

**NOTICE OF LA MARQUE
SPECIAL CITY COUNCIL MEETING
BY TELEPHONE CONFERENCE AND IN-PERSON**

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, February 17, 2022 beginning at 6:00 PM. In accordance with Section 551.127(b) of the Texas Government Code a quorum of the La Marque City Council and the Mayor intend to be and will be physically present at 1109-B Bayou Road, La Marque, Texas. This location will be open to the public and the meeting will be broadcast at this location and via YouTube.

This Notice, the meeting agenda, and the agenda packet can be found online at:

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

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 at least 48 hours prior to the meeting start time.



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

Mayor - Keith Bell

Kimberley Yancy - District A

Councilmember Michael Carlson - District C

Mayor Pro-Tem Joe Compian - District B

Councilmember Casey McAuliffe - District D

CITY OF LA MARQUE
CITY COUNCIL
AMENDED
SPECIAL MEETING
of
FEBRUARY 17, 2022

Notice is hereby given that the City Council of the City of La Marque, Texas will conduct a Special Meeting on February 17, 2022, beginning at 6:00 p.m. in the Council Chambers at 1109-B Bayou Road, La Marque, Texas as well as via videoconference hosted through (ZOOM). In accordance with Section 551.127(b) of the Texas Government Code a quorum of the La Marque City Council and the Mayor intend to be and will be physically present at 1109-B Bayou Road, La Marque, Texas. This location will be open to the public and the meeting will be broadcast at this location and via YouTube. The council will meet for the purpose of considering the following agenda:

- (1) CALL MEETING TO ORDER
- (2) ROLL CALL
- (3) INVOCATION AND PLEDGE OF ALLEGIANCE
- (4) 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.**

(5) PUBLIC HEARING

- a. Conduct Public Hearing to hear input regarding adopting Ordinance No. O-2022-0002, calling a bond election to be held within the City of La Marque, making provisions for the conduct and the giving of notice of the election and containing other provisions relating thereto - Legal J. Frels

(6) NEW BUSINESS

- a. Discussion/ possible action regarding adopting Ordinance No. O-2022-0002, calling a bond election to be held within the City of La Marque, making provisions for the conduct and the giving of notice of the election and containing other provisions relating thereto - Legal J. Frels
- b. Discussion relating to Managerial Audit - Legal G. Knebel

(7) NEW BUSINESS

- a. Discussion/possible action regarding the City Manager position for the City of La Marque - Mayor K. Bell

(8) 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)

- a. Consultation with attorney (section 551.071)- Discussion relating to Bond Election

(9) 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.*

(10) ADJOURNMENT

CERTIFICATION:

I hereby certify that the above notice of meeting was posted at 1109-B Bayou Road, La Marque, Texas on or before February 14, 2022, before 12:30 p.m.

Kierra K. Nance, TRMC
City Clerk

ORDINANCE NO. O-2022-0002

ORDINANCE BY THE CITY COUNCIL OF THE CITY OF LA MARQUE, TEXAS CALLING A BOND ELECTION TO BE HELD WITHIN SAID CITY; MAKING PROVISIONS FOR THE CONDUCT AND THE GIVING OF NOTICE OF THE ELECTION; AND CONTAINING OTHER PROVISIONS RELATING THERETO

WHEREAS, the City Council (the “City Council”) of the City of La Marque, Texas (the “City”) finds and determines that it is necessary and advisable to call and hold an election for and within the City on the proposition hereinafter set forth; and

WHEREAS, the City Council finds, determines and declares that the meeting at which this Ordinance is considered is open to the public, and that the public notice of the time, place and purpose of the meeting was given, as required by Chapter 551, Texas Government Code, as amended.

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

Section 1. Findings. The statements contained in the preamble of this Ordinance are true and correct and are hereby adopted as findings of fact and as a part of the operative provisions hereof.

Section 2. Election Ordered; Date; Proposition. A bond election (the “Election”) shall be held for and within the City on Saturday, May 7, 2022 (“Election Day”), a uniform election date established by Section 41.001(a), Texas Election Code, as amended (the “Code”), as required by Texas law. At the Election the following proposition (the “Proposition”) shall be submitted to the qualified voters of the City in accordance with law:

CITY OF LA MARQUE, TEXAS – PROPOSITION A

Shall the City Council of the City of La Marque, Texas (the “City”) be authorized to issue bonds of the City, which may be called City of La Marque, Texas, General Obligation Bonds, in the amount of \$14,700,000 for the purpose of providing funds for the design, construction, improvement, and equipment of a new police station and municipal courts facility and the acquisition of the necessary site therefor, said bonds to mature serially or otherwise not more than forty (40) years from their date or dates, to be issued in various issues or series, to be sold at any price or prices and to bear interest at any rate or rates, not to exceed the maximum rate now or hereafter authorized by law, all as shall be determined within the discretion of the City Council at the time of issuance under laws in effect at the time of issuance, and to provide for the payment of the principal of and interest on said bonds and the costs of any credit agreements by levying a tax upon all taxable property in the City sufficient to pay the annual interest on and to create a sinking fund sufficient to redeem said bonds as they become due?

