LA MARQUE CITY COUNCIL
LA MARQUE CITY COUNCIL CHAMBERS
1109-B BAYOU ROAD
LA MARQUE, TEXAS 77568
REGULAR MEETING AND PUBLIC HEARING MEETING MINUTES
SEPTEMBER 12, 2011
6:00 P.M.

The La Marque City Council met in a duly-called and announced Regular Meeting on September 12, 2011. Mayor Hocking called the meeting to order at 6:00 p.m. Mayor Pro-Tem Bell said the invocation. Mayor Bobby Hocking led the pledge to the U.S. Flag.

136-2011 ROLL CALL –

Present: Mayor Bobby Hocking, Mayor Pro-Tem Keith Bell, Councilmember Connie Trube, Councilmember James Osteen, Councilmember Clent Brown, City Attorney Ellis Ortego, City Manager Eric Gage, Interim City Clerk Martha A. Gillett

Department Directors: Public Works-Mike Morgan, Fire Marshal-Jennifer Pierce, IT-Kyle Hunter, Inspections-Ana Tims, Finance Director Karen Cooper, Fire Chief Larry Damrell and Police Chief-Randall Aragon

137-2011 PRESENTATION –

a. Proclamation – "Prevent Blindness Texas Save your Eyes". Mayor Hocking presented the Proclamation to Maria Tripovich and Mrs. Polk.

138-2011 APPROVAL OF MINUTES -

Regular Meeting of August 22, 2011

Councilmember Trube made a motion to approve the minutes as corrected of the regular meeting of August 22, 2011. Councilmember Brown seconded the motion. The motion passed unanimously.

Special Meeting of August 26, 2011

Councilmember Trube made a motion to approve the minutes of the Special Meeting of August 26, 2011. Councilmember Brown seconded the motion. The motion passed unanimously.

Special Meeting of September 6, 2011

Councilmember Trube made a motion to approve the minutes of the Workshop Meeting of September 6, 2011. Councilmember Brown seconded the motion. The motion passed unanimously.

139-2011 PUBLIC HEARING -

a. **Proposed Fiscal Year 2011-12 Budget** –Public Hearing opened at 6:12 p.m. Geraldine Sam stated a concern that there was a tax increase in the budget. She would like to see more streets improved. Ms. Sam would like to see more promotion of city events.

The Public Hearing was closed at 6:14 p.m.

140-2011 REPORT FROM CITY MANAGER –

Mayor Pro-Tem Bell made a motion to approve the City Manager's report. Councilmember Trube seconded the motion. City Manager Eric Gage addressed Council's questions. The motion to approve the City Manager's report passed unanimously.

It was noted there were mathematical errors in the judicial report.

141-2011 FIRST READING OF ORDINANCES -

Ordinance Number 1054 – <u>An Ordinance levying ad valorem taxes for the City of La Marque, Texas for the Tax Year 2011, establishing the time of payment thereof; the penalty to be assessed for delinquent payments; and exemptions.</u>

Councilmember Trube made a motion to approve the first reading of Ordinance Number 1054. levying ad valorem taxes for the City of La Marque, Texas for the Tax Year 2011, establishing the time of payment thereof; the penalty to be assessed for delinquent payments; and exemptions. Councilmember Osteen seconded the motion. The motion passed unanimously.

City Manager Eric Gage noted there is not tax increase this year.

142-2011 **Ordinance Number 1052 – <u>An Ordinance of the City of La Marque, Texas, providing for the vacating, abandonment, closing of a part of the 20 foot waterway located within the City of La Marque, Texas and authorizing the Mayor to execute the Quit Claim Deed to convey the easement of property.</u>**

<u>Councilmember Trube made a motion to approve the first reading of Ordinance Number 1052 providing for the vacating, abandonment, closing of a part of the 20 foot waterway located within the City of La Marque, Texas and authorizing the Mayor to execute the Quit Claim Deed to convey the easement of property</u>. Councilmember Brown seconded the motion. The motion passed unanimously.

143-2011 **SECOND READING OF ORDINANCES (A PUBLIC HEARING WILL BE HELD) - Ordinance Number 1053 – An Ordinance of the City of La Marque, Texas, changing the Zoning Classification of, a tract of land described as lot three (3) in division "Q" of the Cook and Stewart subdivision of part of the John D. Moore league in Galveston County, Texas, according to the map or plat of said Cook and Steward subdivision of record in volume 81 page 526, in the office of the County Clerk of Galveston County, Texas from Public to General Commercial; Amending the Zoning Map of the City adopted on the 12th Day of December 2005 by Ordinance 952.**

Public Comments: There were no citizens wishing to address council.

