



**1111 Bayou Road
La Marque, Texas
409-938-9202**

**CITY OF LA MARQUE
CITY COUNCIL
REGULAR MEETING
of
MAY 9, 2022**

Minutes of a City Council Special Meeting held in the Council Chambers, 1109 Bayou Road, La Marque, Texas as well as via teleconference - ZOOM and via YouTube. The council will meet for the purpose of considering the following agenda:

(1) CALL MEETING TO ORDER

Mayor Bell called the meeting to order at 6:07 p.m.

(2) ROLL CALL

Keith Bell	Mayor
Kimberley Yancy	Councilmember District A
Joe Compian	Mayor-Pro-Tem District B
Michael Carlson	Councilmember District C
Casey Mc Auliffe	Councilmember District D (1111 Bayou La Marque, TX 77568)

STAFF:

Cesar Garcia	City Manger
Gus Knebel	Consulting City Attorney
Kierra Nance	City Clerk

(3) INVOCATION AND PLEDGE OF ALLEGIANCE

Joshua Pritchett (Resonate) gave the invocation, and all present veterans collectively led the pledge.

(4) PRESENTATIONS/PROCLAMATION

- a. Recognition- Excellence in Financial Reporting
Mayor Bell acknowledged the achievement of the La Marque Finance Department in receiving the Excellence in Financial Reporting Award from GFOA.
- b. Proclamation- 60th Anniversary La Marque Bird Sanctuary
Mayor Bell presented a proclamation to the La Marque Garden Club commemorating 60 years of the City of La Marque being a bird sanctuary.
- c. Proclamation- Teacher Appreciation Week (May 1-7)

Mayor Bell presented a proclamation to Sharonda Kelly- Word who accepted on behalf of the La Marque Public Schools of Texas City ISD, commemorating Teacher Appreciation Week 2022.

- d. Presentation- Conceptual Parks Master Plan- ADURRA/ Parks Board
Craig Forsythe of ADURRA gave a brief presentation summarizing the Conceptual Parks Master Plan. Parks Board Chairman “Rock” Bock spoke on behalf of the Parks Board, sharing how the Parks Board worked in collaboration with ADURRA and the community to draft this conceptual plan and also explained the \$2 monthly parks fee that the citizens see included in their water billing. Vice-Chair Tanya Griffin took a moment to remind the community that the Parks are open, encouraged the community to utilize them, and issued an open invitation for anyone to volunteer at any of the upcoming parks renovation projects.
- e. Presentation- Gulf Coast Water Authority
Brandon Wade, Jake Hollingsworth, and David Davis of Gulf Coast Water Authority (GCWA) gave a presentation introducing the organization to the community, explaining the water rate system, and preparing for the future.
- f. Presentation- Certificates of Obligation- Stifel
David Webb and Brad Angst of Stifel gave a brief presentation offering potential financing options relating to Certificates of Obligation. Mayor Pro Tem Compian asked questions in relation to the tax rate that has been used to draft their presentation, to which Mr. Angst was able to clarify that only the INS tax rate (18.99) was utilized for this presentation. A brief discussion ensued that included talks of timelines, maximum debt capacity, project identification, inflation, and clarifying that the figures presented tonight do not include a tax rate increase to realize these funds.

(5) PUBLIC SAFETY

- a. Safe City Initiative- Resource Crisis Center (RCC)- Cecily Henderson, Executive Director
Cecily Henderson and the Resource Crisis Center (RCC) team gave a brief presentation to introduce the nature of their work and the purpose of the partnership that has been formed. The Resource Crisis Center is a service to assist law enforcement agencies and also victims of domestic and/or family violence, offering shelter, mental health services, crisis intervention services, education, among other services.