Section 3. Official Ballot.

(a) Voting at the Election, and early voting therefor, shall be by the use of the lawfully approved Galveston County, Texas (“Galveston County” or the “County”) voting systems and ballots.

(b) The preparation of the necessary equipment and the official ballots for the Election shall conform to the requirements of the Code so as to permit the electors to vote “FOR” or “AGAINST” the Proposition which shall be set forth on the ballots substantially in the following form:

CITY OF LA MARQUE, TEXAS – PROPOSITION A

- FOR) THE ISSUANCE OF \$14,700,000 GENERAL OBLIGATION BONDS FOR THE DESIGN, CONSTRUCTION, IMPROVEMENT, AND EQUIPMENT OF A NEW POLICE STATION AND MUNICIPAL COURTS FACILITY AND THE ACQUISITION OF THE NECESSARY
- AGAINST) SITE THEREFOR, AND THE LEVYING OF A TAX SUFFICIENT TO PAY THE PRINCIPAL OF AND INTEREST ON THE BONDS.

Section 4. Bilingual Election Materials. All notices, instructions, and ballots pertaining to the Election shall be furnished to voters in both English and Spanish in compliance with the Code, including particularly Chapter 272 of the Code pertaining to bilingual requirements.

Section 5. Persons Qualified to Vote. All resident, qualified electors of the City shall be eligible to vote at the Election.

Section 6. Election Precincts, Voting Locations and Voting Hours on Election Day. The election precincts for the Election shall consist of the territory within the boundaries of the City situated within one or more County election precincts located wholly or partially within the City. The precinct numbers for the City’s election precincts shall be the same as those assigned by the County to the County election precincts. The polling places for the Election are hereby designated to be those locations identified by the County Clerk (as defined herein). Such locations are listed on Exhibit A attached hereto, which is incorporated herein by reference and made a part hereof for all purposes; provided, however, such locations may be changed if so directed by the County Clerk without further action of the City. The County or its County Clerk are hereby authorized and directed to make such changes in polling locations as may be necessary for the proper conduct of the Election, without further action by the City, and the City Secretary or his/her designee is hereby authorized to update Exhibit A to reflect the locations designated by the County or its County Clerk, which locations are hereby approved. Each polling place shall be open from 7:00 A.M. to 7:00 P.M. on Election Day.

Section 7. County Clerk; Early Voting Clerk; Early Voting Locations, Dates and Times. (a) Dwight D. Sullivan, the Galveston County Clerk (the “County Clerk”) is hereby appointed as the Early Voting Clerk for purposes of this Election (the “Early Voting Clerk”) and agent for the custodian of voted ballots in the jurisdiction.

(b) The address for the Early Voting Clerk of Galveston County is 600 59th Street, Galveston, Texas 77551 and the Early Voting Clerk may be reached at the following: (i) Telephone: (409) 770-5108, (ii) Email: elections@co.galveston.tx.us, and (iii) Website: <http://www.galvestonvotes.org>.

(c) Applications for early voting by mail shall be submitted to the Early Voting Clerk by regular mail to Attn: Ballots by Mail, C/O Dwight Sullivan, Galveston County Clerk, P.O. Box 17253, Galveston, TX 77552-7253, or by common or contract carrier to 600 59th Street, Galveston, TX 77551.

(d) The main early voting polling place for Galveston County is hereby designated to be the Galveston County Justice Center, 600 59th Street, Galveston, TX 77551.

(e) Early voting by personal appearance for all election precincts shall be held at the locations, at the times and on the days set forth in Exhibit B, attached hereto and incorporated herein, or at such other locations, times, and days as hereafter may be designated by the County or County Clerk as provided in the Election Agreement without further action by the City. The City Secretary or his/her designee is hereby authorized to update Exhibit B to reflect the locations designated by the County or the County Clerk, and such locations are hereby approved.

(f) The County Clerk and/or Early Voting Clerk are hereby authorized to appoint the members of the early voting ballot board and the presiding judges and alternate judges for each polling location in accordance with the requirements of the Code. Each of the presiding judges shall be authorized to approve the necessary election clerks to assist in conducting the Elections.

(g) Voting times may be changed if so directed by the County Clerk without further action of the City. The County Clerk is hereby authorized and directed to make such changes in voting hours as may be necessary for the proper conduct of the Election.

Section 8. Joint Election. The City has determined that it is in the best interest of the City to participate in a joint election with other governmental entities in the County holding elections on Election Day and contract with the County Clerk for election services (the "Election Agreement").

