



1111 Bayou
La Marque, Texas 77568
409.938.9202

**City of La Marque
Regular Minutes
March 9, 2015**

Minutes of the Regular Meeting of the City Council of the City of La Marque, Texas that was conducted on Monday, March 9, 2015 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 Lane
Councilmember Brown
Councilmember Trube

City Manager Buttler
City Attorney Ortego- Absent
City Clerk Eldridge

(3) INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Pro Tem Bell dispensed the invocation and led the Pledge of Allegiance.

(4) MINUTES

a. City Council Regular minutes of February 23, 2015.

** Councilmember Lane made a motion to approve the minutes of February 23, 2015.

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

(5) PRESENTATION

There was no presentation.

(6) CITIZEN'S PARTICIPATION

a. Kurt Koopman, 1004 Lilac- Stated that he has been a member of the Cemetery Board for three or four years now. The Board has been working on the cemetery fence project for quite some time. He learned at the last Cemetery Board meeting that the City had rejected all of the bids that were submitted and that they would go through a re-bid process. He also said that he heard from a few persons that the reason for the re-bid was in order to give a local contractor a chance to bid on it. Said that he supports local businesses. He said that he did not agree with the decision, since no one locally had submitted a bid in the first bidding process, and that it wasn't difficult in the least to get the bid information from the website and that if local businesses wanted to submit a bid, they had an opportunity as anyone else. He stated that he just wants to make sure that the bidding process is conducted fair.



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Mayor asked if all protocols were followed for this bidding process and was told yes that all procedures were followed according to our Purchasing Policy. Then stated that no members of City Council knew any of the bidders or what each bidder had submitted.

- b. David Pennington, said he had learned at the Cemetery Board meeting that the cemetery fence project was going to go through a re-bidding process. He said that he too agreed with Mr. Koopman, that he supported local businesses. Then he stated that once the bids are opened they become public record and that then it becomes an unfair playing field, since everyone could see what the bids were and be able to underbid. Asked why the City was questioning the contractor that was hired to go out for bids for this project. He said he doesn't want to deter future potential bidders. He was informed by the City Manager that until the bid was awarded, that the bid information received was not public information.

(7) PUBLIC HEARING

- a. Conduct Public Hearing to hear public comment regarding Ordinance No. **O-2015-003**, amending the City of La Marque 2014-2015 Budget for Year-End encumbrances, personnel, and related Capital outlays by increasing certain expenditures, and increasing certain revenues to individual budget accounts in certain funds as set forth in attached Exhibit "A" of the said Ordinance.

Mayor Hocking recessed the Regular Meeting at 6:07 p.m. and opened the Public Hearing.

Geraldine Sam asked for the total amount of money that will be moving into each different areas within the budget.

City Manager stated that no money was being moved around, but just accounting for the expenditures that have already been approved by City Council. She referred to the Finance Director to further explain.

Finance Director Suzy Kou stated, "For the year-end encumbrances, this is something that Council approved in the previous fiscal year that we didn't spend. It was in the budget, it was appropriated in last year's budget, but, because we did not spend it, it moves over into the current fiscal year. As far as Capital Outlay and Personnel, those are new items based on needs, mentioned in exhibit "A" in the attachment to the ordinance. It is a budgeting process not an accounting process." The total amount was determined to be approximately 1.2 million dollars.

Further discussion explained encumbrances and that no new monies were being appropriated.

Being that there was no further discussion, Mayor Hocking closed the Public Hearing and reconvened the Regular Meeting at 6:13 p.m.

(8) OLD BUSINESS

- a. Discussion/possible action regarding adopting Ordinance No. **O-2015-003**, amending the City of La Marque 2014-2015 Budget for Year-End encumbrances, personnel, and related Capital outlays by increasing certain expenditures, and increasing certain revenues to individual



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budget accounts in certain funds as set forth in attached Exhibit "A" of the said Ordinance.

THIS IS THE SECOND AND FINAL READING.

** Councilmember Trube made a motion to adopt Ordinance No. O-2015-003.

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

(9) NEW BUSINESS

- a. Discussion/possible action regarding Resolution No. **R-2015-005**, a resolution approving the aerial spraying of mosquitos by Galveston County Mosquito Control District, as required on a yearly basis by the Federal Aviation Administration

Councilmember Bell asked that the City Manager get in touch with the person responsible in scheduling the mosquito spraying and to make sure that it is distributed fair and balanced within the County and for them to take a more aggressive approach earlier this year for the community.

