

LOUIS RIGBY
Mayor
JOHN ZEMANEK
Councilmember At Large A
DOTTIE KAMINSKI
Councilmember At Large B
DANNY EARP
Councilmember District 1
CHUCK ENGELKEN
Councilmember District 2



DARYL LEONARD
Councilmember District 3
KRISTIN MARTIN
Mayor Pro-Tem
Councilmember District 4
JAY MARTIN
Councilmember District 5
NANCY OJEDA
Councilmember District 6

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LA PORTE SEPTEMBER 11, 2017

The City Council of the City of La Porte met in a regular meeting on **Monday, September 11, 2017**, at the City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, Texas, at **6:00 p.m.** to consider the following items of business:

1. **CALL TO ORDER** – Mayor Rigby called the meeting to order at 6:00 p.m. Members of Council present: Councilmembers Ojeda, J. Martin, K. Martin, Kaminski, Engelken, Zemanek, Leonard, and Earp. Also present were City Secretary Patrice Fogarty, City Manager Corby Alexander, and Assistant City Attorney Clark Askins.
2. **INVOCATION** – The invocation was given by Pastor Maurice Villarreal, First Baptist Church.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by Councilmember John Zemanek.
4. **PRESENTATIONS, PROCLAMATIONS, and RECOGNITIONS**
 - (a) Proclamation – 811 Safe Digging Day - Mayor Rigby

Mayor Rigby presented a proclamation to Peyton Ross, Phil Barker and Lisa Riggins for 811 Safe Digging Day.

- (b) Presentation – Crime Stoppers for the City of La Porte Police Department – Mayor Rigby

Mayor Rigby welcomed Michelle Sacks, with Crime Stoppers of Houston, who presented City of La Porte Sgt. Matt Novosad with the Crime Stoppers of Houston Superhero Sidekick Award.

5. **PUBLIC COMMENTS** (Limited to five minutes per person.)

Philip Dunn, 701 San Jacinto St., addressed Council in regards to consent item 7(d) the Speed and Intersection Traffic Control (STEP) Grant and asked Council to pull the item for discussion.

Gary Nixon, 410 N. Shady Lane, addressed Council and thanked the City for the rapid response of clearing storm debris after Hurricane Harvey and expressed concerns of the code violations, speeding and drainage issues in his neighborhood.

Bruce Bramlett withdrew his request to speak.

6. **CONSENT AGENDA** *(All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)*

- (a) Consider approval or other action regarding the minutes of the meeting held August 14-15, 2017 – P. Fogarty
- (b) Consider approval or other action regarding the Tax Assessor's certified 2017 ad valorem anticipated collection rate for the City of La Porte – M. Dolby
- (c) Consider approval or other action authorizing the City Manager to execute a contract with Dr. Oscar Boultinghouse to serve as Medical Director for the City of La Porte Department of Emergency Medical Services – R. Nolen
- (d) Consider approval or other action regarding a Resolution authorizing the City Manager to sign a grant award for Speed and Intersection Traffic Control (STEP) Grant – K. Adcox
- (e) Consider approval or other action to include sponsorship funding for the Battleship TEXAS anthem video production – C. Alexander
- (f) Consider approval or other action authorizing the Mayor to execute an agreement between the City of Shoreacres and the City of La Porte Police Department to provide Jail and Emergency Dispatch Services – K. Adcox
- (g) Consider approval or other action regarding proposed Meet and Confer Agreement between the City of La Porte and the La Porte Police Officers' Association effective October 1, 2017 – M. Hartleib
- (h) Consider approval or other action awarding Bid #17023 for Digester Aeration System Modification for Little Cedar Bayou Wastewater Treatment Plant Re-Bid – D. Pennell

Songwriter Susan Giacona explained Consent Item E and sang the song provided as an exhibit.

Consent Agenda Items D, F and G were singled out for questions.

Councilmember Engelken made a motion to approve all Consent Agenda Items pursuant to staff recommendations. Councilmember Leonard seconded the motion. **MOTION PASSED UNANIMOUSLY 9/0.**

7. **PUBLIC HEARINGS AND ASSOCIATED ORDINANCES**

- (a) Public hearing to receive comments regarding the City of La Porte, Texas Fiscal Year 2017-2018 Proposed Budget – M. Dolby

The public hearing opened at 6:44 p.m.

Finance Director Michael Dolby presented a summary.

Councilmember Zemanek asked what is the projected increase of activity at the La Porte Municipal Airport with the proposed improvements. City Manager Corby Alexander informed him that the improvements are for maintenance at the airport.

Martha Gillett, 2601 S. Broadway #27, addressed Council and provided information on the creation of the Chapter 172 Employee Retiree Insurance and Benefits Committee and expressed concerns regarding agenda items for committee members not being available in time for studying the issues and the health design plan not being listed as an agenda item in the proposed budget.

There being no further public comments, the public hearing closed at 7:20 p.m.

- (b) Consider approval or other action regarding an Ordinance approving and adopting the City of La Porte, Texas' Fiscal Year 2017-2018 Proposed Budget – M. Dolby

Finance Director Michael Dolby presented a summary.

There was discussion regarding the cost of health care insurance and the operation and duties of the Chapter 172 Employee Retiree Insurance and Benefits Committee.

