

**NOTICE OF LA MARQUE  
SPECIAL CITY COUNCIL MEETING  
BY TELEPHONE CONFERENCE**

In accordance with order of the Office of the Governor issued March 16, 2020, the La Marque City Council will conduct a Special Meeting on **Thursday, April 29, 2021 that begins at 6:00 PM by telephone and video conference** in order to advance the public health goal of limiting face-to-face meetings to slow the spread of the Coronavirus/COVID-19. This Notice, the meeting agenda, and the agenda packet can be found online at:

<https://ci.la-marque.tx.us/AgendaCenter>

**THERE WILL BE NO PUBLIC ACCESS TO CITY HALL DURING THE MEETING.**

The public will be permitted to offer public comments telephonically as provided below and as permitted by the Mayor during the meeting. A recording of the telephonic meeting will be made and will be available to the public in accordance with the Open Meetings Act upon written request.

THE PUBLIC TOLL-FREE DIAL-IN NUMBER TO PARTICIPATE IN THE MEETING IS:

**1 (346) 248-7799**

ONCE YOU ARE CONNECTED, YOU MUST ENTER THE FOLLOWING:

**Meeting ID: 92493940502**

Press \*6 to mute or unmute your phone line. You may also connect to the meeting on your smartphone, tablet or computer by going to the following internet address:

<https://zoom.us/j/92493940502>

Once you are on the website, you may need to enter the following:

Meeting ID: 924 9394 0502

If you require accommodation to participate in this meeting, contact the City Clerk at 409-938-9259 or [cityclerk@cityoflamarque.org](mailto:cityclerk@cityoflamarque.org) at least 48 hours prior to the meeting start time.



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

Mayor - Keith Bell  
Vacant - District A

Councilmember Robert Michetich - District C  
Councilmember Casey McAuliffe - District D

Mayor Pro-tem Joe Compian - District B

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**CITY OF LA MARQUE  
SPECIAL CITY COUNCIL  
MEETING  
of  
April 29, 2021**

Notice is hereby given that the City Council of the City of La Marque, Texas will conduct a Special Meeting via teleconference (ZOOM) on Thursday, April 29, 2021, beginning at 6:00 p.m. for the purpose of considering the following agenda:

**(1) CALL MEETING TO ORDER**

**(2) ROLL CALL**

**(3) CITIZENS PARTICIPATION (Limited to three minutes per person)**

Comments from the public (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). 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.

**(4) OLD BUSINESS**

- a. Discussion/possible action regarding 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 - Mayor K. Bell **THIS IS THE FIRST READING (TABLED FROM MEETINGS HELD ON 3.8.2021 AND 4.12.2021)**

**(5) REQUESTS AND ANNOUNCEMENTS**

*Requests by Mayor and Council Members for items to be placed on future City Council agendas and announcements on city events/community interests TEX. GOV'T CODE §551.415. (b), "items of community interest" includes:*

- (1) expressions of thanks, congratulations, or condolence;
- (2) information regarding holiday schedules;

*(3) an honorary or salutary recognition of a public official, public employee, or other citizen, except that a discussion regarding a change in the status of a person's public office or public employment is not an honorary or salutary recognition for purposes of this subdivision;*

*(4) a reminder about an upcoming event organized or sponsored by the governing body;*

*(5) information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality or county; and*

*(6) announcements involving an imminent threat to the public health and safety of people in the municipality or county that has arisen after the posting of the agenda.*

**(6) EXECUTIVE SESSION**

The City Council for the City of La Marque, Texas reserves the right to adjourn into executive session at any time during the course of 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)

**(7) ADJOURNMENT**

**CERTIFICATION:**

I hereby certify that the above notice of meeting was posted at 1109-B Bayou Road, La Marque, Texas on or before **April 26, 2021** before **5:30 p.m.**