** Councilmember Bell made a motion to adopt Resolution No. R-2015-005.

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

- b. Discussion/possible action regarding acceptance of formal appraisal in the amount of \$11,800.00 in conjunction with the previous approval of the abandonment of "Tract Two" Prune Street 80 foot wide right-of-way lying South of Block 49 and that portion of Block 50 lying East of the G.H. & H. railroad right of way and North of Block 56, all in Subdivision "K" of the COOK AND STEWART SUBDIVISION in compliance with the abandonment process.

** Councilmember Brown made a motion to accept a of formal appraisal in the amount of \$11,800.00 in conjunction with the previous approval of the abandonment of "Tract Two" Prune Street 80 foot wide right-of-way lying South of Block 49 and that portion of Block 50 lying East of the G.H. & H. railroad right of way and North of Block 56, all in Subdivision "K" of the COOK AND STEWART SUBDIVISION in compliance with the abandonment process.

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

- c. Discussion/possible action regarding the use of Public Surplus website for the auctioning of approved vehicles and equipment

** Councilmember Bell made a motion to use Public Surplus website for the auctioning of approved vehicles and equipment

** Councilmember Lane seconded.

Councilmember Trube asked who determines the price of the vehicles and equipment.

Public Works Director Les Rumburg said that the amount in the backup shows at what price the bidding starts. **MOTION CARRIED UNANIMOUSLY.**

- d. Discussion/possible action regarding Resolution No. **R-2015-006**, a resolution changing the name of Casey Street to Hallam Road



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- ** Councilmember Bell made a motion to adopt Resolution No. **R-2015-006**, a resolution changing the name of Casey Street to Hallam Road.
- ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**
- e. Discussion/possible action regarding the appointment of an Alternate to the Galveston County Animal Services Advisory Committee
Mayor Hocking appointed Police Chief Vicki King to the Alternate position on the Animal Services Advisory Committee. Councilmember Lane seconded.

(10) CITY MANAGER'S REPORT

- **Development Services**
- **Police Department**
- **Fire Department**
- **Public Services**
- **Administration**
- **Financials**

Councilmember Trube referred to page 72, asked what was in the contract, what was offered, and what happens if we are short of officers. Chief King said that this was the TAPS program which was approved by City Council previously. That it was on an Officer volunteer basis.

Councilmember Bell asked for an update on the body cameras, to which Chief King replied that the Police Department has been actively testing body cameras for battery life, fit and other criteria and are in final phases, as soon as the police officers have completed and provide recommendation, it will be brought before City Council.

Councilmember Trube continued and referred to page 75, the bids for the cemetery fence. Asked why the bids were rejected and said she has issues. Said that the same contractor had done the investigation of the streets and came back with something that wasn't asked for, so she is kind of iffy about this contractor. City Manager, Carol Buttler responded, "When bids came in, the item was ready to come to City Council, it was noticed that a local bidder that had helped the City through the process in the beginning, had not submitted a bid, and in smaller cities, it is normal to contact the local vendor and ask why. In the past, City Council has asked why we had no local bidders. The contractor wasn't specifically advised that that they were to notify local vendors. We made the decision to give the local vendor at least a fair advantage and opportunity. As far as people assuming that staff or Council is trying to send the bid to anyone in particular, that it not the case. I take offense to that, we have followed the purchasing policy. No one is to know the bid amounts and can't request to see them until the bids are brought before Council and have been awarded." Councilmember Trube continued, and said that there was no report on signs in the ROW's; there are several unpaid charges. She asked how a person can be given a citation for tampering with a water meter if they weren't seen doing it. She was advised that it is something for the court to decide. Page 98, the police report, she still would like details so she knows where crimes are being committed within her district. It has been explained to her, but she says she it is unacceptable. She says she received them before and I get them from different cities.



