

**NOTICE OF LA MARQUE  
TIRZ #2 BOARD OF DIRECTORS MEETING  
BY TELEPHONE CONFERENCE**

In accordance with order of the Office of the Governor issued March 16, 2020, the TIRZ#2 Board of Directors will conduct their meeting on **Thursday, May 27, 2021 that begins at 2:00 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 facilitator 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: 979 0762 0164**

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/97907620164>

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

**Meeting ID: 979 0762 0164**

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 Rd.  
La Marque, Texas 77568  
409-938-9202

*Darlene Barnes - Member  
Cheryl Farrell - Member  
Kim Cavarretta - Member  
Alan Waters - Member  
Chairperson - Vacant*

*Douglas Boudoin - Member  
Al Horcica - Member  
Rex Henly - Member  
Patty Shippley - Member*

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**CITY OF LA MARQUE  
TIRZ #2 BOARD OF DIRECTORS  
Regular Meeting  
AGENDA  
of  
May 27, 2021**

Notice is hereby given that the Board of Directors of the TIRZ #2 will conduct their meeting via teleconference (ZOOM) on Thursday, May 27, 2021, beginning at 2:00 p.m. for the purpose of considering the following agenda:

**(1) CALL MEETING TO ORDER**

**(2) ROLL CALL**

**(3) PUBLIC COMMENTS**

At this time, any person who wishes to speak on Commission-related business, including any item on the agenda, should speak at this time by giving the Chairperson your name and the item you wish to speak about. Comments are limited to three (3) minutes. In compliance with Texas Open Meetings Act, the Planning and Zoning Commission 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.**

**(4) MINUTES**

- a. Discussion/possible action to approve meeting minutes held on February 26, 2020

**(5) NEW BUSINESS**

- a. Discussion/possible action relating to recommending to City Council adopting an Ordinance establishing the method of calculation of the increment for TIRZ 2 as the "taxable value approach" pursuant to Section 311.012 of the Texas Tax Code

**(6) EXECUTIVE SESSION**

The City Council and the Economic Development Corporation reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed below, 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. Section 551.071 (Consultation with Attorney) and/or 551.072 (Deliberations about Real Property)

**(7) REQUESTS AND ANNOUNCEMENTS**

Requests by the Directors for items to be placed on future agendas and announcements by Directors of any of the following "items of community interest" including:

- (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.

**(8) ADJOURNMENT**

**CERTIFICATION:**

I hereby certify that the above notice of meeting was posted at 1109-B Bayou Road, La Marque, Texas, on or before **May 24, 2021** before 2:00 p.m.

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Robin Eldridge, TRMC  
City Clerk

This facility is wheelchair accessible and accessible parking spaces are available. Request for accommodations or interpretive services must be made 48 hours prior to this meeting. . Please contact the City Clerk's office at (409) 938-9259, or Fax (409) 935-0401, or e-mail [cityclerk@cityoflamarque.org](mailto:cityclerk@cityoflamarque.org) for further information.



**TIRZ #2 BOARD OF DIRECTORS  
REGULAR MEETING MINUTES  
February 26, 2020**

**AGENDA:**

1. **CALL TO ORDER**  
Chairman Cassimus called the meeting to order at 2:00 p.m.
2. **ROLL CALL**  

<b>PRESENT:</b> Ernie Cassimus, Chairman Darlene Barnes Cheryl Farrell Patty Shippley Douglas Boudoin Al Horcica Kim Cavaretta	<b>ABSENT:</b> Rex Henly
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- (3) **INVOCATION AND PLEDGE OF ALLEGIANCE**  
The board commenced with an invocation and pledge led by Chairman Cassimus.
- (4) **PUBLIC COMMENT**  
There were no public comments.
- (5) **PRESENTATION**
  - a. New Board Member Orientation - Derra Purnell, Olson & Olson provided a quick recap of the Board member orientation to a few of the board members that were absent from the previous meeting, regarding personal emails, public information act, open meetings act and five of the board members would/could constitute a quorum.
- (6) **MINUTES**
  - a. Regular Meeting Minutes of January 22, 2020  
Board Member Shippley made a motion to approve the minutes of January 22, 2020. Board member Barnes seconded. **MOTION CARRIED UNANIMOUSLY**
- (7) **NEW BUSINESS**

- a. Discussion/possible action to adopt a resolution approving and recommending Council approval of a final financing plan and project plan for TIRZ #2

After a brief explanation given by Ms. Purnell, there was no other discussion.

Board member Waters made a motion to adopt a resolution approving and recommending Council approval of a final financing plan and project plan for TIRZ #2. Board member Horcica seconded. **MOTION CARRIED UNANIMOUSLY**

- b. Discussion/possible action regarding options for improving streets within TIRZ #2, including an agreement with the Homeowners Association for a recommendation to Council concerning the transfer of street ownership to the City.

- The Board may convene in closed executive session for consultation with attorney to obtain legal advice related to this item, as permitted under Section 551.071 of the Texas Government Code

Board Chairman called for the Executive Session at 3:08 P.M.

Board Chairman Cassimus reconvened to the regular meeting at 3:54 p.m.

There was no action taken from the Executive Session.

- (8) REQUESTS, ANNOUNCEMENTS AND COMMENTS  
There were no requests or announcements.

