, 2011.**

Council Member Trube made a motion to approve the item. Mayor Pro-Tem Bell seconded. Mayor Pro-Tem Bell asked Mr. Sweatt of Crush It Sports for more detail concerning the liability. Mayor Pro-Tem Bell asked for further clarification concerning the liability. Mr. Sweatt stated that his concern was that everyone would be covered. Mr. Ortego spoke to the requirements of liability for the City. Mr. Sweatt indicated that he did not have any problem acquiring liability insurance. A further clarification and discussion continued between Mac McGaffey, Chairman of the Parks Board, and Mr. Ortego. Mayor Pro-Tem Bell asked if an entry fee would be charged. Mayor Sam expressed her concern over holding the City harmless in the event of injuries. Mr. Gage suggested that Mr. Sweatt complete an application for an outside event. Mayor Sam asked that the motions be withdrawn and the Council table the motion so that further study can be done on planning the event. Council Member Trube withdrew her original motion and Mayor Pro-Tem Bell withdrew his second. Mayor Pro-Tem Bell made a motion to table the Item V on the agenda. Council Member Trube seconded the motion. The motion passed unanimously.

**014-2011 CITIZEN'S REQUEST FOR HEARING –**

Comments from the Public: (At this time, any person with city related business who has signed up may speak to Council. In compliance with Texas Open Meeting Act the City Council may not deliberate on comments. Personal attacks will not be allowed, and personnel matters should be addressed to the City Manager during normal business hours.)

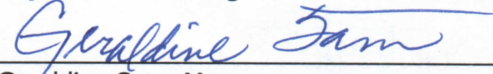
None.

**015-2011 AOUNCEMENTS, COMMENTS AND REQUESTS FROM COUNCIL –**

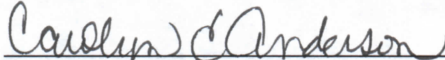
Councilmember Trube thanked all of the City department heads for being in attendance. She also thanked the patrol officers for their assistance on Main Street regarding the tanker trucks. Mayor Pro-Tem Bell thanked all of the City staff for their diligence and commitment to their jobs during the last several months. Mayor Sam also thanked everyone for their attendance at the meeting.

**016-2011      ADJOURNMENT –**

Councilmember Trube made a motion to adjourn the meeting.

  
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Geraldine Sam, Mayor

ATTEST:

  
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Carolyn E. Anderson, City Clerk