

City Council Special Meeting of

8/15/2022 - Minutes

1. CALL MEETING TO ORDER

Mayor Bell called the meeting to order at 6:10 p.m.

2. ROLL CALL

All members of Council were present with Councilmember McAuliffe arriving at 7:10 p.m.

3. INVOCATION AND PLEDGE OF ALLEGIANCE

Pastor Jervie from Resonate Church gave the invocation, leading the community in the Lord's Prayer, and the pledge was said in unison.

4. CITIZENS PARTICIPATION

Laura Divine (1406 Merry Lane), came to request a background check to be done on the police chief. Feels that it does not seem right for an officer to do a background check on someone who would be their supervisor.

James Osteen (2012 Jeridona), came to discuss Resolution No. R-2022-0054, requesting a language change.

Robert Michetich (24 N Curlew), asking when TIRZ Board appointments will be made and for the Finance Director to post the City's financial ledgers.

Joseph Lowry (2605 Cedar Drive), reminds everyone that racial division is destroying the community. Would like to touch on the audit, which was not a forensic audit, and shared feelings about the finance team receiving the GFOA award.

5. RESOLUTIONS- CONSENT

Councilmember Yancy made a motion to adopt the consent agenda consisting of items 5.III, 5.IV, and 5.V. Councilmember Carlson seconded the motion. MOTION PASSED UNANIMOUSLY.

5.I. Resolution No. R-2022-0054

City Attorney gave a brief opinion regarding the verbal amendment to make the language change as requested in citizen's participation.

Charter Review Chairman James Osteen was involved in the discourse regarding utilizing a Resolution vs an Ordinance as the vehicle for calling this election and the date for the election.

Mayor Pro Tem shared concerns regarding topics such as clarity of petition processes, the possibility of an Ethics Committee being added to the charter, qualifications of a candidate for office, and the desire for additional time to review.

Councilmember Carlson shared his favoritism of tracking with state law and calling the election by ordinance.

Councilmember Yancy shared her belief that everyone deserves to vote and have their voice heard pointing out that November elections allow for the maximum amount of citizen participation.

Mayor Bell reminded the community that the council has the right to approve, deny, or alter charter amendments as they have been presented to them for consideration. However, he also noted that while he has seen many councils add to or remove amendments he cannot recall having seen any altered.

Councilmember Carlson made a motion to table this item until August 29, 2022. Mayor Pro Tem Compian seconded the motion. MOTION PASSED UNANIMOUSLY.

5.II. Resolution No. R-2022-0055

Mayor Bell addressed the allegations made in the petition.

Councilmember Carlson acknowledged that right, wrong, or indifferent he will stand by the constitution.

Councilmember McAuliffe has been thinking about this process and many concerns have been raised regarding the validity of some of the actions taken and just wants to know that the council is moving forward with something legitimate. However, the council has moved the process forward to this point. She shares her support for the Mayor and hopes the process bring forth clarity for all and hopefully as many people as possible in the City of La Marque allow their voice to be heard.

Councilmember Yancy states that it is a sad day for the city and feels that taxpayer money is being spent on personal vendettas. As a representative of District A she can attest to some of the amazing things that have been accomplished by this mayor. The council should be advocating for the city, working for the people of the city but situations like this are taking time away from the councils effectiveness. La Marque does not need unnecessary distractions. She shared concerns regarding the pattern of recalls against District A mayors and concerns regarding the perception of these events. She shares that she is praying for all and the data does not lie, look at what is being accomplished in the midst of all of this, great things are being delivered.

Mayor stated that he will speak more to this in a different venue and asked the public to notice that none of the elder statesmen of the community are apart of the "chorus".

Mayor Pro Tem wanted to make it clear that Keith Bell has been a friend before the council and will continue to be one after.

Councilmember Carlson made a motion to approve Resolution No. R-2022-0055. Councilmember McAuliffe seconded the motion. MOTION PASSED WITH 3 AYES AND 2 ABSTENTIONS (Mayor Bell and Councilmember Yancy).

5.III. Resolution No. R-2022-0056

Adopted through consent.

5.IV. Resolution No. R-2022-0057

Adopted through consent.

5.V. Resolution No. R-2022-0058

Adopted through consent.

5.VI. Resolution No. R-2022-0059

No action was taken.

5.VII. Resolution No. R-2022-0060

No action was taken.

