



1111 Bayou
La Marque, Texas 77568
409.938.9202

**CITY OF LA MARQUE
CITY COUNCIL
REGULAR MEETING MINUTES
OF
February 11, 2019**

Regular City Council Meeting Minutes of the City of La Marque City Council held on Monday, February 11, 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 Pro-Tem Bell administered the invocation and led the Pledge of Allegiance

Mayor Hocking wished all a happy Black History Month and commended Mayor Geraldine Sam on her media posting of the chronology of the history of Black History Month.

(4) PRESENTATIONS/ PROCLAMATIONS

- a. Presentation Lemonade Day- Gina Spagnola
Ms. Spagnola presented City Council with backpacks and shirts and explained the process and described an overview and participation of last year's Lemonade Day (over 1,000 children participating and having their own lemonade stand in Galveston County). She encouraged all to get involved and said the Lemonade Day kickoff date was going to be held on Monday, February 25, 2019 at 6:00 p.m. (Council Chambers) - Saturday, May 4, 2019 is Lemonade Day.

(5) CITIZENS PARTICIPATION

1. Geraldine Sam expressed her hopes of Charlene Warren becoming the next City Manager and wished for Council's support. "She is doing a fine job with the City. I



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think she would be an asset to have as our City Manager, and I hope you all don't delay this any further." The second thing that she would like to see is La Marque have its own parade and celebration for Juneteenth and she would like to work with Council and any others who will help to coordinate this for Juneteenth.

2. Al Reida expressed his feelings towards the direction in which the City is currently going, he is happy with the Interim City Manager and said that she is doing a great job. He also wanted to acknowledge the passing of a former Galveston County Sheriff Joe Max Taylor, for which a moment of silence was given.

(6) CONSENT AGENDA

- a. City Council Meeting Minutes of January 14, 2019.
- b. City Council Workshop Minutes of January 14, 2019.
- c. Discussion/possible action regarding the approval of a three (3) year agreement between the City of La Marque and the La Marque Fire Association beginning October 1, 2018 and ending on September 30, 2021.
- d. Discussion/possible action regarding renewing the contract with Linebarger to assist with Municipal Court revenue collection.
- e. Discussion/possible action regarding the transfer of Lots 10 & 11, Preston Subdivision from the City of La Marque to the La Marque Economic Development Corporation.
- f. Discussion/possible action regarding approval of request for the City of La Marque to waive its liens on properties identified for housing redevelopment stimulated by the La Marque Economic Development Corporation.

Mayor Pro-Tem Bell had a question on Item "e."

Mayor Pro-Tem Bell clarified with Alex Getty the Executive Director of the La Marque Economic Development Corporation the number of homes that were planned to be built by Habitat for Humanity and he asked whether there was a certain design in mind for those homes and whether it would be consistent with the overall neighborhood. Mr. Getty replied that they would and that they were to be built to the "coastal craftsman theme". They will be built on pier and beams with a garage, no smaller than 1200 square feet, and that the City has the ability to review the final design and that they will fit into the neighborhood. Eight of the lots are on Kansas and two are on Preston. Ten total homes will start the revitalization to this area. Thanks was given to Councilmember Michetich for his role in getting this project restarted, and also the Economic Development Corporation- Revitalization Corporation.



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- ** 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-2019-003**, authorizing and creating Trails at Woodhaven Lakes Public Improvement District No. 4 within the corporate limits of the City of La Marque. **(PUBLIC HEARING HAS REMAINED OPENED SINCE JANUARY 14, 2019 COUNCIL MEETING)**

- ** Mayor Hocking closed the regular meeting at 6:13 p.m. and opened the Public Hearings.

No one spoke.

- b. Conduct Public Hearing to hear public input 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, Debt Service 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".

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.

No one spoke.

- 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-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 2, 3, 16, and 17; Block 3, Lots 1-20, and Block 1, Lots 2 & 3, on behalf of Two Windy Hill Investments.

No one spoke.



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Mayor Hocking closed the Public Hearing (s) and reconvened the Regular meeting at 6:16 p.m.

(8) OLD BUSINESS

- a. 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.

** It was the consensus of Council to continue to leave this item open and the next item (b) open and table both until the March Council meeting.

- b. Discussion/possible action regarding adopting Resolution No. **R-2019-003**, authorizing and creating the Trails at Woodhaven Lakes Public Improvement District No. 4 within the corporate limits of the City of La Marque.

** See item above. (Tabled until the March Council meeting)

- c. 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, Debt Service 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 SECOND AND FINAL READING**

** Councilmember Michetich made a motion to adopt Ordinance No. O-2019-001.

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

- 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 SECOND AND FINAL READING**

** Mayor Pro-Tem Bell made a motion to adopt Ordinance No. O-2019-002.

** Councilmember Michetich seconded.

Councilwoman Mc Auliffe stated, "While I feel very strongly, that I would like to see the roads in Omega Bay become public rights of way, since our last meeting, I have done much research on other cities and their operations of Tax Increment Reinvestment Zones. I don't think the TIRZ is the right mechanism for the end goal." Then added, "I am in such respect to the hard work that the citizens of Omega Bay and my fellow Councilman Michetich has done to fix something that has been a long lingering bad deal."



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MOTION CARRIED with a vote of 4 to 1, with Councilwoman Mc Auliffe opposing.

- e. Discussion/possible action regarding adopting Ordinance No. O-2019-003, adopting and imposing impact fees. **THIS IS THE SECOND AND FINAL 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 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 SECOND AND FINAL READING**

** Councilmember Michetich made a motion to adopt Ordinance No. O-2019-004.

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

(9) NEW BUSINESS

- a. Discussion/possible action regarding restoration of department name to Public Works from Public Services.

