



**CITY OF LA MARQUE
CITY COUNCIL SPECIAL
MINUTES
of
JANUARY 24, 2022**

City Council Special Minutes of the City of La Marque City Council held on Tuesday, January 24, 2021, at 6:00 p.m. at 1109-B Bayou Road with the following members present:

(1) CALL TO ORDER

Mayor Bell called the Regular Meeting to order at 6:01 p.m.

(2) ROLL CALL

Keith Bell

Mayor

Kimberley Yancy

Councilwoman, District A (11705 Oak Hollow
Atlanta, GA 30228)

Joe Compian

Councilmember, District B

Michael Carlson

Councilmember, District C

Casey Mc Auliffe

Councilwoman, District D (1111 Bayou La
Marque, TX)

OTHER OFFICIALS PRESENT:

Randall Aragon

Interim City Manager

Kierra K. Nance

City Clerk

Gus Knebel

Consulting City Attorney

(3) INVOCATION AND PLEDGE OF ALLEGIANCE

Mayor Bell delivered the invocation and Mayor Pro-Tem Compian led the Pledge of Allegiance.

(4) CITIZENS PARTICIPATION (Limited to three minutes per person)

There was no citizens participation.

(5) PUBLIC HEARING

- ** Mayor Bell closed the meeting at 6:07 p.m. and opened the Public Hearing.
- a. Conduct Public Hearing to hear input regarding adopting Ordinance No. O-2021-0018, amending Section 8.8 of the City Code to allow for the keeping of hens; making various findings and providing for an effective date
 - b. Conduct Public Hearing to hear input regarding adopting Ordinance No. O-2021-0020, amending the fiscal year 2020-21 budget for various funds' fund balances and increasing certain expenditures to individual budget accounts in various funds and increasing certain revenues
 - c. Conduct Public Hearing to hear input regarding adopting Ordinance No. O-2021-0021, amending the city's zoning map and comprehensive plan by changing the zoning district for part of Block 25 (2500-8) Div. E Cook & Stewart Subdivision, located near Cedar Dr. and Lilac (Galveston County Property ID# 195743); providing a penalty in an amount not to exceed \$2000 for each violation; providing an effective date; and making other provisions related to the subject
 - d. Conduct Public Hearing to hear input regarding adopting Ordinance No. O-2022-0001, authorizing the issuance and sale of the City of La Marque, Texas public property finance contractual obligations series 2022; levying a tax in payment thereof; and enacting other provisions relating thereto

There was no participation.

- ** Mayor Bell closed the Public Hearing and reconvened the Special Meeting at 6:08 p.m.

(6) OLD BUSINESS

- a. Discussion/possible action regarding adopting Ordinance No. O-2021-0018, amending Section 8.8 of the City Code to allow for the keeping of hens; making various findings and providing for an effective date **THIS IS THE SECOND AND FINAL READING**
- ** Michael Carlson made a motion to adopt Ordinance No. O-2021-0018. Mayor Pro-Tem Compian seconded the motion. **MOTION PASSED UNANIMOUSLY**
- b. Discussion/possible action regarding adopting Ordinance No. O-2021-0020, amending the fiscal year 2020-21 Budget for various funds' expenditures by decreasing various funds' fund balances and increasing certain expenditures to individual budget accounts in various funds and increasing certain revenues in various funds as set forth in Exhibit A **THIS IS THE SECOND AND FINAL READING**
- ** Councilmember Carlson made a motion to adopt Ordinance No. O-2021-0020. Councilmember Yancy seconded the motion. **MOTION PASSED UNANIMOUSLY.**

- c. Discussion/ possible action regarding adopting Ordinance No. O-2021-0021, amending the city's zoning map and comprehensive plan by changing the zoning district for part of Block 25 (2500-8) Div. E Cook & Stewart Subdivision, located near Cedar Dr. and Lilac (Galveston County Property ID# 195743); providing a penalty in an amount not to exceed \$2000 for each violation; providing an effective date; and making other provisions related to the subject THIS IS THE SECOND AND FINAL READING

** Councilmember Carlson made a motion to adopt Ordinance No. O-2021-0021. Mayor Pro Tem Compian seconded the motion. MOTION PASSED UNANIMOUSLY.

- d. Discussion/ provide direction regarding acquisition of a police substation

A brief discussion relating to pulling this item from the agenda ensued. Councilmember McAuliffe requested that at the next meeting that this is discussed more information is provided in advance to be better prepared to discuss.

