



1111 Bayou
La Marque, Texas 77568
409.938.9202

**CITY OF LA MARQUE
CITY COUNCIL
REGULAR MEETING MINUTES
OF
NOVEMBER 13, 2017**

Regular City Council Meeting Minutes of the City of La Marque City Council held on Monday, November 13, 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 Pro-Tem Bell led the invocation and the Pledge of Allegiance

(4) PRESENTATIONS/PROCLAMATIONS

1. Introduction of new employees- Police Chief Kirk Jackson along with Mayor Hocking welcomed the new telecommunicator Michael Turner to the La Marque Police Department.
2. Mayor Hocking read and presented Tristen Pearson, a local teenager, a proclamation in support of his efforts to speak on the awareness of Epilepsy.
3. Mayor Hocking presented Josephine Hernandez with a certificate and gift card for her election work in the 2017 Municipal election (s).

(5) CITIZENS PARTICIPATION

1. Don Johnson of the Harris-Galveston Subsidence District introduced Shannon Lucas as a candidate for the vacancy on the Board. This position is a mayoral appointment. Ms. Lucas spoke and provided a brief profile of herself and her experience.



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2. Geraldine Sam commented about the plans for a future community center on the west side of town (Abundant Life property). "Ninety percent of our children live in this area, and most of our schools have been tore down. I was just wondering how those children are going to have access to a community center across I-45. I was asking for you all to reconsider and maybe have that money spent to build a building in the inner- city that the children could enjoy and walk to after they get off the bus. The second thing was that she said she had heard something last week. "Are we going to set a president by awarding bids to the lowest bidder and then giving them a 25% increase every time they bid? I think that this is really unfair to the bidders that bid it and if we are going to do that, then the highest bidders should have had the opportunity to come up with a bid lower enough b to be able to get the 25% that maybe would have boosted him up. I don't think that is the way we should be doing business."
3. Debbie Monroe, "I have been in La Marque for a total of almost thirty-five years. All six of my kids grew up here. Three of them got in trouble with the law. If it were not for La Marque PD, I would have lost my son sooner than I have. There is nothing here for La Marque children to go to for help. I am interested to start a youth mentor program to get the citizens involved. I see the same children, I saw in prison. I worked at TDC for almost twelve years. Same thing happened with my son, he passed away two years ago, when he got out, there is nothing for him to come to, no program, nobody to help. Honestly, through experience, they are not going to listen to parents, been there, done that." She continued to say that it wouldn't cost money to have a place for them to come together to be in a safe place, instead of walking down Cedar every night. "So I will start it, and I need some help."

Councilmember Land stated, "This sounds awesome, and I would like to be of assistance." They exchanged contact information for a future meeting.

(6) MINUTES

- a. Budget Workshop Meeting Minutes of July 24, 2017
 - b. Budget Workshop Meeting Minutes of July 25, 2017
 - c. Budget Workshop Meeting Minutes of July 27, 2017
 - d. Regular Meeting Minutes of October 9, 2017
 - e. Executive Session and Special Called Meeting of October 16, 2017
- ** Mayor Pro-Tem Bell made a motion to approve the City Council meeting minutes of July 24, 25 and 27th , also the minutes of October 9th and the 16, 2017.
- ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**

(7) NEW BUSINESS

- a. Discussion/possible action regarding ratification of settlement agreement between the City of La Marque and D. Grimm, Inc., in the amount of \$22,500, related to the contractor-caused break in the 12" water line at the Texas-New Mexico Power (TNMP) Substation site on FM 1764.



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** Councilmember Michetich made a motion to approve the ratification of settlement agreement between the City of La Marque and D. Grimm, Inc., in the amount of \$22,500, related to the contractor- caused break in the 12" water line at the Texas-New Mexico Power (TNMP) Substation site on FM 1764.

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

- b. Presentation/discussion/possible action regarding the status of Drainage District #2 drainage improvements and maintenance throughout the City of La Marque and provide direction to City Manager.

Councilmember Michetich briefly described the need to have this discussion and that it is necessary especially with the proposed expansion of I-45. He explained that processes will be discussed in upcoming joint meetings so make sure that everyone is on the same page, so that all the parties have the same information. "We don't want to add to our problems and are looking at ways to improve our problems. There is a 2003 drainage study and there is some low hanging fruit that we know we can go after, that will help improve our lots some, although we don't have the money for everything, this is a start. One thing that is an opportunity is the I-45 expansion." He introduced Alan Kuehl, of the Drainage District, who will explain some of their responsibilities and said that the drawings that were about to be shown, will indicate some discrepancies that are not necessarily DD2 issues, but more TXDot related.

