



1111 Bayou
La Marque, Texas 77568
409.938.9202

**CITY OF LA MARQUE
CITY COUNCIL
REGULAR MEETING MINUTES
OF
OCTOBER 9, 2017**

Regular City Council Meeting Minutes of the City of La Marque City Council held on Monday, October 9, 2017, beginning at 6:00 p.m. at 1109-B Bayou Road with the following members present:

(1) CALL TO ORDER

Mayor Hocking called the Special Meeting to order at 6:00 p.m.

(2) ROLL CALL

Bobby Hocking

Keith Bell

Chris Lane

Robert Michetich

Casey Mc Auliffe

Mayor

Mayor Pro-Tem, Councilmember District A

Councilmember, District B

Councilmember, District C

Councilwoman, District D

OTHER OFFICIALS PRESENT:

Carol Buttler

Ellis Ortego

Robin Eldridge

City Manager

City Attorney

City Clerk

(3) INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Hocking led the invocation and the Pledge of Allegiance

(4) PRESENTATIONS/PROCLAMATIONS

Proclamation- Bob and Mary Eaton

Mayor Hocking read and presented Bob and Mary Eaton a proclamation for their continued volunteerism after Hurricane Harvey. They have been providing transportation to those citizens who have been affected by the storm and have no transportation.

Retirement- John Brasher

Mayor Hocking and Chief Grimm announced the retirement of John Brasher who has been with the City in the Fire Department for twenty-nine years.

(5) CITIZENS PARTICIPATION

1. Geraldine Sam asked if senior citizens were going to receive the same discount with the news solid waste provider as they did with the previous provider. Also asked if they were still going to have to pay the seventy dollars for the cart. City Manager clarified that in the previous contract it was ninety-five dollars per cart and in this contract it is seventy dollars, if they are stolen or damaged by the owner, and that is not a fee that is charged on a regular basis.



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(6) MINUTES

- a. Regular City Council Meeting Minutes of August 14, 2017
- b. Special City Council Meeting Minutes of August 21, 2017
- c. Regular City Council Meeting Minutes of September 11, 2017
- d. Special City Council Meeting Minutes of September 18, 2017

****** Councilmember Lane made a motion to approve the minutes of the August 14, 2017; August 21, 2017; September 11, 2017 and September 18, City Council minutes.

****** Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY**

(7) PUBLIC HEARING

- a. Conduct Public Hearing to hear public input regarding adopting Ordinance No. **O-2017-0013**, amending Sec. 62-51; Maximum limits in school zones generally, and Sec. 62-139; Parking prohibited on certain streets during school hours, by adding a new Sec. 62-51; Maximum limits in school zones generally.
- b. Conduct Public Hearing to hear public input regarding Ordinance No. **O-2017-0019**, amending Appendix "A", Schedule of Fees and Charges of the Code of Ordinances, City of La Marque, Texas by amending prescribed solid waste collection charges.
- c. Conduct Public Hearing to hear public input regarding Ordinance No. **O-2017-0020**, amending the FY 2016-17 Budget for grants, special (restricted) revenues and related expenditures by increasing (decreasing) certain revenues and increasing (decreasing) certain expenditures to individual budget accounts in certain funds as set forth in attached Exhibit "A".
- d. Conduct Public Hearing to hear public input regarding Ordinance No. **O-2017-0021**, amending the entire Article II of Chapter 35, Garbage, Rubbish And Rubble, to rename the Clean City Commission as "Keep La Marque Beautiful Commission," to restate its purpose, and to provide for additional officer positions.

Mayor Hocking closed the Regular Meeting and opened the Public Hearings at 6:10 p.m.

No one spoke

Mayor Hocking closed the Public Hearing and reconvened the Regular Meeting at 6:14 p.m.

(8) OLD BUSINESS

- a. Discussion/possible action regarding adopting Ordinance No. **O-2017-0013**, amending Sec. 62-51; Maximum limits in school zones generally, and Sec. 62-139; Parking prohibited on certain streets during school hours, by adding a new Sec. 62-51; Maximum limits in school zones generally.



