

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 26, 2011
6:00 P.M.

The La Marque City Council met in a duly-called and announced Regular Meeting on September 26, 2011. Mayor Hocking called the meeting to order at 6:00 p.m. Sharon Sabom of the First United Methodist Church delivered the invocation. Mayor Bobby Hocking led the pledge to the U.S. Flag.

164-2011 ROLL CALL –

Present: Mayor Bobby Hocking, Mayor Pro-Tem Keith Bell, Councilmember Connie Trube, Councilmember James Osteen, Councilmember Clent Brown, City Attorney Ellis Ortego, Interim-City Manager Carol Buttler, 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, Acting Fire Chief Alfred Decker and Police Chief-Randall Aragon

165-2011 PRESENTATION –

a. Bond Issue Financing Opportunity

John Robuck, RBC, gave an updated presentation on current market conditions for the refunding of the bonds

Jonathan K. Frels, Vinson & Elkins, LLP presented Council with the proposed ordinance on the sale of the bonds.

166-2011 APPROVAL OF MINUTES -

Special Meeting of September 9, 2011

Mayor Pro-Tem Bell made a motion to approve the minutes of the special called meeting of September 9, 2011. Council Member Osteen seconded the motion. The motion passed unanimously.

Regular Meeting of September 12, 2011

Mayor Pro-Tem Bell made a motion to approve the minutes of the Regular Meeting of September 12, 2011. Councilmember Osteen seconded the motion. The motion passed unanimously.

167-2011 REPORT FROM CITY MANAGER –

Council Member Trube made a motion to approve the City Manager's report. Council Member Brown seconded the motion. Interim-City Manager addressed Council's questions. The motion to approve the City Manager's report passed unanimously.

Mayor Hocking deviated from the agenda and moved to Agenda Item 10b.

168-2011 FIRST READING OF ORDINANCES – First and final reading per 1201.028 of Texas Government Code

Ordinance Number 1055 – An Ordinance Authorizing the Issuance of City of La Marque, Texas General Obligation Refunding Bonds, Series 2011; Levying a Tax in Payment Thereof; Setting Certain Parameters for the Bonds; Authorizing the Authorized Officer to approve the Amount, the Interest Rate, Price and Certain Other Terms Thereof; Authorizing the Redemption Prior to Maturing of Certain Outstanding Bonds; Authorizing the Execution and Delivery of a Bond Purchase Agreement and Paying Agent/Registrar Agreement Relating to Such Bonds; and Enacting Other Provisions Relating Thereto.

Council Member Trube made a motion to approve the first reading of Ordinance Number 1055, authorizing the Issuance of City of La Marque, Texas General Obligation Refunding Bonds, Series 2011; Levying a Tax in Payment Thereof; Setting Certain Parameters for the Bonds; Authorizing the Authorized Officer to approve the Amount, the Interest Rate, Price and Certain Other Terms Thereof; Authorizing the Redemption Prior to Maturing of Certain Outstanding Bonds; Authorizing the Execution and Delivery of a Bond Purchase Agreement and Paying Agent/Registrar Agreement Relating to Such Bonds; and Enacting Other Provisions Relating Thereto. Council Member Osteen seconded the motion. The motion passed unanimously.

169-2011 SECOND READING OF ORDINANCES (A PUBLIC HEARING WILL BE HELD) – The Open Meeting closed at 6:27 p.m. for Public Hearings.

- a. Ordinance Number 1052 – An Ordinance of the City of La Marque, Texas, providing for the vacating abandonment, and closing of a part of the 20 foot waterway located within the City of La Marque, Texas.**

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

Motion was made by made by Mayor Pro-Tem Bell to approve the ordinance as presented. The motion was seconded by Council Member Trube. The motion passed unanimously.

- b. Ordinance 1054 – 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.**

Public Comments: Geraldine Sam – are we increasing taxes? Mayor Hocking asked Finance Director Cooper to confirm that the City of La Marque is not raising taxes. Ms. Cooper confirmed that the City of La Marque will not be raising taxes.

Public Hearings closed at 6:31 p.m.

Motion was made by Council Member Bell to approve the ordinance as presented. The Motion was seconded by Council Member Trube. The motion passed unanimously.

170-2011 OLD BUSINESS

- a. 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.

Interim City Manager Buttler requested that this item be tabled until the next meeting due to the need for additional information.

Motion was made by Council Member Osteen to table extending the Agreement Between the City of La Marque Police Association from October 1, 2011 through September 30, 2012. The motion was seconded by Council Member Brown. The motion carried with one Nay (Council Member Trube).

- b. Consider, Discuss and Approve nominations(s) to the Galveston Central Appraisal District.

Motion was made by Mayor Pro-Tem Bell to nominate David Moss to the Galveston Central Appraisal District. The motion was seconded by Council Member Brown. The motion carried unanimously.

171-2011 NEW BUSINESS -

Consider, Discuss and Approve authorizing the Mayor to Execute the Quit Claim Deed to convey the Easement of Property described in Ordinance 1052 vacating, abandonment, and closing of a part of the 20 foot Waterway.

Council Member Trube made a motion to Approve the authorization of Mayor to Execute the Quit Claim Deed as presented. Mayor Pro-Tem Bell seconded the motion. The motion passed unanimously.

172-2011 Consider, Discuss and Approve Schedule of Events, Plan of Finance and Financial Advisor Agreement for General Obligation Refunding Bonds, Series 2011.

Council Member Trube made a motion to Approve the Schedule of Events, Plan of Finance and Financial Advisor Agreement for General Obligation Refunding Bonds, Series 2011 as presented. Council Member Osteen seconded the motion. The motion passed unanimously.

