



**CITY OF LA MARQUE
CITY COUNCIL WORKSHOP
MINUTES
of
APRIL 12, 2021**

City Council Workshop Minutes of the City of La Marque City Council held on Monday, April 12, 2021, beginning at 6:00 p.m. via teleconference (ZOOM) with the following members present:

(1) CALL TO ORDER

Mayor Bell called the Workshop to order at 6:01 p.m.

(2) ROLL CALL

Keith Bell	Mayor
Joe Compian	Mayor Pro-Tem, Councilmember- District B
Robert Michetich	Councilmember- District C
Casey Mc Auliffe	Councilmember- District D

OTHER OFFICIALS PRESENT:

Charles "Tink" Jackson	City Manager
Robin Eldridge	City Clerk
Derra Purnell	City Attorney

(3) CITIZENS PARTICIPATION

1. Quinten Severin (Crawfish Bash) asking for \$12,000.00 as a donation. The City has previously sponsored this event. They will be giving back the deposit (\$5,000.00) in some form, which will include some going towards the City for the Kid Fish Event. (Item is farther on Agenda)
2. Clarence Caldwell thanked Mayor Bell on the great work he is doing for the City. Thanked all that are helping on the issue he is dealing with his neighbor.
3. Re'Chard Loftis asked a few questions of the City Manager: Why did the City Manager remove his political signs that discriminated against an illegal candidate? Isn't this illegal and why did you choose my signs? Why has the City not responded to a non-resident that is allowed to hold positions on Boards and Commissions, while using two different addresses and currently using a third address and running for City Council and stated that City Council has known about this perjury

offense. Asked why one officer has been fired for an inmate urinating on the floor and another officer, in his opinion, murdering an individual on camera and still allowed to have his job?

Mayor Bell said that further on the agenda there was an item that Mr. Loftis would be allowed to speak again on that pertains to Boards and Commissions.

City Attorney responded to Mr. Loftis by stating that questions asked of the city Manager (Mr. Jackson) should be asked during regular business hours and that to her knowledge no political signs had been removed.

Mr. Jackson responded that no political signs had been removed, although some signs that were in particular rights-of-way were discussed but no decision had been made as to whether it is on the City or the other entity (TxDOT) to take them down. On the other questions, it was said the city would not and could not discuss personnel issues. A conversation could be had outside of the Council meeting as long as personnel was not discussed.

(4) PRESENTATIONS

a. Discussion regarding ShotSpotter or similar gunshot detection technology

Police Chief Jackson began the discussion by stating that Shotspotter gunshot detection system would be a very huge benefit, due to an increase of gun violence within the City. In a video shown, there were a few testimonials given by several citizens in other communities and states that are currently using the Shotspotter system that have seen reductions in gun violence and homicides.

- Statistically, over 80% of gunshots do not get reported
- In business for 25 years
- Shotspotter is used in over 110 cities
- It alerts the police to gunfire in less than 60 seconds
- Detects where the shots are fired, identifies shooters
- Protects citizens and police officers
- 97% customer satisfaction

Further discussion included two local citizens (Trina Phillips and Delon Delafosse) who spoke in favor of Shotspotter; both had seen a segment on a local television channel, and both were impressed with this system and thought it would benefit La Marque and serve a great purpose.

Questions arose from City Council as follows: What class is charged when a gun is charged within the city limits? (Misdemeanor- Class "C"); What is the conviction rate?

Police Chief Jackson responded by stating that the goal is to discourage gun violence or aggravated assault, not only by discharging of a gun within the city limits.

To implement this program in the City of La Marque, it would be considered the “lower tier”, for cities under the population of 50,000 or under 100 sworn police officers, which qualifies this community on both regards would cost the city \$49,500.00 per square mile with no cost for installation and no training costs.

The discussion continued, including the placement of sensors within a two square mile coverage correlating with a parcel map, would be at a cost of \$99,000.00.

If a multi-year agreement is chosen, the City could lock in the price.

Other areas of discussion included that this system also contributes to the seizure of illegal weapons, or other crimes committed relating to gun violence.

It was asked how the City would be covered and how the covered areas would be determined. With the help of Chief Jackson, they would determine which areas have had an increase in gun violence and or gun crime committed and should place the sensors in those locations.

Data gathered while using Shotspotter system also helps identify the locations and its relation to children that may be at risk in the area who may be dealing with gun violence related trauma within the community.

Further discussed were costs to the City if we wish to expand further than two square miles, which is equivalent to 14% of total city. The City will be discussing during the budget workshops and looking into other vendors that provide the similar services.

