



**CITY OF LA MARQUE
REGULAR CITY COUNCIL
MINUTES
of
JULY 8, 2019**

Regular City Council Meeting Minutes of the City of La Marque City Council held on Monday, July 8, 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:

Charles "Tink" Jackson	City Manager
Robin Eldridge	City Clerk
Ellis Ortego	City Attorney

(3) INVOCATION AND PLEDGE OF ALLEGIANCE

Reverend James Daniels led the invocation and the Pledge of Allegiance

(4) PRESENTATIONS/ PROCLAMATIONS/INTRODUCTIONS

- a. Introduction of new City Employee - Detective Gene Crow - La Marque Police Department
Police Chief Jackson introduced the new addition to the Police Department, Detective Gene Crow
- b. Employee Presentation - Mayor Hocking read a letter from a citizen praising the Public Works employee Joe Mose for his excellence in customer service by going and beyond his normal job functions to ensure the citizens are satisfied.

(5) CITIZENS PARTICIPATION

1. Reverend James Daniels, congratulated Mr. Joe Mose on his recognition and reiterated the sentiments of the citizen that wrote the letter.
As a member of the Ministerial Alliance, said that he appreciates Police Chief Jackson in his outreach to the community. Then stated that he was in favor of the curfew ordinance. Some of the language may need to be addressed, but a curfew is needed.
2. Geraldine Sam thanked everyone that helped coordinate and worked on the preparation and helped with the Juneteenth celebration. “Everyone came together, Constable Rose, the Police Department, my team, the City Manager, Casey, Mac, Nakisha Paul, Tracie Steans, I can’t name them all, everyone in the community. We just want to thank you all for making Juneteenth a wonderful event.” It was mentioned that extra monies will be budgeted for the Juneteenth celebration for next year as well.
3. Douglas W. Hobgood also thanked the community and all that were involved with the Juneteenth celebration. He presented a “First Annual Banner for Juneteenth Celebration to the City.”
4. Clarence Caldwell reported about people bringing in junk from other neighborhoods and occupying their home as a junkyard. Then he reported of a drainage issue in front of his neighbor’s home. “This is something I have addressed when we had the other City Manager, but nothing has been done, you walk out there now, and you can smell the sewage. It’s a health issue.”

(6) CONSENT AGENDA

- a. City Council Regular Meeting Minutes of June 10, 2019
- b. Discussion/possible action regarding adopting Resolution No. **R-2019-0014**, to deny CenterPoint Energy Houston Electric, LLC’s request to increase its electric transmission and distribution rates within the City

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

(7) PUBLIC HEARING

- a. Conduct Public Hearing to hear public input 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 **(PUBLIC HEARING HAS REMAINED OPENED SINCE JANUARY 14, 2019 COUNCIL MEETING)**

Mayor Hocking closed the regular meeting and opened the Public Hearing at 6:23 p.m.

No one spoke.

Mayor Hocking closed the Public Hearing at 6:24 p.m. concerning the Resolution (Trails at Woodhaven Lakes) and opened the other Public Hearings at 6:24 p.m.

- b. Conduct Public Hearing to hear public input regarding adopting Ordinance No. **O-2019-005**, replacing Sec. 44-2; Curfew for Minors, Chapter 44, of the Code of Ordinances of the City of La Marque, Texas; and in its place adopting a new Sec. 44-2; establishing a curfew for any person under the age of seventeen years during certain hours
1. Geraldine Sam spoke in favor of the curfew ordinance and suggested a “safe spot” to take the children to. “We have to do something to curtail the behavior that some of our children are exhibiting now days.”
2. Edna Courville of Texas City spoke in favor of the curfew ordinance.
3. Madeline Salazar - is organizing a youth leadership conference that will take place in the fall of 2020, at the College of the Mainland. She has over twenty-nine years of working with youth, and community engagement. She was a youth minister for thirteen years. Has lived in communities where a juvenile curfew is enforced and reported that some cases were challenged in court. “Our focus is to look at the demographics of the youth in the schools. Before we look at punitive action, I ask that you at least give some of the efforts that some in the community are doing, which is to establish the infrastructure in regard to the youth conference. Give them ideas and opportunities, “We really need to stop and think and use this technique to establish some solutions. I am not aware of any outreach, that there have been any meetings or meetings with parents, and I am open to speaking to share some other ideas and strategies to address some of those. I think we should stop and think of other options.”
4. Clarence Caldwell spoke in favor of some type of curfew, because something really needs to be done. “It starts at home and with the community leaders, ministers, and preachers.”
5. Matthew Daniels of Texas City was in favor of the curfew ordinance but does think that some of the language needs to be updated. “The community will be watching if these police officers decide to use this as a reason to harass our children.