Motion was made by made by Councilmember Trube to approve the ordinance as presented. The motion was seconded by Councilmember Osteen. The motion passed unanimously.

144-2011 **NEW BUSINESS -**
<u>Consider, Discuss and Approve the Galveston County Auto Crimes Task Force (GCACTF) Cooperative Working Agreement.</u>

<u>Mayor Pro-Tem Bell made a motion to Approve the Galveston County Auto Crimes Task Force (FCACTF) Cooperative Working Agreement</u>. Mayor seconded the motion. The motion passed.

Ayes: Mayor Hocking, Mayor Pro-Tem Bell, Councilmember Osteen and Councilmember Trube
Nays: Councilmember Brown
Abstain: None
Absent: None

145-2011 **Consider, Discuss and Approve the final plat for a property described as 21.761 acre tract of land out of the W.K. Wilson League, Abstract No. 208 to be known as the La Marque Center.**

Mayor Pro-Tem Bell made a motion to Approve the final plat for a property described as 21.761 acre tract of land out of the W.K. Wilson League, Abstract No. 208 to be known as the La Marque Center. Councilmember Trube seconded the motion. The motion passed unanimously.

146-2011 **Consider, Discuss and Approve the re-plat for a property described as ABST 2 S F AUSTIN SURTR 212 & PT OF LOTS 21 & 22 AMBURN SUB SEC, ACRES 5.017; 1108 Newman, La Marque, Texas 77568.**

Motion was made by Councilmember Trube to approve the re-plat for a property described as ABST 2 S F AUSTIN SURTR 212 & PT OF LOTS 21 & 22 AMBURN SUB SEC, ACRES 5.017; 1108 Newman, La Marque, Texas 77568. The motion was seconded by Councilmember Osteen. The motion passed unanimously.

147-2011 **Consider, Discuss and Approve Resolution Number 1166 and 1166-A, Establishing criteria for developing new district plans based on the 2010 Census (Redistricting).**

Councilmember Osteen made a motion to approve the Resolution 1166 and 1166-A Establishing criteria for developing new district plans based on the 2010 Census (Redistricting). Councilmember Trube seconded the motion. The motion passed unanimously.

148-2011 **Consider, Discuss and Approve Resolution Number 1167 and 1167-A, Establishing criteria for district plans submitted by third parties (Redistricting).**

Councilmember Osteen made a motion to approve Resolution Number 1167 and 1167-A, Establishing criteria for district plans submitted by third parties (Redistricting). Councilmember Trube seconded the motion. The motion passed unanimously.

149-2011 **Consider, Discuss and possibly act or approve a Proposed Redistricting Schedule.**

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

150-2011 **Consider, Discuss and Approve Amended Investment Policy.**

Councilmember Brown made a motion to Approve Amended Investment Policy. Councilmember Trube seconded the motion. The motion passed unanimously.

151-2011 **Consider, Discuss and Approve Fund Balance Policy as revised in accordance to GASB 54.**

Mayor Pro-Tem Bell made a motion to Approve Fund Balance Policy as revised in accordance to GASB 54. Councilmember Trube seconded the motion. The passed unanimously.

152-2011 **Consider, Discuss and Approve Extending the Agreement between the City of La Marque and the La Marque Police Association from October 1, 2011 through September 30, 2012.**

Mayor Pro-Tem Bell made a motion to Approve Extending the Agreement between the City of La Marque and the La Marque Police Association from October 1, 2011 through September 30, 2012. Councilmember Trube seconded the motion.

Council had a question regarding page 432 that was marked void.

Mayor Pro-Tem Bell and Councilmember Trube withdrew the motion.

Mayor Pro-Tem Bell made a motion to table the until the next meeting. Councilmember Trube seconded the motion. The motion passed unanimously.

153-2011 Consider, Discuss and Approve the authorization of the Mayor's signature to amend the Mainland Water Project Customer Contract (South Project) between the City of La Marque and Gulf Coast Water Authority.

Councilmember Osteen made a motion to Approve the authorization of the Mayor's signature to amend the Mainland Water Project Customer Contract (South Project) between the City of La Marque and Gulf Coast Water Authority. Mayor Pro-Tem Bell seconded the motion. The motion passed unanimously.

