



1111 Bayou
La Marque, Texas 77568
409.938.9202

**City of La Marque
Regular Meeting Minutes
June 8, 2015**

Minutes of the Special Meeting of the City Council of the City of La Marque, Texas that was conducted on Monday, June 8, 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 Clerk Eldridge

(3) INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Pro-Tem Bell gave the invocation and led the Pledge of Allegiance

(4) MINUTES

a. Minutes of Special Meeting of May 18, 2015

Councilmember Trube made a motion to approve the Special Meeting minutes of May 18, 2015. Councilmember Bell seconded. **MOTION CARRIED UNANIMOUSLY.**

(5) PRESENTATIONS – Proclamation- from Land & Sea- Clent Brown

Mayor Hocking presented Councilmember Brown with a plaque from Land & Sea for all of his help and support in keeping their business in La Marque.

(6) CITIZEN'S PARTICIPATION

Rick Harman, 1202 Lake, "Why does the grass along Cedar Drive not get mowed more often than what it does? In some spots it is six feet tall. The sidewalks are covered. I know the City has an easement. The City employees need to get out and cut it. No wonder the kids walk on the opposite side of the street, the grass is so tall; the sidewalk is covered in grass. The cars down there at Gill's have been there about two weeks already. I wish the city would change some of the ordinances that would cover things like that." Mayor Hocking commented, "We will be redoing several ordinances this year, with some outside help, which will be helpful."

(7) PUBLIC HEARING

a. Conduct Public Hearing to hear public comments regarding the implementation of a ninety-ninety (90) Temporary Moratorium on accepting permit applications,



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authorizations, and approvals necessary for the subdivision of, site planning of, or construction of additional recreational vehicle parks (RV) in the City of La Marque.

Mayor Hocking closed the Regular meeting and opened the Public Hearing at 6:05 p.m.

No one spoke.

Mayor Hocking closed the Public Hearing and reconvened the Regular meeting at 6:06 p.m.

(8) OLD BUSINESS

- a. Discussion/possible action regarding the implementation of a ninety day (90) Temporary Moratorium on accepting permit applications, authorizations, and approvals necessary for the subdivision of, site planning of, or construction of additional recreational vehicle parks in the City of La Marque.

** Councilmember Bell made a motion to move forward with the temporary moratorium.
** Councilmember Brown seconded.

Councilmember Trube asked, "Is this just to be an absolute temporary moratorium, so that we can gather information?"

Attorney Ortego, "According to the statutes, on the fifth day after being published, a temporary moratorium came into effect. After the second reading of the ordinance occurs, the moratorium extends for a ninety (90) day period."

Councilmember Trube added, "In that mean time, are we going to gather information on whether we want to make it permanent or not?"

Mayor Hocking explained that there was an application that was turned in and was initially approved by the Planning and Zoning Commission, and will be grand-fathered from this moratorium process.

Councilmember Bell stated, "But, City Council can act and deny if we do so choose"
MOTION CARRIED UNANIMOUSLY.

(9) NEW BUSINESS

- a. Discussion/possible action regarding Ordinance No. **O-2015-009**, the levy of PID in the amount of \$1,500.00 per lot for Painted Meadows, Section III, as provided by their financial advisor, John F. Howell Jr.

** Councilmember Trube made a motion to adopt Ordinance No. O-2015-009.
** Councilmember Bell seconded. **MOTION CARRIED UNANIMOUSLY.**

- b. Discussion/possible action regarding the approval of the assessment report provided by McGrath & Co., PLLC, and adopting Ordinance No. **O-2015-0010**, the levy of PID



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assessment in the amount of \$1,500.00 per lot for Painted Meadows, Section IV, as provided by their financial advisor, John F. Howell.

- ** Councilmember Trube made a motion to adopt Ordinance No. O-2015-0010.
- ** Councilmember Bell seconded. **MOTION CARRIED UNANIMOUSLY.**

- c. Discussion/possible action regarding a recommendation from Planning and Zoning Commission regarding Ordinance No. **O-2015-0011**, the abandonment of a 60-foot Road Easement located in the J. R. Pace Survey Abstract 161, Galveston County, Texas.

