



1111 Bayou
La Marque, Texas 77568
409.938.9202

**CITY OF LA MARQUE
CITY COUNCIL
REGULAR MEETING MINUTES
OF
January 14, 2019**

Regular City Council Meeting Minutes of the City of La Marque City Council held on Monday, January 14, 2019, beginning at 6:00 p.m. at 1109-B Bayou Road with the following members present:

(1) CALL TO ORDER

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

(2) ROLL CALL

Bobby Hocking	Mayor
Keith Bell	Mayor Pro-Tem, Councilmember District A
Chris Lane	Councilmember, District B
Robert Michetich	Councilmember, District C
Casey Mc Auliffe	Councilwoman, District D

OTHER OFFICIALS PRESENT:

Charlene Warren	Interim City Manager
Robin Eldridge	City Clerk
Ellis Ortego	City Attorney

(3) INVOCATION AND PLEDGE OF ALLEGIANCE- Mayor Hocking administered the invocation and led the Pledge of Allegiance

(4) PRESENTATIONS/ PROCLAMATIONS

- a. Martin Luther King, Jr. Day Proclamation
Mayor Hocking read and presented a Martin Luther King, Jr. Proclamation to La Marque Alumni attendees Nakisha Paul, Sam Marshall and Ron Mullen

(5) CITIZENS PARTICIPATION

1. Richard Chittim, 2404 Newman Road, has concerns about the sewer system. "Every time it rains for at least an hour, hard, you can't flush your toilet and at the end of 2404 and 519 at least five days a week, you can smell a strong sewer smell."

Mayor Hocking replied with a point of information only- that the City has hired an engineering firm to look at all our water and sewer systems, seeking solutions.

(6) CONSENT AGENDA

- a. City Council Meeting Minutes of December 10, 2018
- b. City Council Budget Workshop July 24, 2018
- c. City Council Budget Workshop July 26, 2018



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- d. Discussion/possible action regarding accepting the Quarterly Investment Report for the Third Quarter 2018.
- e. Discussion/possible action regarding adopting Resolution No. **R-2019-001**, for tax assessment and collection services by the Galveston County Assessor/ Collector of taxes.
- f. Discussion/possible action regarding adopting Ordinance No. **O-2019-001** amending the fiscal year 2017-18 Budget for General Fund, PIDs, Sanitation Fund, Capital Improvement Fund, Disaster Fund, and special (restricted) revenue and related expenditure funds by increasing (decreasing) certain revenues and increasing (decreasing) certain expenditures to individual budget accounts in certain funds as set forth in attached Exhibit "A". **THIS IS THE FIRST READING**

** Councilmember Lane made a motion to approve the consent agenda
** Councilwoman Mc Auliffe seconded. **MOTION CARRIED UNANIMOUSLY.**

(7) PUBLIC HEARINGS

- a. Conduct Public Hearing to hear public input regarding adopting Resolution No. **R-2019-002**, approving the dissolution of the Public Improvement District No. 3 (Park Meadows) being located within the corporate limits of the City of La Marque.

Mayor Hocking closed the Regular meeting and opened the Public Hearings (s) at 6:07 p.m.

No one spoke.

- b. Conduct Public Hearing to hear public input regarding adopting Resolution No. **R-2019-003**, authorizing and creating Trails at Woodhaven Lakes Public Improvement District No. 4 within the corporate limits of the City of La Marque.

No one spoke.

- c. Conduct Public Hearing to hear public input regarding adopting Ordinance No. **O-2019-002**, creating Tax Increment Reinvestment Zone Number Two for Omega Bay Subdivision, a contiguous geographic area in the City of La Marque, under the provisions of Chapter 311 of the Texas Tax Code.

Sue Darcy of Marsh Darcy Partners approached the podium and began a Power Point presentation providing information on a proposed TIRZ for the Omega Bay citizens. The Power Point answered a few questions that were asked at the previous City Council meeting in regard to the creation of a TIRZ. (Attachment "A") - Other discussion involved several citizens that attended the meeting.