154-2011 Consider, Discuss and Approve Nomination(s) to the Galveston Central Appraisal District.

Mayor Pro-Tem Bell made a motion to table this item. Councilmember Osteen seconded the motion. The motion passed unanimously.

155-2011 Consider, Discuss and Approve a Representative to the H-GAC's 2012 General Assembly.

Mayor Pro Tem Bell made a motion to appoint Mayor Hocking as a Representative to the H-GAC's 2012 General Assembly. Councilmember Osteen seconded the motion. The motion passed unanimously.

Motion was made by Mayor Hocking to appoint Mayor Pro-Tem Bell as the Alternate Representative to the HGAC's 2012 General Assembly. Councilmember Osteen seconded the motion. The motion carried unanimously.

156-2011 Consider, Discuss and Approve appointing a member to the Board of Adjustments – District C Appointment.

Councilmember Trube made a motion to Approve Leonard Smith as a member to the Board of Adjustments – District C Appointment. Mayor Pro-Tem Bell seconded the motion. The motion passed unanimously.

157-2011 Consider, Discuss and Approve a member to the Clean City Commission – Mayor Appointment.

Mayor Hocking made a motion to Approve David Pennington as a member to the Clean City Commission – Mayor Appointment. Councilmember Brown seconded the motion. The motion passed unanimously.

158-2011 Consider, Discuss and Approve a member to the Civil Service Commission – City Manager Appointment.

Mayor Pro-Tem Bell made a motion to Approve Nancy Leader as a member to the Civil Service Commission – City Manager Appointment. Councilmember Osteen seconded the motion. The motion passed unanimously.

159-2011 Consider, Discuss and Approve the Resignation of City Manager and benefit payout of $16,940.49.

Councilmember Trube made a motion to Approve the Resignation of City Manager and benefit payout of $16,940.49. Councilmember Bell seconded the motion. The motion passed unanimously.

160-2011 **Consider, Discuss and Approve an Interim City Manager/City Manager.**

Mayor Pro-Tem Bell made a motion to Appoint Carol Buttler as Interim City Manager with the same salary and benefits levels as the current City Manager Mr. Gage, effective September 22, 2011. Councilmember Osteen seconded the motion. The motion passed unanimously.

In addition, council noted Ms. Buttler would be reimbursed for travel expenses.

161-2011 **Consider, Discuss and Approve an Interim City Clerk effective October 1,2011.**

City Manager Eric Gage noted his recommendation for Interim City Clerk was Ms. Patty Rees.

Councilmember Brown made a motion to Approve Patty Rees as Interim City Clerk. Councilmember Trube seconded the motion. The motion failed

Ayes: Councilmember Trube
Nays: Mayor Hocking, Mayor Pro-Tem Bell, Councilmember Brown and Councilmember Osteen.

162-2011 **ANNOUNCEMENTS, COMMENTS AND REQUESTS FROM COUNCIL –**
Mayor Bobby Hocking, Mayor Pro Tem Bell, Council Member Osteen, Council Member Trube and Council Member Brown brought items to the table.

163-2011 **ADJOURNMENT –**
Councilmember Osteen made a motion to adjourn the meeting. Council Member Trube seconded the motion. The motion passed unanimously and the meeting was adjourned at 7:52 p.m..

Bobby Hocking

Bobby Hocking, Mayor

ATTEST: Martha A. Gill

Interim-City Clerk Martha A. Gillett

CITY COUNCIL AGENDA SUBMISSION FORM

Date of Submission:	09/19/2011
Council Meeting Date:	09/26/2011
Department:	Finance

Type of Agenda Item (Circle the appropriate title):			
Presentation	First Reading	Old Business	New Business

Title for Agenda Item: Consider, Discuss and Approve the Purchasing Card Service Agreement with Regions Bank.

Written statement for City Manager's Comment to Council (include Commission/Board decision, meeting date, necessity of Council's approval and deadline for approval):

JP Chase cancelled City credit cards due to State of Texas contract expiring on August 31, 2011. CitiBank has current purchase card program through the State, but cannot Produce any cards for use until mid-November. Regions Bank has offered to process Cards for the City within 10 days of approval.

List of material to be included in packet (please attach to this form):

Memo to City Council and Purchasing Card Service Agreement

Submitted by:	Karen Cooper, Finance Director
Department Head's Signature:	Karen Cooper
City Manager's Signature:	

This form must be turned in to the City Council during staff meeting on the Tuesday prior to the Council Meeting date or the item will be postponed to the next agenda.