(5) UPDATES

a. Discussion relating to TIRZ 2 status report

Finance Director Ms. Kou supplied an updated report of the TIRZ 2. In an ordinance adopted in 2019 in relation to this TIRZ 2, they (Galveston County) applied by default, since neither the “market value” or “taxable value” approach was specified in this ordinance, the “market value” was used, and by doing so, there was no incremental from the base year. This can be amended in another ordinance to specify using the “taxable value”, which will allow the TRIZ 2 to get funds available to them earlier rather than later years, although the amount would not change. Under the “taxable value,” there was an incremental, and by using this method, it is more accurate. (July 1 is the cutoff period) to amend the ordinance and specify to the County which method the City will want to use for TIRZ 2.

- b. Update from City Manager
 - 1. Update on internal policy for speed bumps
 - 2. Update on transparency improvement measures

City Manager Mr. Jackson had provided an internal policy for the regulation of speed bumps to deter speeding in certain areas of the city. This policy addresses how a citizen may request speed bumps in their neighborhoods and outlines the process. Taking into consideration the growth in which the city is moving, the restrictions placed in this policy seems problematic in some areas, Councilmember Michetich shared.

Mr. Jackson provided a memo to Council concerning transparency improvement measures, which highlighted the following areas: allowing those that are affected by administrative decisions to be informed of the results and the process that led to those decisions; and, dissemination of factual information to the citizens. Due to the extraordinary events of the last few years, it pointed out some areas the City does need some work on the implementation of a policy about speaking to members of the press; updated policy for internal processes for open records requests; established a specific email address in which all written requests were to be submitted to; and clarified that open records would be responded to in a timely manner.

Both of the above items have been placed on the website and it was encouraged for citizens as well as the other members of Council to review and recommend any other suggestions.

- c. Presentation of the Juvenile Curfew Ordinance report for calendar year 2020. This is presented in compliance with La Marque Code of Ordinances, Section 44-2, Curfew for Minors, Subsection (i), Reporting

Police Chief Jackson provided a report on juvenile curfew data from 2020.

Councilwoman Mc Auliffe asked for data to be provided specifying the number of citations or criminal charges (if any) that were given to those of the seven offenses in the report (4-night curfew restricted hours and 3-daytime curfew restricted hours). It was also asked if data could be provided to show how many stops were made specifically because they appear to be a juvenile and out during the restricted hours.

Mayor Pro-Tem Compian had a few questions in which Chief Jackson clarified some of the codes used in the reports. Clarification was given as to certain types of offenses that occur within the schools and what entity are they being reported to.

No citations were given for actually violating the curfew ordinance.

Council expressed their appreciation for the updated juvenile report.

d. Stifel (Financial Advisor)

Brad Angst of Stifel provided a Quarterly Report/Update (David Webb was also available and on the teleconference meeting) - highlighting current rates; supply and demands (bonds); forecast for the City and Mr. Angst answered a few questions from Mayor Pro-Tem Compian on a few bills that were going through legislation at this time, that would impact municipalities (limiting municipalities ability to go to the public and ask for approval of certain projects).

There was no further discussion.

(6) **OLD BUSINESS**

- a. Discussion relating to adopting Ordinance No. O-2021-0004, amending City Code Section 2.9, "Establishing a Policy for Appointments to Boards, Commissions and Committees", and assigning the Mayor to the La Marque Economic Development Corporation Board as an ex-officio non-voting member **THIS IS THE FIRST READING THIS ITEM WAS TABLED FROM THE MARCH 8, 2021 MEETING**

After a brief discussion, it was determined that there were still some issues and different opinions and or comments and to have each Council member review a color-coded copy of the ordinance at a very future meeting. All information is still in DRAFT form. Some of the highlighted areas were left in this draft since there was not a vote and not all areas were agreed upon, an example being of the residency portion. The omission of appointing the Mayor as an Ex-Officio member of the Economic Development Corporation in the ordinance was clarified by the City Attorney. Councilmember Mc Auliffe expressed her concern about the talk of deception of whether applicants were being truthful on their applications concerning their residency.

Mayor Bell asked that Council have their additions, subtractions and or changes to the ordinance to the City Manager by closing of business by the following Friday.

Mr. Loftis was allowed to speak on this agenda item. His concerns were dealing with a candidate who is running for office, who may not have her correct address on her application. He states that he has known her all of her life and knows that the address is not accurate. Mr. Loftis further stated that he would be the first to lead a recall effort if this person gets elected to office.

Mayor Bell asked Mr. Loftis for suggestions on how the Council could make the policy better.

City Attorney Ms. Purnell asked if she could be allowed to address the concern of Mr. Loftis, and she explained that requirements for candidacy are set by State law, and the City is limited on what it can do. The ordinance at issue has nothing to do with candidates elected for office, and it cannot.

Councilmember Michetich disagreed by stating, “I disagree with that, whatever we put into an appointment of a Board and Commission can be construed by the State as we are allowing something for this, it would then be allowed for that. Don’t try to cover that, thank you for your input.”

Mr. Loftis further stated that whatever this Council can do that will ensure that this does not happen again. He said he had been doing some research and that the State law states that a candidate has to be a resident of the City for one year. “You can’t ask for one part to be changed and not ask that the other part be changed too.”