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George Schilter, a resident of Omega Bay approached the and explained that several years ago, he bought his property with the knowledge that he was buying property in a privately-owned subdivision, privately-owned streets and according to the deeds would remain that way but is not opposed to taxpayers paying to fix the roads. "The only problem I do have is that this is the first time I have heard it. Our improvement committee is kind of prudent and we never get anything in writing from them, never get any minutes." He said that after reviewing his last five years of the tax evaluation on his home, there have been two reductions, and with this in mind he calculated that he would have only contributed pennies towards this increment zone. In speaking to a few of his neighbors, he said that were in the same boat. "I have a huge pothole at the end of my street, and I wonder if I waited until there is enough money in this fund, how long would this be? In the mean-time, who is going to fix the streets and the pot hole at the end of the street? Where is the money going to come from until this fund has enough money to pay for it?" Another concern was of the current ordinance that pertains to the width of the streets and how to work around this issue, and the regulation of golf carts.

Councilmember Michetich said that this was the first step in the direction of creating a TIRZ. Then added that that the roads would stay at the same width and that no one would lose any of their streets nor have to pay anything or receive anything for portions of their streets. Applicable laws pertaining to golf carts would be in effect in Omega Bay, just as any other public street, once the streets and if the streets are made public.

Councilwoman Mc Auliffe said that she had done some research and, in her findings, most of areas that are in TIRZ's are situated in areas of blight and or in areas in need of redevelopment. A time table, which was said to be close to twenty-five to thirty-years.

First, the streets were surveyed, after looking at five years of tax history, a proposed balance of monies available in this TIRZ (3.1 million to 3.5 million estimated) and a time line was established, the next step is to secure the rights-of-ways, appoint a Board of Directors

- d. Conduct Public Hearing to hear public input regarding adopting Ordinance No. O-2019-003, adopting and imposing impact fees.

No one spoke.

- e. Conduct Public Hearing to hear public input regarding adopting Ordinance No. O-2018-0017, waiving registration fees for the rental registration program until



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December 31, 2018 and approval of an updated brochure and registration forms for the rental registration program.

No one spoke.

- f. Conduct Public Hearing to hear public input regarding adopting Ordinance No. O-2018-0018, accepting the City of La Marque Engineering Design Criteria Manual prepared by ADICO LLC Consulting Engineers.

No one spoke.

- g. Conduct Public Hearing to hear public input regarding adopting Ordinance No. O-2018-0019, establishing procedures and criteria for appointing members to the Boards and Commissions.

No one spoke.

Mayor Hocking closed the Public Hearings at 7:07 p.m., with the exception of Item 7b, which he stated that the public hearing for this item would remain open until the next City Council meeting on February 11, 2019.

(8) OLD BUSINESS

- a. Discussion/possible action regarding adopting Ordinance No. O-2018-0017, waiving registration fees for the rental registration program until December 31, 2018 and approval of an updated brochure and registration forms for the rental registration program. **THIS IS THE SECOND AND FINAL READING**

** Councilmember Lane made a motion to adopt Ordinance No. O-2018-0017

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

- b. Discussion/possible action regarding adopting Ordinance No. O-2018-0018, accepting the City of La Marque Engineering Design Criteria Manual prepared by ADICO LLC Consulting Engineers. **THIS IS THE SECOND AND FINAL READING**

** Councilmember Lane made a motion to adopt Ordinance No. O-2018-0018

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

- c. Discussion/possible action regarding adopting Ordinance No. O-2018-0019, establishing procedures and criteria for appointing members to the Boards and Commissions. **THIS IS THE SECOND AND FINAL READING**



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- ** Councilmember Lane made a motion to adopt Ordinance No. O-2018-0019
- ** Mayor Pro-Tem Bell seconded. **MOTION CARRIED UNANIMOUSLY.**

(9) NEW BUSINESS

- a. Discussion/possible action regarding adopting Resolution No. **R-2019-002**, for the dissolution of the Public Improvement District No. 3 (Park Meadows) being located within the corporate limits of the City of La Marque.
 - ** Councilmember Michetich made a motion to adopt Resolution No. R-2019-002 for the dissolution of the Public Improvement District No. 3 (Park Meadows) being located within the corporate limits of the City of La Marque.
 - ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**
- b. Discussion/possible action regarding a proposed Development Agreement between the City of La Marque, Texas and Woodhaven Lakes, Ltd. for Trails at Woodhaven Lakes subdivision, and provide direction to City Manager.
 - ** Councilmember Michetich made a motion to table both items 7b and 7c.
 - ** Councilwoman Mc Auliffe seconded. **MOTION CARRIED UNANIMOUSLY.**
- c. Discussion/possible action regarding adopting Resolution No. **R-2019-003**, authorizing and creating Trails at Woodhaven Lakes Public Improvement District No. 4 within the corporate limits of the City of La Marque.
- d. Discussion/possible action regarding adopting Ordinance No. **O-2019-002**, creating Tax Increment Reinvestment Zone Number Two for Omega Bay Subdivision, a contiguous geographic area in the City of La Marque, under the provisions of Chapter 311 of the Texas Tax Code. **THIS IS THE FIRST READING**
 - ** Mayor Pro-Tem Bell made a motion to adopt Ordinance No. O-2019-002.
 - ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**
- e. Discussion/possible action regarding adopting Ordinance No. **O-2019-003**, adopting and imposing impact fee. **THIS IS THE FIRST READING**
 - ** Councilmember Michetich made a motion to adopt Ordinance No. O-2019-003.
 - ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**
- f. Discussion/possible action regarding adopting Ordinance No. **O-2019-004**, approving a road right of way abandonment for a portion of the 60-foot road easement (Clerks File #8843301) located in Painted Meadows Section 5 specifically overlapping lots in Block 1, Lots 1-8; Block 5, Lots 10-17, Block 4, Lots