** Councilwoman Mc Auliffe made a motion to restore the department name to Public Works from Public Services.

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

- b. Discussion/possible action regarding final selections from the City of La Marque I-45 Corridor Branding and Beautification by Clark Condon Landscape Architects and a TxDOT I-45 expansion update

Public Relations Specialist Colleen Merritt provided a summary of the continuation of a conversation about the I-45 expansion. "We are looking at a plan to brand and enhance the roads that are coming through La Marque, and the decisions we make will have a 50-year impact." Then she asked the following three questions:

1) Do we want stars or Texas icons on the bridges? - To which the consensus of Council was that they like the Texas icons.

2) The change order for the 1764 - decision of custom or standard pavers, to which the consensus of Council, to use the standard pavers, provided by TxDOT.

3) It was the consensus of Council for the approval of 1764 to Main Street budget.



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- ** Councilmember Michetich made a motion to approve the selections discussed from the City of La Marque I-45 Corridor Branding and Beautification by Clark Condon Landscape Architects.
- ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**

(10) AGREEMENTS/CONTRACTS

- a. Discussion/possible action to ratify the agreement dated January 3, 2019 between the La Marque Economic Development Corporation and Resource Planning Associates, LLC (RPA).
- ** Mayor Pro-Tem Bell made a motion to ratify the agreement dated January 3, 2019 between the La Marque Economic Development Corporation and Resource Planning Associates, LLC (RPA).
- ** Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**
- b. Discussion/possible action regarding approving Resolution No. **R-2019-004**, authorizing the City Manager to execute an agreement with Public Agency Retirement Services (PARS) to provide an alternative retirement plan for part-time employees.
- ** Councilmember Lane made a motion to adopt Resolution No. R-2019-004.
- ** Councilmember Michetich seconded.

Mayor Pro-Tem Bell replied, "It is being sold as another option for our part-time employees, but what it looks like is a way for us as a city to shirk the responsibility of contribution to the retirement fund of our part-time employees. The savings is only about \$325.00 a year. It doesn't look like it is a better plan for the employees."

(PARS) representative Dion Papafote approached and explained, "Basically this is a program for part-time, seasonal temporary employees in lieu of social security, it was approved by Congress as an alternative to social security as part of OBRIM - 90, so it has been in place for a while. It is meant to be a benefit for the employees, and for the City, because obviously the City does save some money. In order to take any funds out, there must be a qualifying event. If the employee stays on and is hired full-time with the City, they may buy service time. It can also be transferred into a 403B, a 457 and a few other retirement options. If they go into the education field it can be transferred to a 401a, so there is a lot of flexibility. If taken out for any other reasons, there is a penalty that would apply." Discussion continued, and it was said that it is meant to be a retirement fund for part-time employees who cannot participate in TMRS, since you must be a full-time employee for that.



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The investments could be better benefits than social security. It was also discussed that while dealing with part-time employees who cannot work over a certain number of hours to remain part-time, would the lump sum be worth it? This would be based on number of years worked, and on an individual basis. The question was asked as to who approached who and why it was being initiated at this time. It was said that staff was looking into ways to provide some type of retirement for part-time employees. A twenty-dollar distribution fee that is charged and paid to PARS, as well as ongoing fees were discussed. A thirty-six hundred-dollar fee based on assets, annually. The question was asked as to what the ongoing fees are based on what assets the City has (the amount that it is in the retirement account). Per employee the city would save \$1,300.00 per year per employee (part-time). Mayor Pro-Tem Bell did not see the point in trying to save money when employees work hard for their money and for their retirement.

Ms. Papafote explained that this would be an additional retirement plan to their social security, while working part-time. Other entities that participate in their program were briefly discussed. The City decides the contribution ratio.

Councilwoman Mc Auliffe asked for more clarification on benefits to employees vs. benefits to the city.

Councilwoman Mc Auliffe made a motion to table this item. Councilmember Lane seconded. **MOTION CARRIED UNANIMOUSLY.**

(11) AWARD OF BID

- a. Discussion/possible action regarding the award of bid for construction of CDBG Waterline 2018-2019, LJA Engineering Project No. E019-1001, to JTM Construction, LLC in the amount of \$792,780.00.

** Councilwoman Mc Auliffe made a motion to award bid for construction of CDBG Waterline 2018-2019, LJA Engineering Project No. E019-1001, to JTM Construction, LLC in the amount of \$792,780.00.

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

(12) EXECUTIVE SESSION

1. Section 551.074 (Personnel Matters) - Discussion of the City Manager position for the City of La Marque

Mayor closed the Regular meeting and convened into Executive Session at 6:49 p.m.

Mayor Hocking reconvened the Regular meeting at 10:26 p.m.



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(13) ACTION TAKEN FROM EXECUTIVE SESSION

1. Discussion/possible action regarding the City Manager position for the City of La Marque

** Councilwoman Mc Auliffe made a motion to table this item until Friday, February 15, at 1:00 p.m.

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

(14) REQUEST AND ANNOUNCEMENTS - There were none

(15) ADJOURNMENT

** Mayor Pro-Tem Bell made a motion to adjourn the Regular meeting at 10:27 p.m.

** Councilwoman Mc Auliffe seconded the motion. **MEETING ADJOURNED.**

This unofficial copy of the minutes from the above meeting are posted for convenience only. Executed or certified copies of the minutes can be requested by contacting the City Clerk.