Councilmember Mc Auliffe curfew agreed to have a curfew is a good thing. “My concern stemmed from the idea that by simply passing an ordinance, doesn’t make a community safer.” Further stated that she would want to see data and to be tracked to reflect on the effectiveness in the community.

Councilmember Michetich thanked everyone for getting involved and their support in the amending of this ordinance. Further said that curfew is a tool for

parents, and this proved a tool for the Police, not to arrest, but to stop ask questions and return children to their parents to keep them off the streets and safe at home.

- c. Conduct Public Hearing to hear public input regarding adopting Ordinance No. **O-2019-008**, amending Chapter 68, Article V, Section 68-138 (b), of the Code of Ordinances of the City of La Marque, Texas; to adopt the revised Drought Contingency Plan completed by LJA Engineering

David Pennington questioned Section II- Public Involvement- “Opportunity for the public to provide input into the preparation of the Plan was provided by the City by means of scheduling a meeting to receive comments, input, notifying the public by notices in the local paper, postings at City Hall, and by utilizing the local radio stations.”

Notice of public hearing was published in the newspaper within ten days of the date of this meeting, as required by City Charter, and the posting of the entire agenda packet on the website, was within the required seventy-two hours. He then asked the audience if they knew about certain portions of the plan pertaining to allocations (rationing) of water per household if the need arise. (Level 6); and including surcharges.

Mr. Jackson stated that the guidelines in the plan are in compliance with the Gulf Coast Water Authority, which the city is required by law to adhere to.

It was further explained that the plan guidelines are region-wide and with growth and the need for water and drought issues is only going to continue to be a concern in the future.

Geraldine Sam asked if copies of the contingency plan could be placed in everyone’s water bills.

It was suggested that the basics of this plan be placed in an edition of “Inside La Marque” publication, with a link that will allow the entire view of the document an option, since the entire publication was very voluminous.

Mr. Jackson continued to explain that the public input portion that Mr. Pennington was referring to would not be as feasible as the involvement of the public as when preparing the Master Parks Plan since cities are required by TCEQ to include the requirements in their plans. Further discussion touched on water rates within the City.

- d. Conduct Public Hearing to hear public input regarding adopting Ordinance No. **O-2019-009**, amending Article III, SPEED REGULATIONS of the Code of Ordinances of the City of La Marque, Texas Section 62-88, reducing the speed limit on the Northbound main lanes and Southbound main lanes of IH45 from 65 mph to 55 mph, and reducing the speed limit on the Northbound Frontage Road

and the Southbound Frontage Road from 50 mph to 45 mph, until the completion of the freeway expansion project by the Texas Department of Transportation

Geraldine Sam asked when the citizens would know about the changes of the speed limits and whether this area would become a speed trap.

It was explained that the speed limits would be posted and will be placed in an edition of "Inside La Marque" and are on a temporary basis only during the construction phase. The City has no control over the Texas Department of Transportation. It was said that enforcement efforts will lie on Galveston County Sheriffs' office and Texas Department of Public Safety, and that it was guaranteed that this would not become a speed trap.

- e. Conduct Public Hearing to hear public input regarding adopting Ordinance No. O-2019-0010, approving a road right of way abandonment of a portion of a right of way road easement being a tract of land being a part of the road right of way on the East side of Super City Subdivision No. 2 (corrected), according to the map or plat thereof recorded in Volume 254, Page 60 in the Office of the County Clerk of Galveston County, Texas and part of the road right of way on the West side of the Daugherty Survey No. 4, out of the Marchand Subdivision in the Steven F. Austin League No. 4, according to the map or plat of Marchand Subdivision recorded in Volume 254-A, Page 50 in the Office of the County Clerk of Galveston County, Texas, (Walker Street) as recommended by the Planning and Zoning Commission.

No one spoke.

- f. Conduct Public Hearing to hear public input regarding adopting Ordinance No. O-2019-0011, amending Chapter 2, Administration, Article I, in general, of the Code of Ordinances of the City of La Marque, Texas, by adding a new section 2-9, establishing procedures for placing items on the agenda.

Geraldine Sam asked if there will be a time when citizens can place items on the agenda and was advised that citizens could get in touch with the City Manager, Mayor or to get in touch with their Councilperson to make a request.