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- ** Councilmember Lane made a motion to adopt Ordinance No. O-2017-0013.
- ** Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY**
THIS IS THE SECOND AND FINAL READING
- b. Discussion/possible action regarding Ordinance No. **O-2017-0019**, amending Appendix "A", Schedule of Fees and Charges of the Code of Ordinances, City of La Marque, Texas by amending prescribed solid waste collection charges.
- ** Councilmember Michetich made a motion to adopt Ordinance No. O-2017-0019.
- ** Councilwoman Mc Auliffe seconded. **MOTION CARRIED UNANIMOUSLY**
THIS IS SECOND AND FINAL READING.
- c. Discussion/possible action regarding adopting Ordinance No. **O-2017-0020**, amending the FY 2016-17 Budget for grants, special (restricted) revenues and related expenditures by increasing (decreasing) certain revenues and increasing (decreasing) certain expenditures to individual budget accounts in certain funds as set forth in attached Exhibit "A".
- ** Councilmember Lane made a motion to adopt Ordinance No. O-2017-0020.
- ** Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY**
THIS IS THE SECOND AND FINAL READING.
- d. Discussion/possible action regarding adopting Ordinance No. **O-2017-0021**, amending the entire Article II of Chapter 35, Garbage, Rubbish And Rubble, to rename the Clean City Commission as "Keep La Marque Beautiful Commission," to restate its purpose, and to provide for additional officer positions.
- ** Councilwoman Mc Auliffe made a motion to adopt Ordinance No. O-2017-0021.
- ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY**
THIS IS THE SECOND AND FINAL READING
- (9) **NEW BUSINESS**- a. Discussion/possible action regarding approving the recommendation of the Cemetery Board to Transfer Cemetery Plot 84, spaces 6-10; and Plot 85, space 10 of the Southeast Quadrant from Truman A. Meadows (Alma Meadows) to Samantha D. and Kadie E. Meadows (granddaughters).
- ** Councilmember Lane made a motion to approve the recommendation of the Cemetery Board to Transfer Cemetery Plot 84, spaces 6-10; and Plot 85, space 10 of the Southeast Quadrant from Truman A. Meadows (Alma Meadows) to Samantha D. and Kadie E. Meadows (granddaughters).
- ** Councilwoman Mc Auliffe seconded. **MOTION CARRIED UNANIMOUSLY**



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- b. Discussion/possible action regarding adopting Resolution No. **R-2017-0025**, approving participation in the Texas Cooperative Liquid Assets Securities System Program (Texas CLASS) to provide an option for a short-term, highly liquid investment program, designed specifically for public-sector funds; to provide the opportunity to invest funds on a cooperative basis in short-term investments which are carefully selected to provide maximum safety and liquidity while generating a competitive yield.

** Councilmember Michetich made a motion to adopt Resolution No. R-2017-0025.

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

- c. Discussion/possible action regarding approval of a Change Order for LJA Engineering Project No. E019-097D to Texas Pride Utilities, LLC, to increase the original bid of \$554,565.00 by 25% (\$134,714.00) to be added to the City of La Marque Sanitary Sewer Rehabilitation 2016, making total cost of the project \$689,279.00 with an additional 60 days to project completion.

After a lengthy discussion as to why it was a change order instead of going out for bid, as done previously, with the other projects, Mayor Pro-Tem Bell asked for an explanation.

Public Services Director Les Rumburg explained that the bids came in low, leaving over \$800,000.00 remaining funds out of the 2009 grant. The 25% additional is enabling the city to spend more of the allotted money on other projects. With the City having such dilapidated infrastructure, they decided to continue repairing some of those other projects, also, for the sake of time.

Mayor Pro-tem said that the City may not always want to do business in that fashion, and that bidding those other projects, would provide opportunities for all qualified bidders and allow others to bid and have healthy competition, but still wanted to move forward on the item. He referred to a side note on one of the pages, and asked the City Manager to clarify.

City Manager Buttler explained, "That is not how I would have worded it, but, as a rule, the maximum you can go up on a contract is 25% for the City, but usually it is 25% decrease for a City. It is saying in excess cannot be reviewed, I believe, if I understand how the GLO works, If we would have submitted this in excess of the 25%. The GLO couldn't review it, and would be rejected.