(6) CITIZENS PARTICIPATION (Limited to three minutes per person)

Comments from the public will be heard at this time. Any person with city-related business who has signed up may speak to Council on a specific agenda item (limited to three (3) minutes) should give the Mayor your name and the item you wish to speak about. In compliance with Texas Open Meeting Act, the City may not deliberate on comments. Personal attacks will not be allowed, and personnel matters should be addressed to the City Manager during normal business hours. **Press *6 to mute or unmute if you are participating by telephone, press the unmute button if attending via zoom on a smartphone, tablet, or computer, or stand if attending in person, and the mayor will call on you in turn.**

Robert Michetich (24 Curlew) - Asked that Council discuss the Certificate of Obligation item for public discussion. Also requested that the language of Citizens Participation be changed removing “on a specific agenda item”.

Wayne Hobgood (406 Edgar)- Spoke in relation to Agenda item 12. Referred to his previous appearance before council where he asked for all nonresidents to be removed from boards and commissions He asked that this be rectified tonight.

Clarence Caldwell (3603 Prairie St.)- Issued a complaint regarding City of Texas City, he states that the City of Texas City has taken over the City’s school district and is a neighboring city yet still charges La Marque residents \$10 to enter the Texas City Dike, “what more do they want to take from us”. His second point is to Texas Department of Transportation

Richard Matthews (1A North Curlew)-Spoke to the damages to Omega Bay Roads due to Winter Storm Uri last year. Has been working with FEMA on grant funding for a repair project however, FEMA will not work with a HOA. Mr. Matthews is requesting that the City take this project on and the residents of Omega Bay will cover the cost.

Danny Barnes (26 N Flamingo)- Spoke regarding item 10b. States that the Residential Canal Ordinance was not always enforced and many of the homes in Omega Bay are above the concrete allowance set by the residential canal ordinance, and Mr. Barnes understands that the ordinance was created to prevent flooding, however, Mr. Barnes states the only flooding occurs during storm surges.

(7) PUBLIC HEARING(S)

- a. Conduct Public Hearing to hear public input on adopting **Ordinance No. O-2021-0018**, amending section 8-8 of the City Code allowing for the keeping of hens; providing a penalty; providing an effective date; and making other provisions related to the subject
- b. Conduct Public Hearing to hear public input on adopting **Ordinance No. O-2022-0004**, amending Chapter 29 of the City’s Code of Ordinances; providing an effective date; providing a penalty; and making other findings and provisions related to the subject

(8) ORDINANCES

- a. **Ordinance No. O-2021-0018**, amending section 8-8 of the City Code allowing for the keeping of hens; providing a penalty; providing an effective date; and making other provisions related to the subject (Chickens)
THIS IS THE SECOND AND FINAL READING
- b. **Ordinance No. O-2022-0004**, amending Chapter 29 of the City’s Code of Ordinances; providing an effective date; providing a penalty; and making other findings and provisions related to the subject (Fireworks)
THIS IS THE SECOND AND FINAL READING

**** Mayor Bell requested that items 7 and 8 be tabled until May 17, 2022. Councilmember Yancy made the motion to table. Councilmember Carlson Seconded.**