Mayor thanked Mr. Loftis for his input and that now it is known that there are issues concerning the way that the Council allows those to serve in whatever capacity. Then stated that the Council could not do anything as a Council that could impact the voters of candidates in any way, in the process that they are pursuing during the election.

City Manager Mr. Jackson responded, “Those requirements are established in the Charter for the elected officers. We cannot write an ordinance that contradicts the Charter that people in this city voted on. We can have discussion about what people’s opinions are in the State law, but we cannot write an ordinance, well we can write and adopt an ordinance that is contrary to State law, and we are going to lose a legal challenge and there are the resources gone, that we could have used to do something else. We are doing the best that we can with this ordinance to get you what you asked for. The ordinance applies to Boards and Commissions and we are going to make sure that we get that ordinance the way that we want it and in a manner that you all want in the ordinance too, but if anything in that ordinance is contrary to State law, it will be subject to being challenged.”

Mayor Bell thanked Mr. Jackson for his input, and further stated that the ordinance for the Boards and Commissions will be a reflection of what the community desires, and then we will move towards what we can do so strengthen other parts of the process and the electoral process being one of them.”

(7) NEW BUSINESS

- a. Discussion relating to adopting Ordinance No. **O-2021-0006**, changing the zoning district from (R-1) Single-Family Residential to (R-2) Two Family Residential Lots 13 & 14 Wentzel Addition, Abstract 150, located near the end of Briar Lane, La Marque, Texas **THIS IS THE FIRST READING**

Development Service Ms. Purnell briefly described this item and that his has gone before the Board of Adjustment and was a granted a variance to the lot size.

Mayor Pro-Tem Compian asked, “In this process of analysis is there any input from the Police Department regarding to the possibility that this change would not cause any additional problems within the neighborhoods?”

City Attorney Ms. Purnell replied, “Typically, this is not an analysis that goes into a zoning request, but I could circulate the ordinance rezoning process through the Police Department. It does go through several other departments during the process.”

The conversation touched briefly on whether it would be considered affordable housing on that particular areas.

- b. Discussion relating to adopting Ordinance No. **O-2021-0007**, amending the fiscal year 2019-20 Budget for various funds’ expenditures by decreasing various funds’ fund balances and increasing certain expenditures to individual budget accounts in various funds and increasing certain revenues in various funds as set forth in Exhibit A **THIS IS FIRST READING**

After reading of the agenda item there was no further discussion, Finance Director Ms. Kou clarified that this is standard practice for end of year expenditures for budgeting requirement purposes and to complete the year end audit.

- c. Discussion relating to a request for sponsorship of Bigass Crawfish Bash for 2021 Quinten Severin spoke on behalf of his organization - beginning in 2016 at Highland Bayou Park, and reported that his organization has raised over \$400,000.00 in charity that benefits Veterans, children and disabled (Special Olympics, Education Foundation, Camp Hope); and in 2017 got into the Guinness Book of World Records for cooking the most lbs. of crawfish - 58,000 lbs. He has recently started another organization - Operation Underground - Child trafficking operation that rescues children. Plans are to give \$5,000.00 back to HBP and \$1,000.00 - towards the Kids Fish event.

On the BACB Website - to look up the organizations- sponsors and what has been given in donations.

Further discussion included backup plans for parking (shuttles, using back entrance to the park for Ubers and drop off area)

Mr. Severin welcomed organizations that benefit children, veterans and the disabled to have a booth at this event for free. (Funded through HOT Tax Fund-designated for tourism and city promotions)

- d. Discussion relating to ratifying the City Manager's approval of expenditures to Android Construction, LLC for costs involved in emergency distribution system (water) rehabilitation caused by Winter Storm Uri, in the amount of \$202,106.28

Public Works Director Mr. Cary briefly described this item, there was no further discussion.

- e. Discussion relating to the potential expansion of the SBA HUBZone in La Marque, Texas

Economic Development Executive Director Mr. Getty described this item that will create opportunities for La Marque businesses that currently does not exist. There is a HUB Zone east of Highway 3. "It is going to be very beneficial to some businesses in La Marque, if Council believes that this is a good move for us."

Councilmember Michetich added that there was a strong consideration of the possibility of a future de-annexation that could impact this HUB. Further discussion involved for a streamline to monies or contracts from the Federal Government for the HUB's. Once the City is able to expand their HUBZone, it will open up the possibilities for some of the smaller businesses within the City.

- f. Discussion relating to adopting Resolution No. R-2021-0009, to deny Texas-New Mexico Power's electric rate increase request for the maximum period allowed by law

After a brief explanation, given by Ms. Purnell, no further discussion followed.

(8) ADJOURNMENT

Councilmember Michetich made a motion to adjourn the Workshop at 8:55 p.m. Councilwoman Mc Auliffe seconded. WORKSHOP 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.