CITY COUNCIL AGENDA SUBMISSION FORM

Date of Submission:	09/20/2011
Council Meeting Date:	09/26/2011
Department:	Finance

Type of Agenda Item (Circle the appropriate title):			
Presentation	First Reading	Old Business	New Business

Title for Agenda Item: Bond Issue Refinancing Opportunity Presentation

Written statement for City Manager's Comment to Council (include Commission/Board decision, meeting date, necessity of Council's approval and deadline for approval):

Interest rates are still low and the possibility of refinancing the Bonds produces savings i ~~In~~ the area of interest payments. Presentation by John Robuck, RBC Capital Markets and Jonathan Frels, Vinson & Elkins.

List of material to be included in packet (please attach to this form):

Refinancing Opportunity document prepared by RBC.

Submitted by:	Karen Cooper, Finance Director
Department Head's Signature:	Karen Cooper
City Manager's Signature:	

This form must be turned in to the City Council during staff meeting on the Tuesday prior to the Council Meeting date or the item will be postponed to the next agenda.

CITY COUNCIL AGENDA SUBMISSION FORM

Date of Submission:	September 1, 2011
Council Meeting Date:	September 12, 2011
Department:	Public Works

Type of Agenda Item (Circle the appropriate title):			
Presentation	First Reading	Old Business	New Business

Title for Agenda Item: City Staff Requesting for Council to give Mayor the approval to sign the annual Water Pollution and Abatement Contract for the - Fiscal Year 2012

Written statement for City Manager's Comment to Council (include Commission/Board decision, meeting date, necessity of Council's approval and deadline for approval):

The enclosed contract for Mayor signature is the City Annual Pollution Control and Abatement Contract between Galveston County Health District and City of La Marque, within this contract the County provides assist with investigations pertaining to water quality related complaints, monitor storm water quality and inspection investigation of city sewer system and sewer plant.

List of material to be included in packet (please attach to this form):

Submitted by:	Michael Morgan
Department Head's Signature:	michael morgan
City Manager's Signature:	

This form must be turned in to the City Council during staff meeting on the Tuesday prior to the Council Meeting date or the item will be postponed to the next agenda.

CITY COUNCIL AGENDA SUBMISSION FORM

Date of Submission:	September 1, 2011
Council Meeting Date:	September 12, 2011
Department:	Public Works / Utilities

Type of Agenda Item (Circle the appropriate title):			
Presentation	First Reading	Old Business	New Business

Title for Agenda Item: City Staff recommends to Approve LM 07-11 Lubricating Oil to Apache Oil Company not to exceed amount approved in Departmental Budgets for 2011-12.

Written statement for City Manager's Comment to Council (include Commission/Board decision, meeting date, necessity of Council's approval and deadline for approval):

Staff recommends accepting the bid submitted by Apache Oil Company as the lowest qualified bidder meeting all specifications. All bid amounts are based on estimated quantities supplied by the City of La Marque. There were five (5) bids solicited as well as a legal ad placed in the Galveston County Daily Newspaper that ran twice in a fifteen (15) day period. Of this, four (4) qualified bids were received. Please see the attached bid tabulation for bid results.

List of material to be included in packet (please attach to this form):

Bid Tabulation

Submitted by:	Michael Morgan
Department Head's Signature:	Michael Morgan
City Manager's Signature:	

This form must be turned in to the City Council during staff meeting on the Tuesday prior to the Council Meeting date or the item will be postponed to the next agenda.

CITY COUNCIL AGENDA SUBMISSION FORM

Date of Submission:	September 1, 2011
Council Meeting Date:	September 12,2011
Department:	Public Works / Utilities

Type of Agenda Item (Circle the appropriate title):			
Presentation	First Reading	Old Business	New Business

Title for Agenda Item: City Staff recommends to Approve LM 09-11 Water & Sewer Supplies to ACT Pipe & Supply not to exceed amount in 11-12 budget.

Written statement for City Manager's Comment to Council (include Commission/Board decision, meeting date, necessity of Council's approval and deadline for approval):

Staff recommends accepting the bid submitted by ACT Pipe & Supply as the lowest qualified bidder meeting all specifications. All bid amounts are based on estimated quantities supplied by the City of La Marque. There were ten (10) bids solicited as well as a legal ad placed in the Galveston County Daily Newspaper that ran twice in a fifteen (15) day period. Of this, one (1) qualified bid was received. Please see the attached bid tabulation for bid results. The City Department has requested $75,260 in the 2011-2012 budget.