---

Robin Eldridge, TRMC  
City Clerk



## CITY COUNCIL AGENDA FORM

Meeting Date: April 29, 2021

Agenda item: \_\_\_\_\_

Prepared by: Derra Purnell

Reviewed by: Charlene Warren/

Charles Jackson

Department: City Council

**AGENDA ITEM DESCRIPTION:** Discussion/possible action regarding 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 (TABLED FROM MEETINGS HELD ON 3.8.2021 AND 4.12.2021)**

### **ATTACHMENTS FOR REFERENCE**

1. Redlined Ordinance including City Council and the Mayor's additions and deletions
2. Clean copy of a draft ordinance incorporating comments received and harmonizing to the extent possible - *NOTE: Council is not required to adopt this version as written, but may motion to adopt it subject to specific change where the text of the change is read as part of the motion*

### **STAFF BRIEFING:**

- Resolution No. 1032 was adopted in 2006, to help Council establish criteria for appointing members to Boards and Commissions
- Each individual Board and Commission has an ordinance that created each Board or Commission
- Then-City Attorney Ortego made necessary changes to the draft Ordinance that was brought before City Council on November 12, 2018
- First reading with changes went before City Council on December 10, 2018, which Council passed, with a few more changes
- Mayor Bell requested this ordinance be returned for discussion
- Council provided direction to staff regarding a draft amendment on February 8, 2021
- Council discussed the draft, provided comments on the draft, and provided direction to staff regarding additional changes on March 8, 2021
- Council agreed to provide additions and deletions to the City Attorney/City Manager to be included in a new draft of the ordinance

### **HISTORY:**

- Historically, appointments were made in accordance with Resolution No. 1032
- Discussions led to the drafting of an ordinance that would establish more clearly defined guidelines for appointments to Boards and Commissions, and requirements for appointees
- Then-City Attorney Ortego reviewed and made the changes as Council proposed



# CITY COUNCIL AGENDA FORM

**TARGET IMPLEMENTATION:** Second and Final Reading

**SIGNIFICANT ACTION DATES:**

**6/4/2018** - Proposed changes to the appointment process were briefly discussed at the Council Retreat

**9/10/2018** - Then-City Attorney Ortego was asked to draw up an ordinance with the Council's input from the Workshop

**11/12/2018** - City Council discussed a proposed Ordinance and asked for a few changes to be made and then brought back at the next City Council meeting

**12/10/2018** - City Council passed the ordinance on the first reading, with a few more changes

**1/14/2019** - City Council passed the ordinance on the second and final reading

**2/8/2021** - City Council discussed possible revisions; to return at March 2021 regular meeting

**3/8/2021** - City Council provided comments on the draft and discussed additional revisions; Item was tabled to return at April 2021 regular meeting

**4/12/2021** - City Council provided comments on the draft and discussed additional revisions; Council agreed to email additions and deletions to the City Attorney/City Manager detailing the changes being requested to the ordinance; item was tabled to return at a future meeting; a special called meeting was scheduled for April 29, 2021

**ACTION**

- Ordinance                       Resolution
- Special Presentation             Proclamation
- Finance Report                   Public Hearing
- Other
- Mark if this item does not conflict with any Resolution, Ordinance or City Charter, policies, procedures

<b>Cost Details:</b>	
<b>Budgeted</b>	N/A
<b>Actual Bid</b>	N/A
<b>Estimated Expenditure</b>	N/A
<b>Acct. Name(s)</b>	N/A
<b>Line Item#</b>	N/A
<b>Other Funding</b>	N/A

**STAFF'S RECOMMENDATION:** None

**FISCAL IMPACT:** N/A

**ORDINANCE NO. 0 -2021-0004 \*\*WITH COUNCIL ADDITIONS AND DELETIONS**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, AMENDING SECTION 2.9, "ESTABLISHING A POLICY FOR APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES" OF THE CITY OF LA MARQUE CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS:**

**Section 1.** That Section 2.9, Establishing a policy for appointments to boards, commissions and committees," of Article I, "In General," of Chapter 2, "Administration", of the City of La Marque Code of Ordinances is hereby amended to read as follows:

"Sec. 2-9. - Establishing a policy for appointments to boards, commissions and committees.