- (9) ADJOURNMENT  
Chairman Cassimus adjourned the meeting at 3:55 p.m.

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Ernie Cassimus, Chairman

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Kierra K. Nance  
Deputy City Clerk



# CITY COUNCIL AGENDA FORM

Meeting Date: May 17, 2021  
Prepared by: Suzy Khou  
Department: Finance

Agenda item: \_\_\_\_\_  
Reviewed by: \_\_\_\_\_

**AGENDA ITEM DESCRIPTION:** Discussion/possible action relating to adopting Ordinance No. **O-2021-0010**, establishing the method of calculation of the increment for TIRZ 2 as the “taxable value approach” pursuant to Section 311.012 of the Texas Tax Code ***THIS IS THE FIRST READING***

**ATTACHMENTS FOR REFERENCE**

1. Proposed Ordinance

**STAFF BRIEFING:**

- TIRZ 2 was set up beginning in 2019 and \$15,000 was provided by Council as start-up money for the TIRZ fund
- The last TIRZ 2 meeting of the TIRZ Board was held prior to the onset of COVID-19
- Taxes on the increment are due to the fund when taxes are received by the City from the assessor for tax year 2021
- Cheryl Johnson provided information to the City regarding the estimated increment for tax year 2021 based on the default approach to calculating the increment, as well as information that the proportion of the increment due to the TIRZ would increase if the City passed an ordinance changing the calculation method for the increment from the default approach to the taxable value approach
- The difference in the two approaches is estimated to be approximately \$8,500; this is the amount that will be owed to the TIRZ instead of the City general fund if the taxable value approach is adopted

**HISTORY:** N/A

**TARGET IMPLEMENTATION:** N/A

**SIGNIFICANT ACTION DATES:** N/A

Cost Details:	
Budgeted	
Actual Bid	
Estimated Expenditure	
Acct. Name(s)	Various
Line Item #	Various



## CITY COUNCIL AGENDA FORM

**ACTION:**

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

<b>Other Funding</b>	
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**STAFF'S RECOMMENDATION:** Recommend to adopt Ordinance No. O-2021-0010, establishing the method of calculation of the increment for TIRZ 2 as the "taxable value approach" pursuant to Section 311.012 of the Texas Tax Code

**FISCAL IMPACT:** A change in the proportion of taxes paid to the City versus the TIRZ, estimated to be approximately \$8,500.

**ORDINANCE NO. O-2021-0010**

**AN ORDINANCE OF THE CITY COUNCIL OF LA MARQUE, TEXAS AMENDING ORDINANCE O-2019-0002 CREATING REINVESTMENT ZONE NUMBER TWO, CITY OF LA MARQUE, TEXAS, BY AMENDING THE METHOD OF INCREMENT CALCULATION PURSUANT TO SECTION 311.012 OF THE TEXAS TAX CODE; MAKING OTHER PROVISIONS RELATED TO THE SUBJECT; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, Ordinance No. O-2019-0002 (the "Creation Ordinance") established Reinvestment Zone Number Two, La Marque, Texas (the "Zone"); and

**WHEREAS**, the Creation Ordinance for the Zone did not establish a method of calculation of the increment pursuant to Section 311.012 of the Texas Tax Code; and

**WHEREAS**, Council finds that establishing the method of calculation of the increment as the "taxable value approach" pursuant to Section 311.012 of the Texas Tax Code is consistent with the Zone Financing Plan; and

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

**Section 1.** That Section 5 of Ordinance O-2019-0002 is amended to read as follows:

That the Tax Increment Base of any taxing unit participating in the Zone through property tax increments is the total appraised value of all real property taxable by such taxing unit and located in the Zone as of January 1, 2019, the year in which the Zone was designated a reinvestment zone (the "Tax Increment Base"). Further, the tax increment for any year shall be the amount of property taxes levied and assessed by the unit for that year on the captured appraised value of real property taxable by the unit and located in the Zone, and the County Tax Assessor Collector is authorized and directed to use the taxable value approach in calculating the base value and/or tax increment.

**Section 2.** **Repeal.** This ordinance is intended to be cumulative and shall not repeal any provision of a previous ordinance or City Code provision, except to the extent that a provision is inconsistent and cannot be reconciled with this ordinance.

**Section 3.** **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 is the intention of the City Council that the invalidity or unconstitutionality of the one or more parts shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision other than the part declared to be invalid or unconstitutional; and the City Council of the City of La Marque, Texas, declares that it would have passed each and every 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.



**Section 4. Publication and Effective Date.** This ordinance shall be effective immediately upon adoption, public hearing in accordance with Section 2.19 of the City Charter, and publication of this ordinance or a caption that summarizes the purpose of this Ordinance and the penalty for violating this ordinance in accordance with Chapter 52 of the Texas Local Government Code and Article II of the City Charter. Further, this Ordinance shall apply to calculations completed after this Ordinance becomes effective, including calculation of the tax increment for tax year 2020.

**PASSED, AND APPROVED** by the City Council of the City of La Marque on First Reading this **17th** day of **May** 2021; and

**PASSED, APPROVED, AND ADOPTED** by the City Council of the City of La Marque on Second and Final Reading this \_\_\_\_ day of \_\_\_\_\_, 2021.

**CITY OF LA MARQUE, TEXAS**

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

**ATTEST:**

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

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Derra Leigh Purnell, City Attorney