Section 9. Appointment of Election Officers. The election judges, alternate judges, clerks, members of the early voting ballot board, the central counting station officials, and other personnel necessary for conducting the Election shall be appointed, election judges and alternate judges may be changed, and the central counting station shall be established and staffed all as provided in the Election Agreement and such actions are hereby approved. Further, the City Council hereby authorizes the Mayor to appoint any such other officials not designated herein or appointed pursuant to the Election Agreement as are necessary and appropriate to conduct the Election in accordance with the Code.

Section 10. Notice of Election. Notice of the Election shall be given by: (i) publishing a substantial copy of this Ordinance, in English and Spanish, two (2) times on the same day in consecutive weeks, with the first publication to occur not earlier than the thirtieth (30th) day nor later than the fourteenth (14th) day prior to the date set for the Election, in a newspaper published in the City (or that otherwise complies with applicable law), (ii) posting a copy of this Ordinance

and the Voter Information Document (as hereinafter defined), in English and Spanish, on the bulletin board used for posting notices of meetings of the City Council and in at least three (3) other public places within the boundaries of the City, not later than the twenty-first (21st) day prior to the date set for the Election, and (iii) posting a copy of this Ordinance and the Voter Information Document, in English and Spanish, on the City's website, prominently and together with the notice of the Election, the contents of the Proposition and any sample ballot prepared for the election, not later than the twenty-first (21st) day prior to the date set for the Election through Election Day. Additionally, on Election Day and during early voting by personal appearance, this Ordinance and the Voter Information Document shall be posted in a prominent location at each polling place. Notice of the Election shall also be provided to the County Clerk and voter registrar of the County not later than the sixtieth (60th) day before the Election Day; which notice the County is hereby authorized and directed to post to its website not later than the twenty-first (21st) day prior to Election Day. Notice of the Election shall be posted to the City's internet website not later than the twenty-first (21st) day before the election, in compliance with Section 4.009, Texas Election Code, as amended. The website for the City can be found at www.cityoflamarque.org.

Section 11. Conduct of Election. The Election shall be held in accordance with the Code, the Texas Government Code, and the Federal Voting Rights Act of 1965, as amended (the "Voting Rights Act"), including particularly Chapter 272 of the Code pertaining to bilingual requirements.

Section 12. Information Required by Section 3.009 of the Election Code.

(a) City's Outstanding Debt. As of the date of this Ordinance, the City's aggregate principal amount of outstanding tax-supported debt was \$28,889,452 and the aggregate amount of outstanding interest on such tax-supported debt was \$12,860,059. As of the date of this Ordinance, the City's total ad valorem tax rate is \$0.5508 per \$100 of assessed valuation, which is made up of a maintenance and operations tax rate component of \$0.3609 per \$100 of assessed valuation and a debt service tax rate component of \$0.1899 per \$100 of assessed valuation of taxable property in the City.

(b) Issuance of New Debt. The City intends to issue the bonds authorized by the Proposition over a period of years in a manner and in accordance with a schedule to be determined by the City Council based upon a number of factors, including, but not limited to, the then current needs of the City, demographic changes, prevailing market conditions, assessed valuations of property in the City, the use of variable rate debt and management of the City's short-term and long-term interest rate exposure. Market conditions, demographics and assessed valuations of property vary based upon a number of factors beyond the City's control. Therefore, the City cannot and does not guarantee a particular interest rate or tax rate associated with the bonds authorized by the Proposition. As such, the information contained in this paragraph is provided solely for illustrative purposes and does not establish any limitations or restrictions or create a contract with the voters. The City estimates that, based on the City's current taxable assessed valuation, current market conditions as of the date of this Ordinance, and estimated future growth in the City's taxable assessed valuation, if the Proposition was approved and all of the bonds authorized by the Proposition were issued in accordance with the City's current projected plan of finance, the maximum interest rate on the bonds is not expected to exceed 5.00%.

(c) Additional Information Required by Section 3.009 of the Code. The additional information required by Section 3.009 of the Code is located in Sections 2 and 3 of this Ordinance.

Section 13. Voter Information Documents. The Mayor of the City or their designee, acting on behalf of the City Council, in consultation with the City Attorney, bond counsel, and financial advisor, is hereby authorized and directed to provide with respect to the Proposition a voter information document, in the form prescribed by Section 1251.052(b), Texas Government Code (collectively, the “Voter Information Document”).

The Mayor of the City or their designee, acting on behalf of the City Council, is further authorized and directed to post or provide for the posting of the Voter Information Document in the manner provided under Section 10 of this Ordinance and Section 1251.052(b), Texas Government Code.