Mayor closed the Public Hearing (s) and reconvened to the regular 7:12 p.m.

(8) OLD BUSINESS

- a. Discussion/possible action regarding adopting Ordinance No. O-2019-005, replacing Sec. 44-2; Curfew for Minors, Chapter 44, of the Code of Ordinances of the City of La Marque, Texas; and in its place adopting a new Sec. 44-2; establishing a curfew for any person under the age of seventeen years during certain hours **THIS IS THE SECOND AND FINAL READING**

****** Mayor Pro-Tem Bell made a motion to adopt Ordinance No. O-2019-005.

** Councilmember Lane seconded.

Mayor Pro -Tem Bell, “We have cleaned the language in the ordinance to direct the police department to view the children as assets and not liabilities, and that we are looking for our children to be protected and not prosecuted unless they have been found guilty of a crime. There is no way that we can quantify that this ordinance will make us safer. But we are looking for our police department to protect us and our children. We should demand and expect this of our Police Department.” Further stated that he is in favor of the ordinance with the changes that have been made and the amendments to be made to it during this time.

Councilmember Mc Auliffe “I do have a few suggestions about things that will make me feel better about this, such as a specific time line attached to the public hearings each year as mentioned in the proposed ordinance. At those public hearings she would like to see certain data available: 1) the number of interactions with minors and the Police Department; 2) number of accidents involving minors; 3) number of crimes involving minors” She wanted to see an annual report in the caption of the ordinance. “I would like to see more specific training in the practice of de-escalation and with mental health crisis intervention. I want our police officers to be equipped with the best tools to ensure that they are safe as well as the children. An educational video like the first one that the Police Department created, with the production to begin within the next six months, with this information provided on the city’s website on the La Marque Police Department page.”

** Councilmember Mc Auliffe made the above amendment to the ordinance.

** Councilmember Michetich seconded.

** Mayor Pro-Tem Bell made a motion to adopt the amended Ordinance No. O-2019-005.

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

- b. Discussion/possible action regarding adopting Ordinance No. **O-2019-008**, amending Chapter 68, Article V, Section 68-138 (b), of the Code of Ordinances of the City of La Marque, Texas; to adopt the revised Drought Contingency Plan completed by LJA Engineering **THIS IS THE SECOND AND FINAL READING**

** Councilmember Lane made a motion to adopt Ordinance No. O-2019-008 on the second and final reading.

** Mayor Pro-Tem Bell seconded. **MOTION CARRIED UNANIMOUSLY**

- c. Discussion/possible action regarding adopting Ordinance No. **O-2019-009**, amending Article III, SPEED REGULATIONS of the Code of Ordinances of the City of La Marque, Texas Section 62-88, reducing the speed limit on the Northbound main lanes and Southbound main lanes of IH45 from 65 mph to 55 mph, and reducing the speed limit on the Northbound Frontage Road and the Southbound Frontage Road from 50 mph to 45 mph, until the completion of the freeway

expansion project by the Texas Department of Transportation **THIS IS THE SECOND AND FINAL READING**

** Councilwoman Mc Auliffe made a motion to adopt Ordinance No. O-2019-009 on the second and final reading.

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

- d. Discussion/possible action regarding adopting Ordinance No. **O-2019-0010**, approving a road right of way abandonment of a portion of a right of way road easement being a tract of land being a part of the road right of way on the East side of Super City Subdivision No. 2 (corrected), according to the map or plat thereof recorded in Volume 254, Page 60 in the Office of the County Clerk of Galveston County, Texas and part of the road right of way on the West side of the Daugherty Survey No. 4, out of the Marchand Subdivision in the Steven F. Austin League No. 4, according to the map or plat of Marchand Subdivision recorded in Volume 254-A, Page 50 in the Office of the County Clerk of Galveston County, Texas, (Walker Street) as recommended by the Planning and Zoning Commission **THIS IS THE SECOND AND FINAL READING**

** Councilmember Michetich made a motion to adopt Ordinance No. O-2019-0010 on the second and final reading.

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

- e. Discussion/possible action regarding adopting Ordinance No. **O-2019-0011**, amending Chapter 2, Administration, Article I, in general, of the Code of Ordinances of the City of La Marque, Texas, by adding a new section 2-9, establishing procedures for placing items on the agenda **THIS IS THE SECOND AND FINAL READING**