(a) *Scope of this policy.* Standing boards, commissions and committees addressed by this policy shall be referred to as "committees", in the interest of brevity. Those committees addressed by this policy are:

Building Standards Commission (See Sec. 14.280)

Keep La Marque Beautiful Commission (See Sec. 35-45)

La Marque Economic Development Corporation

Library Advisory Board (See Sec. 2.37)

Civil Service Commission (See Sec. 2.306)

La Marque Cemetery Board (See Sec. 2.312)

Parks Board (See Sec. 2.209)

Planning and Zoning Board (See Sec. 71.24)

Board of Adjustments (See Sec. 71.25)

(b) *Initial assignments of positions and changes.*

(1) Each member position on each of the itemized committees are hereby assigned to a council district or the mayor as indicated on "Attachment A" which is attached hereto and made a part hereof by reference. The "city council" as used herein shall also include the position of mayor.

(2) The city council may amend the district assignments at any time by simple motion and approval at any called city council meeting where the subject is posted as a part of the agenda according to law. District assignments and future changes to those assignments shall be maintained by and kept in the office of the city clerk.

(c) *Nominations and appointments.*

(1) *Notice.* Ninety days prior to the expiration of an appointed term, or immediately after being notified of a mid-term vacancy on any committee, the city clerk shall notify the council member whose district is assigned the position in question, that a vacancy will be or is open on that committee. Included with that notice will be any candidates for nomination that the committee itself may have recommended, any qualifications for the position that may be established by Charter or ordinance, and the meeting schedule of the relevant committee. A copy of the notice shall be provided to all members of the city council at the same time. Further, the City Clerk shall notify the current committee member ninety days prior to the expiration of their appointed term and request the member complete a new application if they desire to continue serving in the same capacity for an additional term. The City Clerk shall provide a copy of the committee member's application, response, or lack thereof, to the council member whose district is assigned the position in question within 30 days of making the request to the committee member.

(2) *Nominations.* A council member shall have 60 days from receiving the city clerk's notice of a vacancy or pending vacancy for a position assigned to that council member to provide the name of a nominee to the city clerk to be presented to the full city council for consideration of appointment at the next regular scheduled city council meeting following the 60 days. The nominating council member shall provide, along with the name, the address, telephone numbers and qualifications of any nominee or nominees. If the council member assigned to a vacant committee position, or a position scheduled to be vacant because of an expiring term of appointment, fails to provide the city clerk the name and required information within the 60 days following the date of the notice or, in the case of expiring terms, 60 days prior to the term expires, nominations from any council member may be submitted for consideration before or during the meeting which appointments are to be considered.

(3) *Appointments.* The city clerk shall place consideration of appointments to fill vacancies or pending vacancies for the relevant committees on the next regular city council meeting agenda, following the 30 days of notice to council members. Appointments are made with a majority vote of council attending a meeting.

(4) *Committee chair responsibilities.* It shall be the responsibility of the chairperson of each committee to guide the committee to enforce any attendance requirements for maintaining committee membership, to notify the city clerk of any mid-term vacancies and to provide the city clerk a record of attendance of the committee members.

(d) *Residency requirement.* All newly appointed committee members must not have been convicted of a felony and must be a resident of the City of La Marque at the time of appointment and shall remain residents during their term; provided, however, Planning and Zoning Commissioners shall not be subject to this requirement, but shall comply with Section 71-24 of the City Code (requiring that

all Commission members “be residents and real property taxpayers of the City of La Marque, and none of whom shall hold any other position in the city government”). Committee nominees shall submit an application prior to being appointed or reappointed to a committee and shall certify they are a resident of the City of La Marque on their committee appointment application. “Resident” as used in this Section 2.9 shall mean “a person living at a full-time, permanent residential address located inside the City limits of La Marque.” The City Council, or the City Manager, upon receipt of a written complaint may require any committee member to provide proof of residency in the form of: (i) ownership or lease documents, (ii) copies of active utility accounts, (iii) vehicle registration, (iv) voter registration and/or (v) homestead exemption; provided, however, no committee member shall be required to provide proof of residency more than three times during the same term, or twice per twelve-month period for any term longer than two years. Council shall be the judge of the qualifications of committee members. ~~Non-resident members as of January 14, 2019~~ may serve out their term and be reappointed to the same board for one additional term provided the member is in good standing with the city. A non-resident may be appointed to serve a one-year term as ~~a non-voting member with unanimous approval of council~~. ~~Committees may not have more than one non-resident non-voting member at a time. To be qualified as a non-resident non-voting member of a committee, the member must have at least 10 years of experience related to the business of that committee.~~