(9) RESOLUTIONS - CONSENT

- a. Resolution No. **R-2022-0015**, establishing criteria the City Council will adhere to when conducting redistricting of City Council Districts
Mayor Pro Tem requested that source documents be provided for the public and expressed his discomfort with the idea that the resolution requires a citizen to submit a full plan if they have redistricting requests. City Attorney clarified that the council has the ability to require these but it is not mandatory.
Mayor Pro Tem Compian made a motion to accept Resolution No. R-2022-0015. Councilmember Yancy seconded the motion. MOTION PASSED UNANIMOUSLY.
- b. Resolution No. **R-2022-0016**, establishing guidelines for the submittal of redistricting plans and comments to the City Council
Mayor Pro Tem took the stance of comments made in Public Hearings should be sufficient, there is no need to also have them submitted in writing.
Councilmember McAuliffe made a motion to approve Resolution No. R-2022-0016. Mayor Pro-Tem Compian seconded the motion.
Mayor Pro Tem Compian made a motion to amend paragraph 5 to read “Comments may be submitted in writing and be legible, and/or be made verbally during public comments”. Councilmember McAuliffe seconded the motion. MOTION PASSED UNANIMOUSLY.
- c. Resolution No. **R-2022-0017**, authorizing a contract with Gulf Coast Water Authority
Mayor Pro Tem Compian clarified some of the financial figures, and also spoke to the idea that the city is considering purchasing more water however, the city loses an average of 50% of water already purchased monthly.
After a lengthy conversation with Gulf Coast water authority, Councilmember Yancy made a motion to approve Resolution No. R-2022-0017. Councilmember Carlson second the motion. MOTION PASSED :4 YAY 1 NAY (Mayor Pro Tem Compian).
- d. Resolution No. **R-2022-0018**, appointing a representative to the Municipal Division Operating Advisory Committee (MDOAC)
Mayor Pro Tem spoke to his frustrations with the current situation with Gulf Coast Water Authority, and preferred that the position be held by an elected official.
Councilmember Carlson made a motion to approve Resolution No. R-2022-0018. Councilmember Yancy seconded. MOTION PASSED UNANIMOUSLY.
- e. Resolution No. **R-2022-0019**, amending the La Marque Public Library Collection Development Policy
Approved under consent.
- f. Resolution No. **R-2022-0020**, approving an agreement for the City of La Marque Street Lighting Improvement Report
Approved under consent.
- g. Resolution No. **R-2022-0021**, accepting Conceptual Parks Master Plan

- Councilmembers McAuliffe and Yancy both spoke praises to all involved for their hard work and taking into consideration the lack of parks in District A. Councilmember Yancy made a motion to approve Resolution No. R-2022-0021. Councilmember Carlson seconded the motion. MOTION PASSED UNANIMOUSLY.
- h. Resolution No. **R-2022-0022**, authorizing an agreement with Hustle 10u for use of Mahan Park
- ** COUNCILMEMBER CARLSON EXITED THE ROOM AT 8:42
- Councilmember Yancy made a motion to approve the contract amending the organization title to “La Marque Girls Softball League”. Mayor Pro Tem Compian seconded.
- ** Councilmember Carlson returned at 8:42
- i. Resolution No. **R-2022-0023**, approving a final plat for Trails at Woodhaven Lakes Section 1
- ** *Mayor Bell recused himself from participating in this discussion.*
- ** Councilmember Yancy made a motion to approve Resolution No. R-2022-0023. Councilmember McAuliffe seconded the motion. MOTION PASSED UNANIMOUSLY.
- j. Resolution No. **R-2022-0024**, authorizing the Police Department to offer a sign-on bonus to all newly hired certified officers
Approved under consent.
- k. Resolution No. **R-2022-0025**, authorizing the submission of COPS Hiring Program Grant
Approved under consent.
- l. Resolution No. **R-2022-0026**, authorizing the City to enter into a Shared Agency Agreement with Motorola Solutions Inc.
Approved under consent.
- m. Resolution No. **R-2022-0027**, authorizing publication of notice of intention to issue certificates of obligation; approving the preparation of the preliminary official statement; and approving other matters incidental thereto
- ** Item M was removed for consideration.
- ** Mayor Pro Tem Compian made a motion to approve items E, F, J, K, and L under consent. Councilmember Carlson seconded the motion. MOTION PASSED UNANIMOUSLY.

(10) NEW BUSINESS

- a. Authorizing storage containers to be permitted as homes
Mayor Bell and Councilmember Carlson gave a brief history of the item, identifying that this is a popular living style in other areas, and clarified that these dwellings will be taxed as residences per the Galveston County Tax Assessors office. Development Services Director Kathleen Van Stavern shared concerns that in order to build these homes in a matter that is sustainable and beneficial to the city, it would not necessarily be cost effective. Councilmember Yancy spoke to reservations regarding the visual aspect of this ordinance, and requested zoning regulations.

