



**CITY OF LA MARQUE
CITY COUNCIL WORKSHOP
MINUTES
of
JANUARY 11, 2021**

City Council Workshop Minutes of the City of La Marque City Council held on Monday, January 11, 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	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
Kierra Nance	Deputy City Clerk
Derra Purnell	City Attorney

(3) CITIZENS PARTICIPATION

1. Don Johnson congratulated Mayor Bell and said he was looking forward to working with him.
2. Clarence Caldwell spoke about the issue he is having with neighbors with the horn honking and revving up the car engines and cussing at him. Asked about a noise ordinance that was supposed to have been recently adopted and asked what could be done.

Mayor Bell explained that the City Manager and legal would look into the ordinance and contact him outside of the meeting.

3. Geraldine Sam asked when the regular City Council meetings would begin again in the Council Chambers. Then asked what kind of building was going to be built on Bayou Road.

Mayor Bell said that there were items farther on the agenda that will address these concerns.

4. Michael Carlson spoke in opposition of a second Assistant City Manager, says that money could be spent elsewhere i.e., a Youth Program or use it to take care of all the shootings going on recently in the city. “If you want a deterrent for kids not getting into gangs, this would a great put-down money for a youth program.”

(4) OLD BUSINESS

- a. Discussion relating to adopting Resolution No. **R-2020-0023**, TCAP’s professional services agreement and GEXA Energy’s commercial electric service agreement for power to be provided on and after January 1, 2023. **THIS ITEM WAS TABLED AT THE DECEMBER 14, 2020 MEETING**

After a brief explanation by the City Manager, further discussion included representatives of TCAP introducing Bill Starns, the Energy Consultant.

Councilmember Compian asked how the city is currently purchasing power. It was said that the city is currently under a five-year contract with TCAP. Since there is no membership fee, they receive their money through an aggregation fee.

There are currently 166 entities that are members of TCAP, which is a non-profit organization consisting of Emergency Services Districts, MUDS, Municipalities, and any entity in an un-regulated ERCOT area can be a member of TCAP. The City of La Marque is currently paying \$5,700.00 and has been a membership for the past five years. In this proposal, they will be purchasing electricity one year at a time, two years in advance, rolling it forward. It gives entities a lot more flexibility and lower rates that they municipalities wouldn’t see in a five-year contract. Street-light costs were briefly discussed.

Mayor Bell referred to Section 5 of the Service Agreement - early termination damages- asked about 5.2- the wording used ‘may’ charge termination payments fees. The word ‘may’ is used because not all termination payments qualify under these types of contracts, depending on whether it is at a fixed price contract.

“In an electricity contract, and they have purchased electricity with you, if you breach or cancel the contract, they have to recoup the costs, which is currently included in the contract the City has.”

One way to be a green city is to buy renewable energy credits, can say that you are 100% ‘Green’. It is a very small addition to this contract.

(5) NEW BUSINESS

- a. Discussion relating to adopting Resolution No. **R-2021-0001**, calling for the General Election to be held May 1, 2021, to elect one (1) Mayor; (1) Councilmember for District “A”; and one (1) Councilmember for District “C”, each for a three (3) year term - After City Clerk R. Eldridge briefly explained, Councilmember Michetich asked for another polling location to be added to the list of polling places. It was discussed that when the filing period is over and the entities are known as to which will be conducting elections, then another polling location can be added to that polling locations list. It was mentioned that the main polling location mentioned in this resolution is at the Community Center in La Marque.
- b. Discussion relating to entering into a Contract with the Galveston County Clerk and Galveston County Election Officer for the General Election to be held on May 1, 2021, and possible Runoff Election on June 15, 2021. City Clerk R. Eldridge had nothing to add to this item, no further discussion followed.
- c. Discussion relating to adopting Ordinance No. **O-2021-0001**, amending the fiscal year 2020-21 Budget by increasing various accounts expenditures and decreasing various fund balances as set forth in Exhibit A **THIS IS THE FIRST READING**

Finance Director S. Kou briefly explained this item, Councilmember Compian asked for the fund balance after the amendment. Then mentioned that he had received a few citizens asking about the two positions of the two Assistant City Managers, which is included in this budget amendment. Councilwoman Mc Auliffe mentioned that this has been being discussed for a while. “Not only does this increase accessibility to the municipality leadership, it also increases expertise. More energy and resources that are going towards the things that are always on the forefront of our citizens minds.” Then added that it was important to note that there is a salary difference that recognizes the expertise and experience of Ms. Warren.

City Manager Jackson added that changes of the structure of the City Manager’s office was discussed in his first interview with the City and the position of an Assistant City Manager. This included a succession plan, which is included and backup to this budget amendment, and implemented with the Department Directors in 2019. “I have always been a firm believer in that line of succession, because when that person gets up to come to work, there is a possibility that they will not make it in to the office, for one reason or another, but that’s a reality. If you will remember one of the first things that I did when I came here, was I moved an employee out of the City Managers’ office to the City Clerk’s office, and developed a Deputy City Clerk, so that we had two people that knew what was going on in there.”

Mayor Bell asked about the I-45 Corridor Project Fund balance, (\$71,000.00) to which was said this being the beautification project (I-45 corridor), which Council approved during the budget process (2019-2020), this is the first payment of that; in reference to other part of the backup as it related to a settlement to a former employer, and asked if any type of liability insurance through the city's TML policy could be acquired that would help us to litigate some of the costs associated with this settlement, if the City were to have a similar claim in the future. It was said that staff would look into the possibility of such insurance.