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#### R Michetich:

##### Ordinance Text:

the City of La Marque on their committee appointment application. “Resident” as used in this Section 2.9 shall mean “a person living at a full-time, permanent residential address located inside the City limits of La Marque.” The City Council, ~~or the City Manager~~, upon receipt of a written complaint may require any committee member to provide proof of residency in **or all but not limited to the following forms:** (i) ownership or lease documents, (ii) copies of active utility accounts, (iii) vehicle registration, (iv) voter registration and/or (v) homestead exemption; provided, **Council may elect to utilize a third party investigation**, however, no committee member shall be required to provide proof of residency more than three times during the same term, or twice per twelve-month period for any term longer than two years. As per our Mayor’s previous suggestion, is that all Board and Commission forms be updated to include a release to the city by the applicants **signature to use all methods available to ensure residency declaration along with “under penalties of perjury”**

#### C McAuliffe:

##### residency

I find the 10 years experience requirement for non-voting ex-officio members to be a bit steeper than is necessary. I found Joe’s suggestion to be amenable, although I prefer it to remain a 1 year term rather than 2 years.

#### K Bell:



Complaints about residency need to be forwarded to council and they direct CM to investigate.  
Remove anyone finishing term that doesn't live in city unless they are ex officio approved by council  
Board recommends ex officio members annually to be approved by council.  
Change application to include proof of residency in at least 2 forms. All applications must be approved by council. This happens during appointment. Make clear to council.

**J Compian:**

Page 3 – (d) Residency Requirement. ....Upon the written request and nomination of the Board or Committee Chairperson, a non resident by be appointed to serve a one year term as a non voting member with unanimous approval of council. To be qualified as a non-resident non-voting member of a city committee or board, the person nominated must have a demonstrated interest and/or subject matter expertise on the work of the committee. A non-resident may be appointed to serve a two-year term as a non-voting member with unanimous approval of council and may serve additional terms as long as they complete a new application pursuant to this ordinance and are nominated by the Committee Chairperson.

- (e) *Term limits.* All newly appointed committee members, except a member of the economic development board, may serve only three consecutive two-year terms. Newly appointed economic development board members are limited to two consecutive six-year terms. Current members may serve out their terms.

**R Michetich:**

(e) Term limits. **There shall be NO TERM LIMITS placed on appointed members with the exception to the Economic Development Board.** All newly appointed committee members, except a member of the economic development board, may serve only three consecutive two-year terms. Councilman Compian's changes for Terms Limits are also good for stating those changes.

**C McAuliffe:**

**term limits**--the current members: can we add the "as of January 14, 2019" (as with the other exceptions) to the last line?

- as we all know, I am not in favor of eliminating the term limits, for all the reasons I've previously stated. These reasons are primarily that:
  - the general comment that 'the community doesn't like' the idea of the term limits doesn't hold a lot of water for me because the mechanism of the term limits hasn't even been in operation long enough to affect anybody's term. It would be at least another 4 years before that was broached.
  - I believe we should have term limits for council members as well, but regardless, there's a HUGE difference between appointed

members to a commission and elected-by-the-public councilmembers.

**K Bell:**

Remove term limits

**J Compian:**

(e) *Term of Service.* All appointed committee members, may continue to serve as a committee member as long as they complete a new application pursuant to this ordinance and are approved by a majority vote of council.