Mayor asked Council to submit comments to staff by the first Monday of June so that an ordinance can be drafted and brought to Council at the June meeting.

Councilmember Yancy made a motion to approve the process as directed by Mayor Bell. Councilmember Carlson seconded the motion. MOTION PASSED UNANIMOUSLY.

- b. Amending City Code Section 71.29 Residential Canal Zone
Councilman Carlson requested that an exemption to the 33 percent concrete frontage be issued for the Omega Bay subdivision.

Mayor Pro Tem Compian questioned the City's ability to regulate building and permitting in Omega Bay which is a private subdivision. City Attorney Knebel identified that in the past Omega Bay was included in the zoning ordinance and this item is to resolve that.

Mr. Barnes, HOA President, stood to speak giving a brief history of how development has been handled in Omega Bay in the past.

- ** Councilmember Carlson made a motion to direct staff to initiate the zoning change for the Residential Canal Ordinance. Mayor Bell seconded the motion. MOTION PASSED UNANIMOUSLY.

- c. Electric street lighting for Omega Bay subdivision

Councilman Carlson identified that Omega Bay subdivision has private streets and, in an effort, to assist the subdivision he brought the item to potentially alleviate the financial burden.

Former Councilman Michetich proposed the idea of the Economic Development Corporation assisting with a street lighting project.

Taz Young (323 Poplar), former utility worker, and asked that in the event that the City takes over the lighting billing the City consider that they receive special rates that the HOA does not realize.

Councilmember McAuliffe asked that more data be provided before a decision is made.

Mayor Pro Tem asked City Attorney to clarify what precedent this would set in relation to other HOAs in our city.

- ** This item was tabled until the June 13, 2022 meeting.

- d. Provide direction to City Manager regarding nuisance abatement and property liens

After a lengthy discussion, Councilmember Yancy made a motion to direct City Manager and staff to create a nuisance abatement program. Councilmember Carlson seconded the motion. MOTION PASSED 4 AYES, 1 NAY (MAYOR PRO TEM).

- e. Boards & Commissions Bylaws

** No action/directives given.

- f. Canvass Election/Redistricting Meeting - May 17, 2022

- g. Memorial Day- May 30, 2022

- h. New Business items for consideration on next agenda

** Councilmember Carlson requested that the purchasing policy be reviewed to reduce the threshold for City Manager authorization without Council approval.

** Mayor Bell would like to add the Billboards and Outdoor Signs ordinance to the next meeting.

- i. Announcements of community events/programs

** Councilmember McAuliffe announced that she will be returning to in person meetings in June.

- ** Councilmember Carlson gave compliments to everyone who participated in Cinco De Mayo programs, Election Day, and Lemonade Day this past weekend.
- ** Councilmember Yancy gave a belated Happy Mother's Day.
- ** Mayor Bell acknowledged the youth that participated in Lemonade Day and shared his experience at the Cinco De Mayo program. Mayor asked that we continue to move forward in peace and work together to get through the tough times ahead as we work to readjust the budget.

(11) CITY MANAGER'S REPORT

- a. Grant Updates
 - i. American Rescue Plan Act
 - ii. 2017 County Bond Project
 - iii. Main Street Sidewalk Project

- b. City Events Update

City Manager Garcia provided a City Manager's report.

(12) APPOINTMENTS

- a. Appointments/ Removals - Boards, Commissions, Committees
 - ** Councilmember Carlson acknowledged Mr. Greg Cornett's resignation from Parks Board
 - ** Councilmember Yancy appointed Cynthia Maddox to the Board of Adjustments as an alternate.

(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 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)

(14) ADJOURNMENT

- ** Councilmember McAuliffe made a motion to adjourn at 10:04 p.m. Councilmember Yancy seconded the motion. MOTION PASSED UNANIMOUSLY.

Keith Bell
Mayor

Kierra K. Nance, TRMC
City Clerk

APPROVED AS TO FORM:

Gus Knebel
City Attorney