Mayor Pro-Tem added that he would support it, because the work needs to be done, but that he wanted to do business more in line with the spirit of what change orders are supposed to be used for.

Councilmember Michetich added that the although the contractor was the lowest one turned in, actually \$40,000 lower than the others, so by bidding the other projects, may or may have not ended up with the same outcome, it could have cost the City more money.



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It was also added, that GLO had already reviewed the change order, before being submitted to City Council

- ** Councilmember Lane made a motion to approve a Change Order for LJA Engineering Project No. E019-097D to Texas Pride Utilities, LLC, to increase the original bid of \$554,565.00 by 25% (\$134,714.00) to be added to the City of La Marque Sanitary Sewer Rehabilitation 2016, making total cost of the project \$689,279.00 with an additional 60 days to project completion.

- ** Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY**

(10) AWARD OF BID(S)/CONTRACTS

- a. Discussion/possible action regarding approval of annual Water Pollution Control and Abatement Contract with Galveston County Health District for services provided including, City-wide grease trap inspections, Waste Water Treatment inspections, and complaint investigations in the amount of \$12,272.16.

- ** Mayor Pro-Tem Bell made a motion to approve the annual Water Pollution Control and Abatement Contract with Galveston County Health District for services provided including, City-wide grease trap inspections, Waste Water Treatment inspections, and complaint investigations in the amount of \$12,272.16.

- ** Councilwoman Mc Auliffe seconded. **MOTION CARRIED UNANIMOUSLY**

- b. Discussion/possible action regarding award of LJA Engineering Project No. E019-1003 to To-Mex Construction, LLC, for the cost of construction services necessary for repairs/replacement of segment of City of La Marque Sanitary Sewer Rehabilitation 2016, in the amount of \$545,910.00.

Mayor Pro-Tem Bell referred to back-up on this item, and that this is what he had discussed in item 9c, anticipating a future change order. He told the City Manager that he would like to arrange a meeting with LJA.

- ** Councilmember Michetich made a motion to approve awarding LJA Engineering Project No. E019-1003 to To-Mex Construction, LLC, for the cost of construction services necessary for repairs/replacement of segment of City of La Marque Sanitary Sewer Rehabilitation 2016, in the amount of \$545,910.00.

- ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY**

- c. Discussion/possible action regarding award of Bid LM #01-18 to DXI Industries for Liquid Chlorine, Calcium Hypochlorite & Sulfur Dioxide in the amount of \$ 41,398.00.



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- ** Councilmember Michetich made a motion to award Bid LM #01-18 to DXI Industries for Liquid Chlorine, Calcium Hypochlorite & Sulfur Dioxide in the amount of \$ 41,398.00.
- ** Councilwoman Mc Auliffe seconded. **MOTION CARRIED UNANIMOUSLY**
- d. Discussion/possible action regarding award of Bid LM #02-18 to Petroleum Companies, Inc. for fuel in the amount of \$ 5,657.50 in differential costs.
- ** Councilwoman Mc Auliffe made a motion to award Bid LM #02-18 to Petroleum Companies, Inc. for fuel in the amount of \$ 5,657.50 in differential costs.
- ** Mayor Pro-Tem Bell seconded. **MOTION CARRIED UNANIMOUSLY**
- e. Discussion/possible action regarding award of Bid LM #03-18 to Century Asphalt for Cold Mix/ Cold Lay in the amount of \$ 29,750.00.
- ** Mayor Pro-Tem Bell made a motion to award Bid LM #03-18 to Century Asphalt for Cold Mix/ Cold Lay in the amount of \$ 29,750.00.
- ** Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY**
- f. Discussion/possible action regarding award of Bid LM #05-18 to Penceco, Inc. for Odor and Corrosion Control in the amount of \$ 183,250.00.
- ** Councilmember Michetich made a motion to award Bid LM #05-18 to Penceco, Inc. for Odor and Corrosion Control in the amount of \$ 183,250.00.
- ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY**
- g. Discussion/possible action regarding award of Bid LM #06-18 to WBI Inc. for Sludge Removal in the amount of \$122,500.00.
- ** Mayor Pro-Tem Bell made a motion to award Bid LM #06-18 to WBI Inc. for Sludge Removal in the amount of \$122,500.00.
- ** Councilwoman Mc Auliffe seconded. **MOTION CARRIED UNANIMOUSLY**
- h. Discussion/possible action regarding award of Bid LM #07-18 to ACT Pipe & Supply for Water & Sewer Supplies in the amount of \$147,690.50.
- ** Mayor Pro-Tem Bell made a motion to award Bid LM #07-18 to ACT Pipe & Supply for Water & Sewer Supplies in the amount of \$147,690.50.
- ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY**