After this item, Mayor Hocking continued on the agenda with Agenda Item 7.

173-2011 Consider, Discuss and Approve the Purchasing Card Service Agreement with Regions Bank

Finance Director Karen Cooper presented the agreement to Council. Mayor Hocking moved to approve the agreement, Mayor Pro-Tem Bell seconded. There was general discussion regarding credit cards for all Council Members. Council Member Osteen amended the motion to remove Council Members and increase the city clerk's limit to \$5000.00. Council Member Trube seconded. The motion passed unanimously as amended.

174-2011 Consider, Discuss and Approve Resolution 1168 Adopting the Fiscal Year 2011-2012 Budget.

Motion was made by Council Member Trube to approve Resolution 1168 Adopting the Fiscal Year 2011-2012 Budget. The motion was seconded by Council Member Brown. Mayor Pro-Tem Bell stated that in this proposed budget that a firefighter position was frozen. Mayor Pro-Tem Brown asked if there was a need to fill the position in the future, what would Council have to do. Finance Director Cooper stated that Council could direct staff to amend the budget to reflect the change. The motion passed unanimously.

175-2011 Consider, Discuss and Approve LM 07-11 Lubricating Oil to Apache Oil Company not to exceed amount approved in Departmental Budgets for 2011-2012.

Council Member Trube made a motion to approve LM 07-11 Lubricating Oil to Apache Oil Company not to exceed amount approved in Departmental Budgets for 2011-2012. Councilmember Brown seconded the motion. Due to discussions regarding the budgeted amount, Council Member Trube and Council Member Brown withdrew their motion. Council Member Osteen moved to table this item until the next meeting. Council Member Trube seconded. This item is tabled.

176-2011 Consider, Discuss and Approve LM 09-11 Water & Sewer Supplies to ACT Pipe & Supply not to exceed amount in 2011-2012 budget.

Councilmember Osteen made a motion to table this item pending additional information. Mayor Pro-Tem Bell seconded the motion. Item is tabled.

177-2011 Consider, Discuss and Approve LM 08-11 Waste Water Sludge Management Removal to Terra Renewal in the amount of \$81,125.00.

Councilmember Trube made a motion to approve LM 08-11 Waste Water Sludge Management Removal to Terra Renewal in the amount of \$81,125.00. Council Member Brown seconded the motion. The motion passed unanimously.

178-2011 Consider, Discuss and Approve LM 01-11 Chlorine Calcium Hypochlorite and Sulfur Dioxide to DXI Industries in the amount of \$36,866.00.

Councilmember Trube made a motion to Approve LM 01-11 Chlorine Calcium Hypochlorite and Sulfur Dioxide to DXI Industries in the amount of \$38,866.00. Councilmember Osteen seconded the motion. The motion passed unanimously.

179-2011 Consider, Discuss and Approve LM 04-11 Fuel to Apache Oil Company not to exceed amount approved in 2011-2012 budget.

Mayor Pro-Tem Bell made a motion to table this item pending further information. Councilmember Osteen seconded the motion. Item is tabled.

180-2011 Consider, Discuss and Approve the Council authorizing the Mayor the approval to sign the annual Water Pollution and Abatement Contract for the Fiscal Year 2012.

Council Member Trube made a motion to Approve the Council authorizing the Mayor the approval to sign the annual Water Pollution and Abatement Contract for the Fiscal Year 2012 . Mayor Pro-Tem Bell seconded the motion. The motion passed unanimously.

181-2011 Consider, Discuss and Approve Cancellation of the November 28, 2011 and the December 26, 2011 Regular City Council Meetings.

Councilmember Trube made a motion to Approve the cancellation of the November 28, 2011 and the December 26, 2011 Regular City Council Meetings. Mayor Pro-Tem Bell seconded the motion. Mayor Hocking stated that the cancellation of these two meetings was due to the Thanksgiving and Christmas holidays. The motion passed unanimously.

182-2011 Consider, Discuss and Approve a member to the Electrical Board – District D Appointment

Council Member Brown made a motion to appoint Greg Conner to the Electrical Board. Mayor Pro-Tem Bell seconded the motion. The motion passed unanimously.

183-2011 Consider, Discuss and Approve a nomination(s) to replace former Mayor Geraldine Sam and add an alternate member to the Galveston County-wide Urban-Rural Transit District ("District") Governing Board.

Mayor Pro-Tem Bell made a motion to appoint Mayor Hocking as a member to the Galveston County-wide Urban-Rural Transit District (District") Governing Board and Mayor Hocking made a motion to appoint Mayor Pro-Tem Bell as an alternate member. Councilmember Trube seconded the motion. The motion passed unanimously.

184-2011 Consider, Discuss and Approve the resignation of the Interim-City Clerk effective September 30, 2011.

Councilmember Osteen made a motion to Approve the resignation of the Interim-City Clerk. Council Member Brown seconded the motion. The motion passed unanimously.

185-2011 Consider, Discuss and Approve the appointment of Zina Tedford as Interim-City Clerk effective October 1, 2011 and approve the contract with Texas First Group Replacement Service, Inc.

Mayor Hocking made a motion to Approve the appointment of Zina Tedford as Interim-City Clerk effective October 1, 2011 and approve the contract with Texas First Group Replacement Service, Inc.. Councilmember Brown seconded the motion. The motion passed unanimously.

186-2011 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.

187-2011 ADJOURNMENT –

Councilmember Trube made a motion to adjourn the meeting. Mayor Pro-Tem Bell seconded the motion. The motion passed unanimously and the meeting was adjourned at 7:42 p.m.

Bobby Hocking, Mayor

ATTEST:

Interim-City Clerk Zina Tedford