** Councilmember Carlson made a motion to table. Councilmember Yancy seconded the motion. MOTION PASSED UNANIMOUSLY.

- e. Discussion/ possible action regarding forming a Charter Review Committee

Councilwoman McAuliffe raised questions regarding how often the committee would meet and what the timeline would look like. Mayor Pro Tem Compian suggested appointing more than a single member and it was decided that a member and an alternate member would be appointed at the February City Council meeting.

** No action was taken on this item.

- f. Discussion/ possible action regarding allocating funds received from American Rescue Plan Act

Mayor Pro Tem Compian gave the public a brief recap of the discussions with Grantworks that were held at the Special City Council Workshop held at 3 pm on January 24, 2022.

Mayor Bell announced the discussed process for prioritizing projects for American Rescue Plan Act funds, beginning with the Finance Department bringing forth the items that were named but unfunded in the budget cycles followed by recommendations from the department heads. Following those recommendations an online survey will be presented to the community to choose which items the community believes Council should move forward with allowing space for the community to add items that they believe are a priority in the event that they

are not already named. In March, these items will be brought to Council and a discussion will begin on how to move forward.

- ** Councilman Carlson made a motion to approve the process of allocating American Rescue Plan Act funds. Councilmember McAuliffe seconded the motion. MOTION PASSED UNANIMOUSLY.

(7) NEW BUSINESS

- a. Discussion/possible action regarding Resolution No. R-2022-0001, whereas the City desires to reimburse itself for the costs associated with the Financed Project from the proceeds of obligations to be issued subsequent to the date hereof

Finance Director briefly explained the purpose of the Resolution, the purpose is to allow a mechanism to reimburse the City for the purchase of equipment in the event that debt is issued.

Jonathan Frells, Bracewell explained that the Resolutions on the agenda are for Federal Income Tax purposes, allowing the City to make purchases with General Fund proceeds until the proceeds of tax exempt debt have been received and reimburse the General Fund with monies received at a later date.

Mayor Bell asked Mr. Frells to explain what would happen if the Council proceeded with approving the Resolution however, at a later date chose to utilize other funds to make said purchases. Mr. Frells clarified that passing the Resolutions presented did not obligate the City to any financial obligations.

Councilmember McAuliffe asked questions relating to the ability to use potential federal funding to reimburse this purchase. Mr. Frells stated that it is something that should be explored because while theoretically it could be true there are often restrictions.

- ** MPT made a motion to approve Resolution No. R-2022-0001. Councilmember McAuliffe seconded the Motion. MOTION PASSED WITH 4 AYES AND 1 NAY.

- b. Discussion/possible action regarding Resolution No. R-2022-0002, whereas the City reasonably expects to reimburse itself for costs of facilities assessment and the design, construction, acquisition, and equipment of a public safety building and the costs of professional services prior to issuance of future related debts

- ** Councilmember Carlson made a motion to adopt Resolution No. R-2022-0002. Councilmember McAuliffe seconded the motion. MOTION PASSED UNANIMOUSLY.

- c. Discussion/possible action regarding renewing contract with financial advisor (“Stifel”) to assist the City with GO Bond Election and other various financing transactions
- Finance Director S. Kou

Councilmember Carlson made a motion to renew contract with financial advisor Stifel to assist the City with GO Bond Election and other various financing

transactions. Mayor Pro Tem Compian seconded the motion. MOTION PASSED UNANIMOUSLY

- d. Discussion/ possible action regarding adopting Ordinance No. O-2022-0001, authorizing the issuance and sale of the City of La Marque, Texas public property finance contractual obligations series 2022; levying a tax in payment thereof; and enacting other provisions relating thereto- Finance Director S. Kou **THIS IS THE FIRST AND FINAL READING**

David Webb, of Stifel Investment Services clarified the reasoning for the First and Final Reading.

Mayor Pro Tem Compian had questions relating to the payment amounts that were clarified by Finance Director Kou.

Mayor Bell asked Finance Director why this method of financing was chosen as opposed to another financing mechanism. Finance Director attributed the decision timing, market conditions allowing for competitive interest rates, and budget impact.

- ** Mayor Pro Tem Compian made a motion to approve Ordinance No. O-2022-0001. Councilmember McAuliffe seconded the motion. MOTION PASSED WITH 4 AYES AND 1 NAY.

Councilmember Carlson wanted to go on record saying he does agree to the need however has an issue with the timing of the request.

- e. Discussion/possible action regarding ratifying of a Capital expenditure to the Houston-Galveston Area Council for the cost of a new Gradall XL3300 All-Wheel Drive Excavator, in the amount of \$399,214.54

Public Works Director Rick Sailer spoke to the timeline of the purchase of this Gradall as well as the need and functionality of this piece of machinery. Ultimately this purchase will work towards improving the drainage in the City.