- ** Councilmember Trube made a motion to adopt Ordinance No. O-2015-0011.
- ** Councilmember Bell seconded. **MOTION CARRIED UNANIMOUSLY.**

- d. Discussion/possible action regarding Resolution No. **R-2015-0018**, for tax assessment and collection services by the Galveston County

- ** Councilmember Lane made a motion to adopt Resolution No. R-2015-0018.
- ** Councilmember Trube seconded. **MOTION CARRIED UNANIMOUSLY.**

- e. Discussion/possible action regarding authorizing the City Manager to execute an agreement with Linebarger Goggan Blair and Sampson LLP for delinquent property tax and code enforcement liens collection services for City of La Marque.

- ** Councilmember Lane made a motion authorizing the City Manager to execute an agreement with Linebarger Goggan Blair and Sampson LLP for delinquent property tax and code enforcement liens collection services for City of La Marque.

- ** Councilmember Brown seconded.

Bell referred to page 98, and then asked, "Do we have an idea of how much delinquent taxes we have on an annual basis?"

Mark Ciavaglia of Linebarger Goggan Blair & Sampson, LLP, referred to a Delinquent Property Tax Collection Report (attached as Exhibit "A") explained the city's previous 9+ years of collection of delinquent taxes. Discussion continued clarifying the percentage the company is paid for collecting the delinquent taxes; software available to collect on unpaid Code Enforcement cases. **MOTION CARRIED UNANIMOUSLY.**

- f. Discussion/possible action regarding Resolution No. **R-2015-0019**, approving the Commissioner's Court of Galveston County nominations of members for reappointments and appointments to the United Board of Health.

- ** Councilmember Bell made a motion to adopt Resolution No. R-2015-0019.
- ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**



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g. Discussion/possible action regarding accepting Resolution No. **R-2015-0020**, adopted by Galveston County Commissioners Court outlining funding intent for Fiscal Year 2015-2016 Animal Control Services

** Councilmember Trube made a motion to accept the Resolution No. R-2015-0020
** Councilmember Lane seconded.

Councilmember Bell voiced his concerns, "It looks like the bigger number in the cost to the City, is the housing of the animals. My concern down the road, not today, as we move forward, if the field operations are in our cities, why is it that we are expected to pay 40% of the field operations in our City, then 60% of the housing services that are not in our City. To me it is strictly financial. It is that the County wants to pay the least amount as possible. We need to start to down the road, really have a dialogue with the County."

Mayor Hocking added, "I would concur with what you are saying." **MOTION CARRIED UNANIMOUSLY**

(10) CITY MANAGER'S REPORT

- Development Services
- Judicial
- Police/EOC Department
- Fire/EMS Department
- Connect Transit
- Public Services
- Animal Services
- Administration

Councilmember Trube referred to page 202, and asked why there were no safety meetings during the month of April and under the Special Projects, there are no man hours or a time frame when they were done. "I think we need to be aware of what the employees are doing." City Manager replied that the Safety Committee has reconvened and that the TML Risk Pool is due back within the next few days, to determine whether the City is conducting enough Safety meetings. Page 203, no hours were listed for the repair of the cleanup on Texas Avenue. Page 204, under the monthly totals, she came up with different numbers. It was determined that they were on a different page. Page 210, the number 16, purchasing policy procedures, "Do we not have direct procedures?" It was said that this is for fiscal years 2012-2013, and Council has adopted a Purchasing Policy since then, to which staff has been trained and are following the procedures. Software is being reviewed for the shop inventory. Page 218 the MOTCO landscaping, this line item was closed out because it was not being used, and was moved into the Debt. Service line item. Asked if the lines running to MOTCO have ever been checked, since we are losing so much water. It was said to have been physically walked, and no sign of leaks were determined.



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Councilmember Lane stated, "I would like to see if the City could add to the water bills what events that take place at the La Marque Library. We really need to utilize our resources and market the events that take place."

Councilmember Bell referred to page 143, under the "operations" bullet point, asked about the one page notification form advising citizens of the violations concerning their visible street addresses or lack of. The City Manager responded, "In trying to find the best method to try and get everyone in the City to address their structures, Chief Grimm came up with a program that is not limited to, but addressed more toward the elderly, for the city's purchase of street addresses and the placement of for those that may not be physically able to do so. This will help not only address any code violations at a particular address, but also help identify addresses for all areas, Police, Fire and EMS for emergency purposes." With the departure of the latest Code Enforcement Officer, the City Marshall along with the Fire Department are taking a more active role."