(f) *Absences.* Any committee member cannot miss three consecutive meetings without stating a reason in advance of the meeting and having the absence "excused". The committee members present must approve the reason for it to be an "excused absence". Three unexcused consecutive absences shall automatically remove the member. Four unexcused absences within a twelve-month period shall cause automatic removal of the Member, subject to appeal to city council. Six consecutive absences (whether excused or unexcused, or a combination) may be grounds for removal of the member upon recommendation by the committee chairperson to the City Council and approval of the City Council.

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**C McAuliffe:**

**absences**--I think we should parse out first what is an unexcused or excused absence, and perhaps add a requirement for providing a written notice to the chairperson before missing a meeting. (Coming up with a proviso for actual emergencies would be needed.) It's not just that they have to state a reason, it must be brought to the commission's attention and voted on in order to be excused. If a member says nothing and simply does not attend, it is unexcused.

- Is there currently a requirement anywhere that the boards/commissions vote on absences to make them excused or unexcused. Could we add this?
  - my note here mainly revolves around trying to find a way to ensure that the chairperson effectively enforces this rule about absences. I can easily imagine how a chairperson might not necessarily have received a heads-up from an absent member but asks for their excusal anyhow, just to be kind or move things along. Can there be a way to add another 'check' to this check and balance, to make sure that a member is held accountable if they simply don't show up? Perhaps a written notice
- Can that last amended sentence have it added that "6 absences (unexcused or excused) within a 12 month period is grounds for removal, by recommendation of the committee?"

(g) *Committee membership limits.* A person can serve on only one committee at a time but may also serve as an alternate member of another committee. Current members

serving on multiple boards as of January 14, 2019 will be allowed to complete current terms for each board served. For appointments to preferred board, members must declare to city which multiple boards will be dropped upon completion of term.

(h) Alternates. "Alternate" committee members shall be members appointed to serve as voting members of the committee in the absence of any regular member. Alternates may, and should, attend all meetings of the committee to which they are appointed and shall be allowed to vote when any regular member is absent. Notwithstanding any other provision of this chapter to the contrary, each Council member may nominate one alternate committee member for each committee member position they are assigned; provided, however, alternates to the Planning and Zoning Commission and Board of Adjustment shall be appointed in accordance with Chapter 71 of the City Code, and alternates to the Building and Standards Commission shall be appointed in accordance with Chapter 14 of the City Code.

(i) Ex-officio members. One Council member or the Mayor may be appointed by City Council to each committee as an ex-officio non-voting member for purposes of providing a liaison between Council and the committee. Ex-officio appointments are made by virtue of the Council member or Mayor's elected position and shall terminate automatically if any ex-officio ceases to hold an elected position."

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**J Compian:**

Page 1 - (d) I was an original member of the Zoning Commission when it was passed. At that time, it was a stand alone committee as I recall. I do not remember Section 71-24 of the City Code. I urge the Council to amend Section 71-24 by eliminating the requirement that members " be real property taxpayers of the City of La Marque."

I also urge that the Council take up a separate review of this Section of the Code to closely study because I believe it sets up an entirely different standards to serve on this city commission including how members of this commission can be removed.

**Section 2. Effective Date and Publishing.** This ordinance shall be effective immediately, except where a later date is expressly provided, upon adoption on second and/or final reading after publication and hearing, as provided in Sections 2.17-2.19 of the Charter of the City of La Marque, and publication in accordance with Section 52.013 of the Texas Local Government Code.

**Section 3. Conflict and Repeal.** This ordinance is intended to be cumulative and shall not repeal any previous ordinances except to the extent of an irreconcilable conflict.

**Section 4. Severability.** In the event any clause, phrase provision, sentence, or part of this ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this ordinance as a whole or any part of the same, notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

PASSED, APPROVED, AND ADOPTED on First Reading this \_\_\_\_ day of \_\_\_\_\_ 2021; and PASSED, APPROVED, AND ADOPTED on Second and Final Reading this \_\_\_\_ day of \_\_\_\_\_ 2021.