A brief discussion regarding the need for a new Gradall and current conditions of equipment already owned by the City.

- ** Mayor Pro Tem Compian made a motion to ratify a Capital expenditure to the Houston-Galveston Area Council for the cost of a new Gradall XL3300 All-Wheel Drive Excavator, in the amount of \$399,214.54. Councilmember McAuliffe seconded the motion. MOTION PASSED UNANIMOUSLY.

- f. Discussion/possible action regarding approving (12) new laptops for police department patrol cars

Councilmember Carlson made a motion to approve the purchase of (12) new laptops for police department patrol cars. Mayor Pro Tem seconded the motion. MOTION PASSED UNANIMOUSLY.

- g. Discussion/possible action regarding approving issuance of Unlimited Tax Refunding Bonds Series 2022 under Galveston County Municipal Utility District (MUD) 32 in the amount not to exceed \$1,900,000
Loren Morales, a financial advisor for the MUD 32 District spoke on their behalf, requesting Refunding Bonds to realize “pretty significant” debt savings by reissuing debt.

** Councilmember Carlson exited the room at 7:44 p.m. and returned at 7:48 p.m

** Mayor Pro Tem made a motion to approve the issuance of Unlimited Tax Refunding Bonds Series 2022 under Galveston County Municipal District (MUD) 32 in the amount not to exceed \$1,900,000. Councilmember Carlson seconded the motion. MOTION PASSED UNANIMOUSLY.

- h. Discussion/ possible direction regarding creating a Vacant Registry Program
Development Service Director Kathleen Van Stavern introduced the idea of a Vacant Building Registration Program that would require a registration process for vacant commercial buildings incurring costs for buildings unoccupied for an extended point of time to clean up the city and assist with the Safe City Initiative.

Councilmember Yancy identified that this is a “blindspot” for our city, identifying that there are areas that have had vacancies for over 5 years and the buildings are run down but not yet substandard.

** Councilmember Carlson made a motion to table this item until the February City Council meeting. Councilmember Yancy seconded the motion. MOTION PASSED UNANIMOUSLY.

- i. Discussion/ possible action regarding scheduling interviews of initial candidates for the City Manager position
A brief discussion relating to solidifying dates for interviews. February 3rd was the date selected beginning at 5:00 p.m. Councilmember Carlson requested to be recused from the City manager proceedings.

** No action was taken on this item.

(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)

There was no Executive Session.

(9) REQUESTS AND ANNOUNCEMENTS

Councilmember Yancy thanked everyone for their prayers as she has lost another family member and asked for continued prayers for everyone as many are still losing their lives to COVID as well as natural causes. She also thanked Council for allowing her this time to travel to be with her family.

Councilmember Carlson began by sending his thoughts and prayers to former Mayor Hocking and family as they lost former First Lady Hocking recently. He also apologized if he came across as hypercritical on staff it was not his intention. He acknowledges and appreciates all of the work that is done by staff for the city. He thanked all of the citizens that have been present and sharing their love for the city on social media recently, emphasizing that the city is moving forward.

Mayor Pro Tem shared his sympathies for both former Mayor Hocking, Councilwoman Yancy, and the families of the law enforcement officers who lost their lives also. He spoke to the need to look out for each other, and encourage all of those who need counselling, or mental health services to seek the help that is available to them. He closed by thanking everyone who attended and participated.

Mayor Bell echoed his condolences and shared his appreciation for former First Lady Hocking and shared how she will be missed. He stated that government notoriously moves slowly, sometimes does not feel like it is moving forward, and sometimes feels a little messy, but it works. He reminded the community that Council is not a group of experts, they are just people who have volunteered to navigate the processes the best way they know how, together; sometimes they will get it right and other times mistakes will be made, but they are simply trying to do what is best for the community. Mayor Bell announced the Tax Rollback Forum on Thursday, January 27, 2022, and urged the public to participate. He posed a question to the community asking how we went from wanting to better the community and make our town safer to attacking one another. He welcomes anyone who is willing to work to making La Marque a better place to speak with him, and although they may not agree, he will be willing to discuss and prove to them that their opinion matters. He also announced that January 31, 2022, that the Kickoff for the Lake Road North Community Policing Kickoff meeting will begin at 6:00 p.m. at McKinney United Methodist Church. Mayor Bell also gave kudos to Michael "Rock" Bock and Greg Cornett for receiving the Rising Star Award from the Texas City- La Marque Chamber of Commerce.

(10) ADJOURNMENT

Councilmember Carlson made a motion to adjourn the meeting at 8:31 p.m. Councilmember. Yancy seconded the motion. MOTION PASSED UNANIMOUSLY.

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.