** Councilmember Michetich made a motion to adopt Ordinance No. O-2019-0011 on the second and final reading.

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

(9) NEW BUSINESS

- a. Discussion/possible action regarding awarding RFQ #19-01 to LJA Engineering, Inc. for Engineering Services for Proposed Contract Funding for the Community Development Block Grant-Disaster Recovery (CDBG-DR) through the Texas General Land Office for Infrastructure and Acquisition projects

** Councilwoman Mc Auliffe made a motion to award RFQ #19-01 to LJA Engineering, Inc. for Engineering Services for Proposed Contract Funding for the Community Development Block Grant-Disaster Recovery (CDBG-DR) through the Texas General Land Office for Infrastructure and Acquisition projects

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

- b. Discussion/possible action authorizing the City Manager to negotiate and enter into an agreement with LJA Engineering, Inc. for Engineering Services for Proposed Contract Funding for the Community Development Block Grant-Disaster Recovery (CDBG-DR) through the Texas General Land Office for Infrastructure and Acquisition projects

** Councilwoman Mc Auliffe made a motion authorizing the RFQ #19-01 to LJA Engineering, Inc. for Engineering Services for Proposed Contract Funding for the Community Development Block Grant-Disaster Recovery (CDBG-DR) through the Texas General Land Office for Infrastructure and Acquisition projects

** Mayor Pro-Tem Bell seconded. **MOTION CARRIED UNANIMOUSLY**

- c. Discussion/possible action regarding adopting Resolution No. **R-2019-0015**, authorizing the City Manager of the City of La Marque, Texas, as authorized signatory for contractual documents pertaining to the Texas General Land Office (GLO); Texas Community Development Block Grant-Disaster Recovery (CDBG-DR) Hurricane Harvey DR-4332

** Mayor Pro-Tem Bell made a motion to adopt Resolution No. R-2019-0015.

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

- d. Discussion/possible action regarding adopting Resolution No. **R-2019-0016**, concerning civil rights, citizen participation plan, equal opportunity and fair housing policies relating to the preparation of grant applications through the Texas General Land Office; Community Development Block Grant - Disaster Recovery (CDBG-DR)

** Councilmember Michetich made a motion to adopt Resolution No. R-2019-0016.

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

- e. Discussion/possible action regarding the preliminary construction budget and proposed streetscape layout for the intersection of Laurel & 1st Street as provided by RPA Architects

** Councilwoman McAuliffe made a motion to approve the preliminary construction budget and proposed streetscape layout for the intersection of Laurel & 1st Street as provided by RPA Architects.

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

- f. Discussion/possible action regarding adopting Ordinance No. **O-2019-0012**, adopting the revised FEMA floodplain maps as a condition of continued eligibility in the National Flood Insurance Program (NFIP) **THIS IS THE FIRST READING**

** Councilmember Michetich made a motion to adopt Ordinance No. O-2019-0012 on the first reading.

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

g. Discussion/possible action regarding accepting proposal from Enterprise Fleet Management to replace/dispose certain Public Works vehicles

** Councilmember Lane made a motion to accept the proposal from Enterprise Fleet Management to replace/dispose certain Public Works vehicles.

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

(10) APPOINTMENTS

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

Mayor Hocking made a motion to remove a current member from the Keep La Marque Beautiful Commission, due to his conflicting schedule on meeting nights, (David Holmen), and appointed Tracie Steans into that Commission. Seconded by Councilwoman Mc Auliffe.

(11) EXECUTIVE SESSION

There was no executive session

(12) ACTION TAKEN FROM EXECUTIVE SESSION- NA

(13) REQUEST AND ANNOUNCEMENTS

Mayor Hocking wished the City Manager a Happy Birthday on July 13, 2019

Councilwoman Mc Auliffe reported that it is encouraging to see people who agree and disagree to come to the Council Meetings and encouraged this to happen more to happen. Then she thanked the PD for the very good work they do.

Councilmember Michetich announced that he would be at the next Texas City ISD Board meeting the following Tuesday to ask for a commitment for the middle school to be built in La Marque. Asked for help from citizens. Nakisha Paul said she would announce the correct date. He then congratulated Charlene Warren for doing an excellent job as the Interim City Manager during the hiring of the new City Manager.

Mayor Hocking reported that during the recent Retreat Council it was the discussed that public workshops were going to begin to take place immediate prior to the regular City Council meetings, which would continue to have the public hearings but would mostly be a consent agenda.

(14) ADJOURNMENT

** It was the consensus of Council to adjourn the meeting at 7:41 p.m. **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.