6. APPOINTMENTS

Mayor Bell nominated Darlene Barnes, Al Horcica, Leslie Cruz, Sheryl Ann Farrell, and Allen Waters to the TIRZ Board. Councilmember Carlson seconded the motion. MOTION PASSED UNANIMOUSLY.

7. NEW BUSINESS

7.I. Annual Bids, Requests, And Proposals

No action was taken on this item.

7.II. Special Events

The City Manager and Attorney addressed the Special Events Ordinance as it has not been updated in 30 years and the current ordinance does not align with the current process and is requesting a streamlined process.

Mayor Bell agreed that the process should be streamlined and there should be a distinction between for-profit and nonprofit events and organizations.

Councilman Carlson requested some changes to the requirements, such as updating the fees, hours of operation, the requirements for full-faced photographs, and the need for health permits.

Mayor Pro Tem Compian asked for clarity regarding a special event permit appeal and does not believe that City Council is the appropriate forum for an appeal.

City Manager Garcia agreed to bring a new ordinance, new forms, and a new standard operating procedure regarding this process to the Council at a later date.

7.III. FY 2022-2023 Proposed Tax Rate

7.IV. Items For The Good Of The Order

City Manager Garcia asked for prayers for staff members going through difficult times. The Community Policing Initiative of the la Marque Police Department is up for an award by TML

Councilmember Carlson asked for everyone to be careful while they're driving as kids are going back to school.

Councilmember Yancy congratulated Texas City Independent School District for receiving a rating of a B, she gave a special thank you to Library Director Amy Miller for the work that she and her staff have done to assist with this initiative.

Mayor Pro Tem Compian also congratulated Hitchcock Independent School District for also receiving a B rating, and God bless the teachers.

Mayor Bell reiterated the need to be mindful of children when traveling. He also congratulated the Finance Director for achieving the highest rating available from the new auditing firm, as well as contending for the GFOA award for another year.

7.IV.i. First Tax Rate Public Hearing

This item was removed from discussion.

7.IV.ii. Second Tax Rate Public Hearing

This item was removed from discussion.

7.IV.iii. First Budget Public Hearing

This item was removed from discussion.

7.IV.iv. Second Budget Public Hearing

This item was removed from discussion.

8. EXECUTIVE SESSION

Mayor Bell recessed the Special Meeting and entered into Executive Session at 7:57 p.m.

8.I. Section 551.071 (Consultation With Attorney)

8.II. Section 551.076 (Deliberations About Security Devices)

9. ACTIONS TAKEN FROM EXECUTIVE SESSION

Mayor Bell closed the Executive Session and reconvened the Special Meeting at 9:52 p.m.

9.I. Section 551.071 (Consultation With Attorney)

Councilmember McAuliffe made a motion to propose a tax rate of 53 cent tax. Mayor Pro Tem Compian seconded the motion.

Councilmember McAuliffe shared that this action preserves the City's ability to respect the legal timeframes in place but also have further discussions with the other agencies involved to collaborate on an expedient resolution to best serve the city. States that the city is in uncharted territory and thanks the public for their patience..

Mayor Pro Tem explained the logic behind the proposal, understanding that the proposed rate can be lowered, acknowledging his desire to honor the rollback rate, allowing time for staff and the appropriate agencies to collaborate to better remedy the miscalculations that have occurred. Mayor Pro Tem questioned the process of what the next steps in the process are.

Councilmember Carlson quoted a saying from General MacArthur and stated that he has to do the best thing for the citizens, the city, and staff.

Councilmember Yancy stated that this item should be a unifier and agreed with fellow councilmembers that the city is in uncharted waters. As a community everyone should want to come together and do what is best for the City. She asked everyone to be patient as the city is trying to work in accordance with the law and in an excellent way.

MOTION PASSES WITH 4 AYES AND 1 NAY (Mayor Bell).

9.II. Section 551.076 (Deliberations About Security Devices)

Councilmember Carlson made a motion to appoint Mayor Pro Tem Compian and City Manager Garcia collaborate on this item. Councilmember McAuliffe seconded the motion. MOTION PASSED UNANIMOUSLY.

10. ADJOURNMENT

Councilmember McAuliffe made a motion to adjourn. Councilmember Carlson seconded the motion. MOTION PASSED UNANIMOUSLY.

***Meeting was adjourned at 10:04 p.m.*

Keith
Bell,
Mayor

Kierra K. Nance, TRMC City Clerk