Mr. Kuehl distributed two district maps, and began, "The district was formed in 1911, and it is comprised of thirty-six square miles, which involves four cities (West Texas City, La Marque, Hitchcock and Dickinson). The four major drainage areas are Dickinson Bayou, Moses Bayou, Highland Bayou and the Diversion Canal, and of those four areas, there are fifteen sub-areas, that drain into those four. Of those fifteen sub-areas, ten have had master watershed studies done, since we started doing the studies back in the early eighties. Currently, our efforts are funded by our ad valorem taxes. I think we have the second lowest tax rates in Galveston County, at 5.6 cents per hundred dollars. We have never had a bond issue and never borrowed any money. In addition to the ad valorem taxes, we have impact fees, and that is designed so the taxpayers of the district don't fund developers costs associated with new development. We have three areas where those impact fees are imposed, and those are Moses Bayou, Ditch 6, and West Texas City. Ditch 8, which is the channel over by Walmart, and ditch 9, which is the system that is over by Saltgrass, those three and in addition to that, we have some areas in the district that we are unable to channelize as best as we would like, so we have what we call 'detention rates' in those areas. An example is where a channel crosses a state road, and the box under that road is too high or too small, the cost to change those things are so exorbitant that the detention rate come in on those. We have nearly all of La Marque, only lacking a little bit, Highland Bayou being our boundary. With the exception of one area, all of those are gravity drained, through the channels I mentioned before. The one that is not, are the four channels that go through the old golf course and across the highway to the corps levee and the seawall maintenance pump station that pumps those channels out for us. Currently, the



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system that is in place out there utilizes the property on both sides of I-45, as a ponding area, so that the relatively small pumping station, that is out on the seawall maintenance levee, functions to keep southeast La Marque drained. In the last storm, Harvey, depending on who you talk to, some areas received forty inches of rain, we came out remarkably well. We are small, we maintain, and we also construct new channels.”

Councilmember Casey clarified with Mr. Kuhl her district boundaries and the drainage ditch (s), which are actually said to be storm sewers located within her district.

Councilmember Michetich continued by saying that the City will be looking into establishing guidelines as to how the revenues generated from the proposed impact fees are going to be spent. “For the way the system was designed, for a certain amount of rainfall, it functions to that design, but this doesn’t mean it was designed to maximum capacity. Looking at the drainage canals on I-45 and their actual capacity versus what we can pump out, and then what we can feed across, there is a choke point there at that freeway.” Discussion continued with pictures showing the ditches on both sides of the freeway with room for much for capacity and the need for creating and designing a system that is designed for maximum capacity, so that the water can move faster. Pictures also showed other culverts with ditches that could sustain much more water than the size of the culverts that are placed in those few areas. It was said that there is a need to remove blocks wherever it can be done, place the correct amount and size of culverts to withstand heavy rains that many areas are experiencing, is very much necessary. No action was taken or necessary.

(8) AWARD OF BIDS/CONTRACTS

- a. Discussion/possible action regarding award of LJA Engineering Project No. E019-1002 to Statewide Services, Inc., for the cost of construction services necessary for repair/replacement of sanitary sewer main line on Oak Street, from Cedar to Hathaway, under Highway 3, and terminating at the Hathaway Lift Station; in the amount of \$412,190.00.
- ** Councilwoman Mc Auliffe made a motion to award LJA Engineering Project No. E019-1002 to Statewide Services, Inc., for the cost of construction services necessary for repair/replacement of sanitary sewer main line on Oak Street, from Cedar to Hathaway, under Highway 3, and terminating at the Hathaway Lift Station; in the amount of \$412,190.00.
- ** Councilmember Michetich seconded. **MOTION CARRIED UNANIMOUSLY.**
- b. Discussion/possible action regarding award to LJA Engineering the costs of engineering services for preparation of bid packages and additional engineering services for repair/replacement of sanitary sewer main lines throughout identified areas of the community, in the amount of \$89,875.00.



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- ** Councilmember Michetich made a motion to award LJA Engineering the costs of engineering services for preparation of bid packages and additional engineering services for repair/replacement of sanitary sewer main lines throughout identified areas of the community, in the amount of \$89,875.00.

- ** Councilmember Lane seconded.

Mayor Pro-Tem Bell stated that he was in support of the work that needs to be done, but still had questions about the company and issues in the past with the company that is recommended to be awarded the bid, therefore, he would not be voting in favor until he is able to meet with the City Manager and the company.

Ayes: Mc Auliffe, Michetich, Lane

Nayes: Bell

MOTION PASSED WITH A VOTE OF 3 TO 1.

(9) APPOINTMENTS/NOMINATIONS

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

Councilmember Mc Auliffe appointed Jean Gutierrez to the Planning and Zoning Commission.

Councilmember Lane reappointed Ms. Kathy Goodwin to the Keep La Marque Beautiful Commission and appointed Ms. Lois Jones to the Board of Adjustments.

Mayor Pro-Tem clarified that the wish was to reappoint the members or appoint members to the Boards and Commissions that will be expiring at the end of 2017. There is still one more meeting before the end of the year.

There are no discussions on nominations. **ALL WERE IN FAVOR OF THE APPOINTMENTS.**

- b. Discussion/possible action regarding Resolution No. **R-2017-0027**, voting on the ballot and distribution of votes appointing Bruce Clawson to the Board of Directors of the Galveston Central Appraisal District for a two-year term, beginning January 1, 2018 through December 31, 2019.