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Police Chief King explained, "Well, I appreciate your inquiry, but, is my job to reduce risk and to make sure that your Police Department is in compliance with the law. I cannot, I will not, I am under legal mandate not to release any identifying information associated with child victims, victims of domestic violence, victims of sexual assault. The report that you received was an un-redacted report. There is not a report that will redact that for us. Unless, I had a member of staff that could handle those kinds of issues, and has the time to go through thousands of reports, line by line to make sure that we are not releasing confidential information, I cannot and will not release exact addresses." She further explained how releasing this confidential information could also place some of the elderly citizens at risk.

Councilmember Trube asked what she should do with all the reports she has been receiving. "I guess all of the Police Chiefs before have been violating the law?"

Chief King replied, "I didn't say that. The report could contain confidential information and I don't have the resources to redact it at this time."

Councilmember Trube and the Police Chief agreed to work on something that could possibly meet her needs but with the understanding that it will require additional man hours, since the software does not automatically redact this confidential information, and by using this technique, this could also result in human errors.

Councilmember Trube had a question for Chief Grimm, about data being unavailable, to which it was confirmed. Page 133, had a few questions, which was explained by the Finance Director. Page 135 and 136, which were also explained by the Finance Director (balance sheet vs. one fiscal year of appropriations). Then she asked about the credit that Linebarger had been given for collecting on a few warrants that actually the City Marshall was responsible for collecting. City Manager explained.

Councilmember Bell asked about the demolitions for the past two years. City Manager said that there were demolitions in each of the Districts, with the majority being complaint driven. Some have been initiated by the City. Total number of 118 that have been demolished, some of which were IKE related. Said that he had received some concerns from citizens that it appeared that the City Marshall was overworked. City Manager reported that she had spoken to the City Marshall and said that she was satisfied. Councilmember Bell said, "I think she is doing a great job. In no way, shape or form or should be considered that I had displeasure with her. This was brought up to me by citizens."

Mayor asked for the requests and announcements at this time, since the City Council would soon be recessing into an Executive Session.

(11) REQUESTS AND ANNOUNCEMENTS

Councilmember Trube gave kudos to one of the Firefighters/EMT's, William Reed after reading an article in the newspaper that outlined all of his accomplishments.



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Councilmember Bell asked that the City Manager set up a meeting between Mr. Koopman and himself, along with Mr. Pennington if he would like to. So that all of the concerns with the bidding for the cemetery were alleviated.

Mayor Hocking wished all a wonderful Spring Break and congratulated the La Marque High School Cougars- Basketball team that will be playing in the Alamo Dome for State Championship.

(12) EXECUTIVE SESSION

Mayor Hocking recessed the Regular Meeting and went into Executive Session at 7:00 p.m.

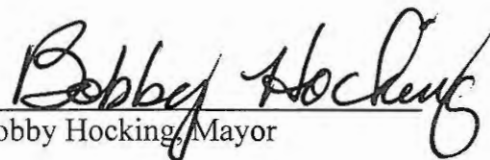
1. To discuss City Council will adjourn into Executive Session in accordance with the Texas Government Code Section 551.071 (Consultation with Attorney/Closed Meeting) and Section 551.129 (Consultations between Governmental Body and its Attorney/Closed Meeting) – To Discuss Animal Services Agreement through Galveston County

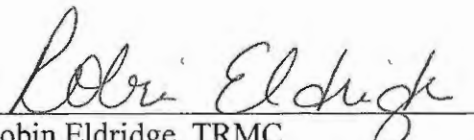
Mayor Hocking reconvened the Regular Meeting at 7:37 p.m.

No action was taken for the Executive Session.

(13) ADJOURNMENT

** Councilmember Bell made a motion to adjourn the meeting at 7:39 p.m. Councilmember Trube seconded. **MOTION CARRIED UNANIMOUSLY.**


Bobby Hocking, Mayor


Robin Eldridge, TRMC
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:	3-9-15
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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:	10
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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:
Cemetery Fence Rebid

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:	KURT KOOPMANN
Address:	1004 LILAC ST, LM
Phone Number:	938-8606

If speaking on behalf of an organization:

Name of Organization:	
Speaker's Official Capacity:	

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Council Agenda Item Number:	
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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:	Cemetery Fence
	BIDS

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:	DAVID PENNINGTON
Address:	924 CYPRESS
Phone Number:	938-4416

If speaking on behalf of an organization:

Name of Organization:	
Speaker's Official Capacity:	