Section 14. Necessary Actions. The Mayor and the City Secretary of the City, or his/her designee, acting on behalf of the City Council, in consultation with the City Attorney and/or bond counsel is hereby authorized and directed to take any and all actions necessary to comply with the provisions of the Code and the Voting Rights Act in carrying out and conducting the Election, whether or not expressly authorized herein, including making changes or additions to polling places or procedures to the extent required or desirable as determined by the County Clerk.

Section 15. Severability. If any provision, section, subsection, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is for any reason held to be unconstitutional, void, invalid, or unenforceable, neither the remaining portions of this Ordinance nor their application to other persons or sets of circumstances shall be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof or provision or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality, voidness, invalidity or unenforceability of any other portion hereof, and all provisions of this Ordinance are declared to be severable for that purpose.

Section 16. Effective Date. This Ordinance shall take effect immediately upon its adoption.

[Signature Page Follows]

PASSED AND APPROVED the 17th day of February, 2022.

Mayor
City of La Marque, Texas

ATTEST:

City Secretary
City of La Marque, Texas

[SEAL]

EXHIBIT A

ELECTION DAY SCHEDULE LOCATIONS

Saturday, May 7, 2022 – Polls are open from 7:00 a.m. to 7:00 p.m.

ELECTION DAY POLLING LOCATIONS*

Galveston County utilizes countywide vote centers. City voters may vote at any of the following locations on Election Day:

Joe Faggard Community Center
1750 Highway 87
Crystal Beach, TX 77650

Rebecca Sealy Hospital
404 8th St. Classroom (1st floor)
Galveston, TX 77550

Moody Church
2803 53rd St.
Galveston, Texas 77551

MUD 12 Building
2929 HWY 6 Ste. 300
Bayou Vista, TX 77563

Santa Fe City, Hall
12002 Hwy 6
Santa Fe, TX 77510

La Marque Community Room
1109 B Bayou Rd
La Marque, TX 77568

Nessler Center
2010 Fifth Ave N
Texas City, TX 77590

Dickinson City Hall
4403 Highway 3
Dickinson, TX 77539

Kemah Community Center
800 Harris
Kemah, TX 77565

High Island ISD
2113 6th St.
High Island, TX 77626

Galveston County Courthouse
722 Moody St.
Galveston, TX 77550

Seaside Church
16534 Termini-San Luis Pass Rd
Jamaica Beach, TX 77554

Greater St. Matthews Baptist Church
6333 Highway 6
Hitchcock, TX 77563

West County Building
11730 Highway 6
Santa Fe, TX 77510

Carver Park Community Center
6415 Park Ave
Texas City, TX 77591

Bacliff Fire Station
600 Grand
Bacliff, TX 77518

Dickinson Community Center
2714 Highway 3
Dickinson, TX 77539

Watershed Church
1751 E. League City Pkwy.
League City, TX 77573

North County Annex
174 Calder Rd
League City, TX 77573

Friendswood ISD Admin
402 Laurel Dr.
Friendswood, TX 77546

*** Subject to change. To verify, please go to the Galveston County Clerk website, www.galvestonvotes.org.**

EXHIBIT B

Galveston County Early Voting Schedule – May 7, 2022 General Election*

Early Voting Schedule		
DATE	DAY	TIME
April 25 – 29, 2022	Monday – Friday	8:00 a.m. – 5:00 p.m.
May 2 – 3, 2022	Monday – Tuesday	7:00 a.m. – 7:00 p.m.

Early Voting Locations*

Galveston County Courthouse
722 Moody St.
Galveston, TX 77550

Seaside Baptist Church
16534 Termini-San Luis Pass Rd
Jamaica Beach, TX 77554

MUD 12 Building
2929 HWY 6 Ste. 300
Bayou Vista, TX 77563

Santa Fe City Hall
12002 Highway 6
Santa Fe, TX 77510

West County Building
11730 Highway 6
Santa Fe, TX 77510

Nessler Center
2010 5th Ave N
Texas City, TX 77590

Dickinson Community Center
2714 Highway 3
Dickinson, TX 77539

North County Annex
174 Calder Rd
League City, TX 77573

Moody Methodist Church
2803 53rd St.
Galveston, TX 77551

Joe Faggard Community Center
1750 Highway 87
Crystal Beach, TX 77650

Greater St. Matthews Baptist Church
6333 Highway 6
Hitchcock, TX 77563

La Marque Community Room
1109 B Bayou Rd.
La Marque, TX 77568

Carver Park Community Center
6415 Park Ave
Texas City, TX 77591

Bacliff Fire Dept.
600 Grand St.
Bacliff, TX 77518

Kemah Community Center
800 Harris
Kemah, TX 77565

Friendswood ISD
402 Laurel Dr.
Friendswood, TX 77546

* Subject to change. To verify, please go to the Galveston County Clerk website, www.galvestonvotes.org.

** Main Polling Location.