(11) EXECUTIVE SESSION

City Council will adjourn into Executive Session in accordance with the Texas Government Code Section 551.071 (Consultation with Attorney/Closed Meeting) - Discuss summons received regarding Case of USOR Site PRP Group v. A&M Contractors, Inc., et al.

Mayor Hocking closed the Regular meeting and went into Executive Session at 6:50 p.m.

Mayor Hocking came out of Executive Session at 7:12 p.m. reconvened the Regular Meeting at 7:13 p.m.

(12) Discussion/possible action regarding authorizing the City Manager to execute a formal Engagement Letter with Olson & Olson, L.L.P. as Special Legal Counsel regarding Case of USOR Site PRP Group v. A&M Contractors, Inc., et al.

Councilmember Bell made a motion to authorize the City manager to execute a formal Engagement Letter with Olson & Olson, L.L.P., as Special Legal Counsel regarding Case of USOR Site PRP Group v. A&M Contractors, Inc., et al. with a cap of \$5,000.00, from which funds will come out of the MOTCO Fund line item to address legal matters.

Councilmember Brown seconded. **MOTION CARRIED UNANIMOUSLY.**

(13) REQUESTS AND ANNOUNCEMENTS – Were given before going into the Executive Session

Councilmember Trube thanked all for attending.

Councilmember Brown reported that he attended four graduations over the past weekend. "I would love to see La Marque come back with their school system."

Councilmember Lane reported that the Library had their Summer Reading program kickoff this past Saturday and thanked City employees Nathan Baggs and Diane Millican for volunteering their time.



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Councilmember Bell reported that 135 students graduated from La Marque High School over the weekend. "I had the pleasure of attending along with Councilmember Lane. We want to congratulate all of the young people for all of their hard work that they were able to accomplish, in spite of all of the circumstances that surrounded their education." Wished everyone a Happy Father's Day. Also wished a Happy Juneteenth to those who celebrate. Would like to meet with the City Manager, concerning the Code Enforcement Department. He then complimented her on the City Manager's Report mainly with the section on the Audit, said that it was very easy to read and understand.

Mayor Hocking stated, "I would also like to congratulate those graduates of La Marque High School. I was unable to attend, but I wrote a personal, heartfelt letter for ceremonial purposes to each of the graduates." Reminded all of early voting beginning on Monday, June 15th for the Runoff election, encouraged all to exercise their right to vote. Congratulated Mr. Brown on receiving his plaque. Thanked all for attending.

(14) **ADJOURNMENT**

Councilmember Bell made a motion, and was seconded by Councilmember Lane to adjourn the meeting at 7:14 p.m. **MOTION CARRIED UNANIMOUSLY.**

Robin Eldridge, TRMC
City Clerk

Bobby Hocking, Mayor

**CANDIDATE APPLICATION FORM
FOR COUNCIL-APPOINTED BOARDS & COMMISSIONS
OF
THE CITY OF LA MARQUE**

City Council will review applicants interested in serving on a City Board and/or City Commission. Information disclosed on this application or any other attached documents may be disclosed in public meetings.

Please type or print information

Board Preference 1: _____

Board Preference 2: _____

Name: Rick Harman

Home Address: 1202 Lake Rd

City: LA MARQUE TX Zip: 77568 La Marque Resident: 68 yrs

Home Telephone: 409 935-6044 Home E-mail: _____

Profession: Retired

Special Knowledge or Experience applicable to City Board/Commission function: _____

Other Information (Civic Activities): _____

I verify that the information I have provided on this application to be true and correct.
I also acknowledge that this information may be made available to the public.

Signature: Rick Harman

Date: 6-11-15

PLEASE RETURN COMPLETED APPLICATION TO THE CITY CLERK'S OFFICE, 1111 BAYOU RD,
LA MARQUE, TEXAS 77568. APPLICATIONS WILL REMAIN ON FILE FOR TWO YEARS.