**CITY OF LA MARQUE, TEXAS:**

\_\_\_\_\_  
Keith Bell, Mayor

**ATTEST:**

\_\_\_\_\_  
Robin Eldridge, TRMC, City Clerk

**ORDINANCE NO. 0 -2021-0004**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS, AMENDING SECTION 2.9, "ESTABLISHING A POLICY FOR APPOINTMENTS TO BOARDS, COMMISSIONS AND COMMITTEES" OF THE CITY OF LA MARQUE CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.**

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Board of Adjustments (See Sec. 71.25)

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(1) Each member position on each of the itemized committees are hereby assigned to a council district or the mayor as indicated on "Attachment A" which is attached hereto and made a part hereof by reference. The "city council" as used herein shall also include the position of mayor.

(2) The city council may amend the district assignments at any time by simple motion and approval at any called city council meeting where the subject is posted as a part of the agenda according to law. District assignments and future changes to those assignments shall be maintained by and kept in the office of the city clerk.

(c) *Nominations and appointments.*

- (1) *Notice.* Ninety days prior to the expiration of an appointed term, or immediately after being notified of a mid-term vacancy on any committee, the city clerk shall notify the council member whose district is assigned the position in question, that a vacancy will be or is open on that committee. Included with that notice will be any candidates for nomination that the committee itself may have recommended, any qualifications for the position that may be established by Charter or ordinance, and the meeting schedule of the relevant committee. A copy of the notice shall be provided to all members of the city council at the same time. Further, the City Clerk shall notify the current committee member ninety days prior to the expiration of their appointed term and request the member complete a new application if they desire to continue serving in the same capacity for an additional term. The City Clerk shall provide a copy of the committee member's application, response, or lack thereof, to the council member whose district is assigned the position in question within 30 days of making the request to the committee member.
  - (2) *Nominations.* A council member shall have 60 days from receiving the city clerk's notice of a vacancy or pending vacancy for a position assigned to that council member to provide the name of a nominee to the city clerk to be presented to the full city council for consideration of appointment at the next regular scheduled city council meeting following the 60 days. The nominating council member shall provide, along with the name, the address, telephone numbers and qualifications of any nominee or nominees. If the council member assigned to a vacant committee position, or a position scheduled to be vacant because of an expiring term of appointment, fails to provide the city clerk the name and required information within the 60 days following the date of the notice or, in the case of expiring terms, 60 days prior to the term expires, nominations from any council member may be submitted for consideration before or during the meeting which appointments are to be considered.
  - (3) *Appointments.* The city clerk shall place consideration of appointments to fill vacancies or pending vacancies for the relevant committees on the next regular city council meeting agenda, following the 30 days of notice to council members. Appointments are made with a majority vote of council attending a meeting.
  - (4) *Committee chair responsibilities.* It shall be the responsibility of the chairperson of each committee to guide the committee to enforce any attendance requirements for maintaining committee membership, to notify the city clerk of any mid-term vacancies and to provide the city clerk a record of attendance of the committee members.
- (d) *Residency requirement.* All newly appointed committee members must not have been convicted of a felony and must be a resident of the City of La Marque at the time of appointment and shall remain residents during their term; provided, however, Planning and Zoning Commissioners shall not be subject to this requirement, but shall comply with Section 71-24 of the City Code (requiring that

all Commission members “be residents and real property taxpayers of the City of La Marque, and none of whom shall hold any other position in the city government”). Committee nominees shall submit an application prior to being appointed or reappointed to a committee and shall swear under penalty of perjury on their application that they are a resident of the City of La Marque and shall provide at least 2 forms of proof of residency at the time the application is submitted. “Resident” as used in this Section 2.9 shall mean “a person living at a full-time, permanent residential address located inside the City limits of La Marque.” The City Council, upon receipt of a written complaint may require any committee member to provide proof of residency in or all but not limited to the following forms: (i) ownership or lease documents, (ii) copies of active utility accounts, (iii) vehicle registration, (iv) voter registration and/or (v) homestead exemption; provided, Council may elect to utilize a third party investigation, however, no committee member shall be required to provide proof of residency more than three times during the same term, or twice per twelve-month period for any term longer than two years. Council shall be the judge of the qualifications of committee members.