- ** Mayor Pro-Tem Bell made a motion to adopt Resolution No. R-2017-0027, appointing Bruce Clawson with the distribution of all 29 votes (La Marque allocation) to the Board of Directors of the Galveston Central Appraisal District for a two year term (2018-2019).

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

(10) CITY MANAGER REPORT



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- **Judicial**
- **Police Department**
- **Library**
- **Financials**

There were no comments.

(11) EXECUTIVE SESSION

1. Section 551.071- Consultation with Attorney- Discuss status of case regarding the TWIA lawsuit

Mayor Hocking closed the Regular Meeting and convened into the Executive Session at 6:43 p.m.

Mayor Hocking reconvened the Regular Meeting at 7:13 p.m.

(12) ACTION TAKEN FROM EXECUTIVE SESSION

1. Discussion/possible action regarding possible settlement of City of La Marque v. Texas Windstorm Insurance Association lawsuit for windstorm damage from Hurricane Ike

** Councilmember Michetich made a motion to accept the settlement of the City of La Marque v. Texas Windstorm Insurance Association lawsuit for windstorm damage from Hurricane Ike.

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

(13) REQUEST AND ANNOUNCEMENTS

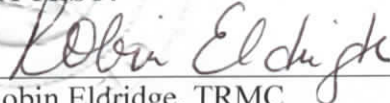
There were none

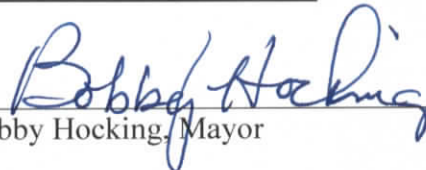
(14) ADJOURNMENT

** Councilwoman Mc Auliffe made a motion to adjourn the Regular Meeting at 7:14 p.m.

** Councilmember Michetich seconded. **MEETING ADJOURNED**

ATTEST:


Robin Eldridge, TRMC
City Clerk


Bobby Hocking, Mayor

CITIZENS REQUEST TO SPEAK

In order to be heard, this form must be filled out and returned to the City Clerk five (5) minutes prior to the start of the meeting.

DATE OF MEETING: Nov 13th 2017

Citizens who wish to address the City Council about items on the agenda, which are scheduled for Council action, will be given three (3) minutes to do so. Please indicate below the agenda item (s) number on which you wish to speak:

Citizens wishing to address the City Council about a topic **NOT** on the agenda, will be given the same amount of time during the “**CITIZENS PARTICIPATION**” section. Please indicate below the subject matter:

Introduce Shannon Lucas for consideration
to be appointed to the Harris Galveston
Subsidence District (HGSU)

Please step to the podium as soon as you are recognized by the Mayor, do not try to speak from your seat. State your name and address before the beginning of your presentation. If you have written materials, please furnish an extra copy for the official files. If you have any questions concerning the request to speak form, please direct them to the City Clerk.

Name Don Johnson

Address 810 Mistlewood Dr., Friendswood, TX

Telephone number (281) 851-9887

IF SPEAKING ON BEHALF OF AN ORGANIZATION:

Name of Organization: _____

Speaker's Official Capacity _____

CITIZENS REQUEST TO SPEAK

In order to be heard, this form must be filled out and returned to the City Clerk five (5) minutes prior to the start of the meeting.

DATE OF MEETING: 11/13/17

Citizens who wish to address the City Council about items on the agenda, which are scheduled for Council action, will be given three (3) minutes to do so. Please indicate below the agenda item (s) number on which you wish to speak:

Citizens wishing to address the City Council about a topic **NOT** on the agenda, will be given the same amount of time during the “**CITIZENS PARTICIPATION**” section. Please indicate below the subject matter:

Community Center, low bidders

Please step to the podium as soon as you are recognized by the Mayor, do not try to speak from your seat. State your name and address before the beginning of your presentation. If you have written materials, please furnish an extra copy for the official files. If you have any questions concerning the request to speak form, please direct them to the City Clerk.

Name Geraldine Sam

Address 2412 Stonewall LM

Telephone number 409-457-2708

IF SPEAKING ON BEHALF OF AN ORGANIZATION:

Name of Organization: _____

Speaker's Official Capacity _____

CITIZENS REQUEST TO SPEAK

In order to be heard, this form must be filled out and returned to the City Clerk five (5) minutes prior to the start of the meeting.

DATE OF MEETING: 11/13/17

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Youth Mentor Program

Citizens wishing to address the City Council about a topic **NOT** on the agenda, will be given the same amount of time during the “**CITIZENS PARTICIPATION**” section. Please indicate below the subject matter:

Youth Mentor Program

Please step to the podium as soon as you are recognized by the Mayor, do not try to speak from your seat. State your name and address before the beginning of your presentation. If you have written materials, please furnish an extra copy for the official files. If you have any questions concerning the request to speak form, please direct them to the City Clerk.

Name Debbie Monroe

Address 1109 Roosevelt

Telephone number 832-829-3926

IF SPEAKING ON BEHALF OF AN ORGANIZATION:

Name of Organization: _____

Speaker's Official Capacity _____