List of material to be included in packet (please attach to this form):

Bid Tabulation

Submitted by:	Michael Morgan
Department Head's Signature:	Michael Morgan
City Manager's Signature:	

This form must be turned in to the City Council during staff meeting on the Tuesday prior to the Council Meeting date or the item will be postponed to the next agenda.

CITY COUNCIL AGENDA SUBMISSION FORM

Date of Submission:	September 1, 2011
Council Meeting Date:	September 12, 2011
Department:	Public Works

Type of Agenda Item (Circle the appropriate title):			
Presentation	First Reading	Old Business	New Business

Title for Agenda Item: City Staff recommends to Approve LM 08-11 Waste Water Sludge Management Removal to Terra Renewal in the amount of $81,125.00

Written statement for City Manager's Comment to Council (include Commission/Board decision, meeting date, necessity of Council's approval and deadline for approval):

Staff recommends accepting the bid submitted by Terra Renewal as the lowest qualified bidder meeting all specifications with a total bid amount of $81,125.00. All bid amounts are based on estimated quantities supplied by the City of La Marque. There were thirteen (13) bids solicited as well as a legal ad placed in the Galveston County Daily Newspaper that ran twice in a fifteen (15) day period. Of this, one (1) qualified bid was received. Please see the attached bid tabulation for bid results. The City Department has requested $96,800 in the 2011-2012 budget.

List of material to be included in packet (please attach to this form):

Bid Tabulation

Submitted by:	Michael Morgan
Department Head's Signature:	Michael Morgan
City Manager's Signature:	

This form must be turned in to the City Council during staff meeting on the Tuesday prior to the Council Meeting date or the item will be postponed to the next agenda.

CITY COUNCIL AGENDA SUBMISSION FORM

Date of Submission:	September 1, 2011
Council Meeting Date:	September 12, 2011
Department:	Public Works / Utilities

Type of Agenda Item (Circle the appropriate title):			
Presentation	First Reading	Old Business	New Business

Title for Agenda Item: City Staff recommends to Approve LM 01-11 Chlorine, Calcium Hypochlorite & Sulfur Dioxide to DXI Industries in the amount of $38,866.00

Written statement for City Manager's Comment to Council (include Commission/Board decision, meeting date, necessity of Council's approval and deadline for approval):

Staff recommends accepting the bid submitted by DXI Industries as the only bidder with a total bid amount of $38,866.00. All bid amounts are based on estimated quantities supplied by the City of La Marque. There were ten (10) bids solicited as well as a legal ad placed in the Galveston County Daily Newspaper that ran twice in a fifteen (15) day period. Of this, one (1) qualified bid was received. Please see the attached bid tabulation for bid results. Utility 24 has requested a budget amount of $40,000 in the 2011-2012 budget.

List of material to be included in packet (please attach to this form):

Bid Tabulation

Submitted by:	Michael Morgan
Department Head's Signature:	Michael Morgan
City Manager's Signature:	

This form must be turned in to the City Council during staff meeting on the Tuesday prior to the Council Meeting date or the item will be postponed to the next agenda.

CITY COUNCIL AGENDA SUBMISSION FORM

Date of Submission:	September 1, 2011
Council Meeting Date:	September 12,2011
Department:	Public Works / Utilities

Type of Agenda Item (Circle the appropriate title):			
Presentation	First Reading	Old Business	New Business

Title for Agenda Item: City Staff Recommends to Approve LM 04-11 Fuel to Apache Oil Company not to exceed amount approved in 2011-2012 budget.

Written statement for City Manager's Comment to Council (include Commission/Board decision, meeting date, necessity of Council's approval and deadline for approval):

Staff recommends accepting the bid submitted by Apache Oil Company as the lowest qualified bidder meeting all specifications. All bid amounts are based on estimated quantities supplied by the City of La Marque. There were eleven (11) bids solicited as well as a legal ad placed in the Galveston County Daily Newspaper that ran twice in a fifteen (15) day period. Of this, three (3) qualified bids were received. Please see the attached bid tabulation for bid results. The City Department has requested $187,150.00 in the 2011-2012 budget.

List of material to be included in packet (please attach to this form):

Bid Tabulation

Submitted by:	Michael Morgan
Department Head's Signature:	Michael Morgan
City Manager's Signature:	

This form must be turned in to the City Council during staff meeting on the Tuesday prior to the Council Meeting date or the item will be postponed to the next agenda.