(1) Non-resident committee members as of January 14, 2019 may serve out their current term, but may not be appointed to an additional term unless approved as a non-resident non-voting member.

(2) Upon the written request and nomination of the Board or Committee Chairperson, a non-resident may be appointed to serve a one-year term as a non-voting member with unanimous approval of council. Committees may not have more than one non-resident non-voting member at a time. To be qualified as a non-resident non-voting member of a committee, the person nominated must have a demonstrated interest and/or subject matter expertise on the work of the committee. A non-resident may be appointed to serve a one-year term as a non-voting member with unanimous approval of council. Non-resident non-voting members must be appointed annually by Council.

(e) *Term limits.* All appointed committee members, except economic development board members, may continue to serve as a committee member as long as they complete a new application pursuant to this ordinance and are approved by a majority vote of council. Economic development board members are limited to two consecutive six-year terms. Current members as of January 14, 2019 may serve out their terms.

(f) *Absences.* Any committee member cannot miss three consecutive meetings without stating a reason in advance of the meeting and having the absence “excused” by notifying the chairperson of the committee and the committee voting to excuse the absence. The committee members present must approve the reason for it to be an “excused absence”. Absences due to illness or emergency, including those of family members, may be grounds for excused absences. Three unexcused consecutive absences shall automatically remove the member. Four unexcused absences within a twelve-month period shall cause automatic removal of the Member, subject to appeal to city council. Six consecutive absences (whether excused or unexcused,

or a combination) within any 12-month period may be grounds for removal of the member upon recommendation by the committee chairperson to the City Council and approval of the City Council.

- (g) *Committee membership limits.* A person can serve on only one committee at a time but may also serve as an alternate member of another committee. Current members serving on multiple boards as of January 14, 2019 will be allowed to complete current terms for each board served. For appointments to preferred board, members must declare to city which multiple boards will be dropped upon completion of term.
- (h) *Alternates.* "Alternate" committee members shall be members appointed to serve as voting members of the committee in the absence of any regular member. Alternates may, and should, attend all meetings of the committee to which they are appointed and shall be allowed to vote when any regular member is absent. Notwithstanding any other provision of this chapter to the contrary, each Council member may nominate one alternate committee member for each committee member position they are assigned; provided, however, alternates to the Planning and Zoning Commission and Board of Adjustment shall be appointed in accordance with Chapter 71 of the City Code, and alternates to the Building and Standards Commission shall be appointed in accordance with Chapter 14 of the City Code.
- (i) *Ex-officio members.* One Council member or the Mayor may be appointed by City Council to each committee as an ex-officio non-voting member for purposes of providing a liaison between Council and the committee. Ex-officio appointments are made by virtue of the Council member or Mayor's elected position and shall terminate automatically if any ex-officio ceases to hold an elected position."

**Section 2. Effective Date and Publishing.** This ordinance shall be effective immediately, except where a later date is expressly provided, upon adoption on second and/or final reading after publication and hearing, as provided in Sections 2.17-2.19 of the Charter of the City of La Marque, and publication in accordance with Section 52.013 of the Texas Local Government Code.

**Section 3. Conflict and Repeal.** This ordinance is intended to be cumulative and shall not repeal any previous ordinances except to the extent of an irreconcilable conflict.

**Section 4. Severability.** In the event any clause, phrase provision, sentence, or part of this ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this ordinance as a whole or any part of the same, notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.



PASSED, APPROVED, AND ADOPTED on First Reading this \_\_\_\_ day of \_\_\_\_\_  
2021; and PASSED, APPROVED, AND ADOPTED on Second and Final Reading this \_\_\_\_ day  
of \_\_\_\_\_ 2021.

**CITY OF LA MARQUE, TEXAS:**

\_\_\_\_\_  
Keith Bell, Mayor

**ATTEST:**

\_\_\_\_\_  
Robin Eldridge, TRMC, City Clerk