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- i. Discussion/possible action regarding award of Bid LM #08-18 to Synagro for Aeration Basin Cleaning in the amount of \$102,000.00.
- ** Mayor Pro-Tem Bell made a motion to award Bid LM #08-18 to Synagro for Aeration Basin Cleaning in the amount of \$102,000.00.
- ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY**
- j. Discussion/possible action regarding award of Bid LM #09-18 to Oriental Building Services, Inc., for Janitorial Services in the amount of \$32,282.40.
- ** Councilwoman Mc Auliffe made a motion to award Bid LM #09-18 to Oriental Building Services, Inc., for Janitorial Services in the amount of \$32,282.40.
- ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY**
- k. Discussion/possible action regarding authorizing the Mayor to execute an Interlocal Agreement (ILA) between the City of La Marque and the County of Galveston for the City's continued participation in the Galveston County Auto Crimes Task Force.
- ** Mayor Pro-Tem Bell made a motion to authorize the Mayor to execute an Interlocal Agreement (ILA) between the City of La Marque and the County of Galveston for the City's continued participation in the Galveston County Auto Crimes Task Force
- ** Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY**

(11) APPOINTMENTS/NOMINATIONS

- a. Discussion/possible action regarding appointments and/or reappointments to fill vacancies to various positions of the Boards and Commissions.

No appointments were made.
- b. Discussion/possible action regarding Resolution No. **R-2017-0026** designating members of the City Council as Representative and Official Alternate to the General Assembly of the Houston-Galveston Area Council for year 2018.
- ** Councilmember Lane nominated Mayor Bobby Hocking as the Representative and Councilmember Robert Michetich as the Alternate to the General Assembly of the Houston-Galveston Area Council for year 2018 and adopting Resolution No. R-2017-0026.

(12) CITY MANAGER REPORT

- **Judicial**
- **Police Department**



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- **Fire Department**
- **Library**
- **Public Services**
- **Financials**

(13) EXECUTIVE SESSION

The City Council for the City of La Marque, Texas reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized the Texas Government Code Section 551.071 (Consultation with Attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters), 551.076 (Deliberations about Security Devices) and 551.086 (Economic Development)

1. Section 551.052 (Deliberations about Real Property) – Discuss negotiations relating to lease/purchase property for city facilities

Mayor Hocking recused himself from the Executive Session.
Mayor 6:43 p.m. exited the meeting

Pro-Tem Bell adjourned into Executive Session at 6:45 p.m.

(14) ACTION TAKEN FROM EXECUTIVE SESSION

1. Discussion/possible action regarding negotiations relating to lease/purchase property for city facilities.

Mayor Pro-Tem Bell at 8:23 p.m.

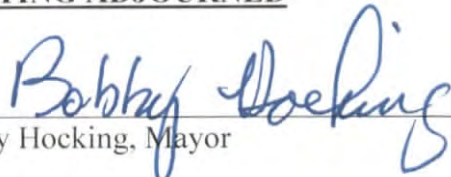
No action was taken

(15) REQUEST AND ANNOUNCEMENTS

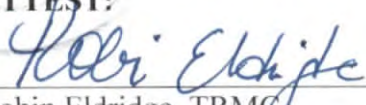
There were none

(16) ADJOURNMENT

- ** Councilmember Lane made a motion to adjourn the Regular Meeting at 8:23 p.m.
** Councilwoman Mc Auliffe seconded. **MEETING ADJOURNED**


Bobby Hocking, Mayor

ATTEST:


Robin Eldridge, TRMC
City Clerk