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2, 3, 16, and 17; Block 3, Lots 1-20, and Block 1, Lots 2 & 3, on behalf of Two Windy Hill Investments. **THIS IS THE FIRST READING**

- ** Councilmember Michetich made a motion to adopt Ordinance No. O-2018-004.
- ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**

(10) CONTRACTS

- a. Discussion/possible action regarding awarding LMC Corporation, a Job Order Contract, for the reconstruction and re-roofing of Building "C", located at 4916 FM 1765, in the amount of \$376,413.32.
 - ** Councilmember Michetich made a motion to award LMC Corporation, a Job Order Contract, for the reconstruction and re-roofing of Building "C", located at 4916 FM 1765, in the amount of \$376,413.32.
 - ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**
- b. Discussion/possible action regarding approval of a Change Order for LJA Engineering Project No. E019-1002 to Statewide Services, Inc. to decrease the original bid of \$412,190.00 by 8.79% (\$33,300.00), making a total cost of the project \$378,890.00, with an increase in contract time from approved time extension of 45 calendar days for completion of the project.
 - ** Councilmember Lane made a motion to approve a Change Order for LJA Engineering Project No. E019-1002 to Statewide Services, Inc. to decrease the original bid of \$412,190.00 by 8.79% (\$33,300.00), making a total cost of the project \$378,890.00, with an increase in contract time from approved time extension of 45 calendar days for completion of the project.
 - ** Mayor Pro-Tem Bell seconded. **MOTION CARRIED UNANIMOUSLY.**

(11) APPOINTMENTS

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

Councilwoman Mc Auliffe appointed Alanah Brown to the Keep La Marque Beautiful Commission. Then appointed Kaleb Smith to the Building Standards Commission.

Mayor Hocking asked all to pray for former Councilmember Clent Brown who is very ill at this time.

(12) EXECUTIVE SESSION



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1. Section 551.071 (Consultation with Attorney) - Discussion of the Development Agreement for Trails at Woodhaven Lakes

Before Mayor Hocking adjourned the Regular Meeting, with the intention of going into the Executive Session, Legal Counsel Derra Purnell of Olson and Olson approached the podium and said that unless City Council had specific questions about the Development Agreement, that it was unnecessary to go into Executive Session. This item was tabled earlier in the meeting.

(13) ACTION TAKEN FROM EXECUTIVE SESSION

1. Discussion/possible action on the Development Agreement for Trails at Woodhaven Lakes- NA

(14) ADJOURNMENT



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1. Section 551.071 (Consultation with Attorney) - Discussion of the Development Agreement for Trails at Woodhaven Lakes

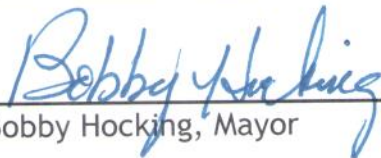
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(13) ACTION TAKEN FROM EXECUTIVE SESSION

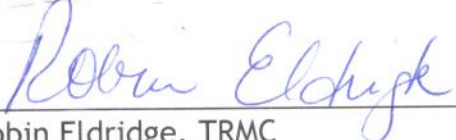
1. Discussion/possible action on the Development Agreement for Trails at Woodhaven Lakes- NA

(14) ADJOURNMENT

Mayor Pro-Tem Bell made a motion to adjourn at 7:19 p.m.
Councilmember Michetich seconded. **MEETING ADJOURNED.**


Bobby Hocking, Mayor

ATTEST:


Robin Eldridge, TRMC
City Clerk