Mayor Bell asked the question of how Mr. Jordan was recruited was asked and how he was able to have been given the title of Assistant City Manager without any formal Council action beforehand.

City Manager Jackson answered as to the creation and execution of the position prior to Council's approval, that during the budget workshop process each year, there is a budgeted line item for salaries, that budgeted line item is available for expenditures by policy, and is not necessarily tied to positions, but only expenditures of that line item. There is not a provision in the charter or personnel policy that states a position has to be created by council prior to the internal creation of the position through administration. "So, based on what was happening in the City especially during the month of December, based on the need for extra boots on the ground dealing with the outreach from the city to the citizens. That is why I made the decision to go ahead and get him in here. There was so much going on and so much that we needed to get started on quickly. Mr. Jordan has a very specific skill set that he brings to this job. He served as a City Manager previously and has very specific, distinct skills dealing with public safety issues."

Further questions included as to when Mr. Jordan first started working for the City, and Mr. Jackson roles and responsibilities as the City Manager that allowed him to do this in this way, which was referred to the City Attorney for clarification. Ms. Purnell responded, "The day-to-day operations fall within the City Manager's authority, that is going to include establishing positions, changing positions, amending job descriptions, and that goes all the way down for anyone below him and anyone who works for the city. The only time something is going to be outside the scope of his authority, is when it is an actual appointed officer of the city, For instance there are things that he can't direct me to do as the City Attorney, the Municipal Judge and the City Clerk would be other positions. Beyond that, he cannot create a department, without bringing it to Council, and this could be during the budget process, as all of the other positions within the city.

A question of how Ms. Warren was moved from Assistant to the City Manager to the Assistant City Manager was asked and the fact that she has been an employee of the city for the past 26 years, and an employee in that department for 6-7 years, and even during the previous City Manager has been the liaison to the Council members, all Departments and different boards, and has a good

relationship within the community and just about finished with the Certified Public Managers Program, making it a easy decision to move her into that position. The way that this city is structured, and it's size, this city provides a lot to the citizens that some other city's smaller than ours does not provide, a full time Fire Department and EMS for instance, and other programs such as the Safe City Initiative, Neighborhood Watch and grant opportunities. "We are a seventeen thousand in population city with metropolitan problems at times and it takes people to address these issues and problems."

Other clarity on how and if any new positions with the city are posted, and its policy on this, especially on these levels of jobs. Also, asked if there was any news or information about the possibility of an Opioid settlement that the city may be entitled to.

d. Discussion relating to City Manager's update on city operations during COVID-19
City Manager Jackson

Councilmember Compian asked he the City Manager has been receiving any citizens concerns to the accessibility to City Hall.

Councilwoman McAuliffe expressed her opinion on the opening up of City Hall at this time, "I am very happy with the protocol that has been followed and that this decision has been based on the scientific statistics that have followed CDC guidelines. Overall, I feel like we are doing the right thing, and that we are taking this virus very serious."

It was mentioned that a few citizens have submitted complaints mainly around the time that utility bills are due. Several avenues were mentioned as to how citizens can pay their bills, and staff are continuing to find other means and ways to pay their bills.

Mr. Jackson added, "We were one of the first cities to close down and it shows, with numbers, and I will continue to fight for the safety of the staff and citizens. We will continue to strive to continue providing the services and will work around citizens requests to meet face to face."

Incentives and or encouragement for taking the Covid-19 vaccine were briefly discussed. Also touched base on the criteria that is in the report as far as a time frame as to when City buildings will be open again to the public. Changing of one word in the report was asked for, but leaving it as is, with the advice of legal. The continuation of staff to help persons in the parking lot for the receipt of utility billing was encouraged. Two things that haven't been addressed 1) Is this inclusive of council meetings? ; 2) How was the criteria based?

1) It was said that this time frame would be used for Council Meetings and also Boards and Commission meetings until the April Meetings; 2) The testing positivity rate provided by the Galveston County Health Department

(Criteria based on the weekly testing of positivity rate must be less than 5% for the previous week and the second criteria being that the weekly positivity rate being decreasing for three weeks prior)

Ms. Purnell added. "As long as the Open Meetings Act Law is suspended as it is currently by the Governor and the Attorney General, the State is encouraging these types of meetings. But if and when this is ever discontinued, we would have to by law resume conducting the meetings normally."

Mayor Bell added, "To continue to do a better job in our transparency, clarity, and to develop a transparent and consistent way to relay this criteria to the public. I ask that this criteria along with weekly score cards be placed Channel 16 communicated through the CTY, and on the city's website so that the public can track this criteria and follow it so they would have and have a better understanding of how the city is handling this pandemic and what it will take to reopen the City."

- e. Discussion relating to approving creation of the City Manager Diversity Advisory Board

Council City Manager Mr. Jackson explained that this concept is to have a group that would represent the historically under-represented groups of the City once a month to discuss issues in the City. He appointed former Councilmember Lane to Chair this Advisory Board (consisting of 7-15 individuals).

Councilwoman Mc Auliffe spoke in absolute support of this Board, along with Councilmember Compian.

(8) REQUESTS AND ANNOUNCEMENTS

There were none

(9) ADJOURNMENT

Mayor Bell adjourned the Workshop at 8:06 p.m.

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.