Councilmember Earp made a motion to postpone approving and adopting the City of La Porte Texas' Fiscal Year 2017-2018 Proposed Budget until the September 25, 2017, meeting. Councilmember Zemanek seconded. **MOTION PASSED 8/1.**

Ayes: Mayor Rigby, Councilmembers J. Martin, Ojeda, Earp, Leonard, Zemanek, Kaminski, and Engelken
Nays: K. Martin
Absent: None

8. ORDINANCES/RESOLUTIONS/AUTHORIZATIONS

- (a) Consider approval or other action regarding vote ratifying increase of revenue from property tax reflected in 2017-2018 Fiscal Year Budget – M. Dolby

Councilmember Earp made a motion to postpone items 8(a-c) until the September 25, 2017, meeting. Councilmember Engelken seconded. **MOTION PASSED 8/1.**

Ayes: Mayor Rigby, Councilmembers J. Martin, Ojeda, Earp, Leonard, Zemanek, Kaminski, and Engelken
Nays: K. Martin
Absent: None

- (b) Consider approval or other action regarding a Resolution adopting the 2017 Appraisal Roll of the Harris County Appraisal District – M. Dolby

See action on 8(a) above.

- (c) Consider approval or other action regarding an Ordinance establishing the tax rate for the current tax year (2017) for a total tax rate of \$0.71 per hundred dollar valuation – M. Dolby

See action on 8(a) above.

9. DISCUSSION AND POSSIBLE ACTION

- (a) Discussion and possible action regarding appointments to various City of La Porte boards, committees and commissions – P. Fogarty.

City Secretary Patrice Fogarty presented a summary.

Councilmember Ojeda nominated Maisie Barringer to Position 6 on the Building Codes Appeals Board; Cambria Beasley on the La Porte Area Water Authority; and Doyle Black to the La Porte Development Corporation Board in the Citizen 2 Position.

Councilmember J. Martin nominated Dewey Walls to the La Porte Fire Control Prevention & Emergency Medical Services District Board.

Councilmember Ojeda made a motion to appoint members nominated to the open positions and also the expiring positions as provided in the staff write-up, and to ratify the City Manager's appointment of Les Bird to the Civil Service Commission. Councilmember Kaminski seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

Ayes: Mayor Rigby, Councilmembers K. Martin, J. Martin, Ojeda, Earp, Leonard, Zemanek, Kaminski, and Engelken
Nays: None
Absent: None

- (b) Discussion and possible action regarding drainage related needs for the La Porte Municipal Airport and the City of La Porte surrounding neighborhoods – C. Alexander

Public Works Director Don Pennell presented a summary.

Councilmember Earp made a motion to include S. Lomax in the study along with the airport. Councilmember Zemanek seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

Ayes: Mayor Rigby, Councilmembers K. Martin, J. Martin, Ojeda, Earp, Leonard, Zemanek, Kaminski, and Engelken
Nays: None
Absent: None

10. REPORTS

- (a) Receive report from the Economic Alliance Port Houston Region – C. Alexander

President and CEO of the Economic Alliance Port Houston Region Chad Burke presented an annual report.

- (b) Receive report of the Fiscal Affairs Committee – Councilmember Engelken

Councilmember Engelken provided a report of the Fiscal Affairs Committee meeting which was held prior to the City Council meeting.

11. ADMINISTRATIVE REPORTS

City Manager Corby Alexander advised Council he will follow up with Mr. Nixon regarding his concern with code violations in his neighborhood.

12. **COUNCIL COMMENTS** regarding matters appearing on the agenda; recognition of community members, city employees, and upcoming events; inquiry of staff regarding specific factual information.

Councilmember Zemanek thanked everyone for attending the meeting; asked everyone to remember the events that took place on September 11, 2001, and changed lives forever; thanked the citizens and employees for coming together after Hurricane Harvey; commented he looks forward to seeing the Battleship TEXAS anthem video and thanked Chad Burke for the informative report; Councilmember Leonard expressed his gratitude for the proclamation for 811 Safe Digging Day; congratulated Sgt. Matt Novosad for receiving the Crime Stoppers of Houston Superhero Sidekick Award; thanked Chad Burke for his presentation and advised Mr. Burke he will be reaching out to him for a presentation to his students at La Porte High School; Councilmember Engelken congratulated Sgt. Matt Novosad for receiving the Crime Stoppers of Houston Superhero Sidekick Award; thanked the Police Department for the Citizens Police Academy Program and their recent outreach to victims flooded during Hurricane Harvey; thanked the City of La Porte First Responders for the many water rescues; commented he would like to see an After Action Report from the hurricane and commented the City of La Porte citizens really shine; Councilmember Earp congratulated Sgt. Matt Novosad for receiving the Crime Stoppers of Houston Superhero Sidekick

Award; thanked City employees that were on the Ride-out Team during Hurricane Harvey and commented he witnessed a horrible wreck in La Porte and expressed his amazement with the efforts of the First Responders and thanked the City of La Porte for the flowers after the passing of his mother-in-law; Councilmember Ojeda thanked the City of La Porte Public Works Department; First Responders and the Ride-out Team for their efforts during Hurricane Harvey; Chad Burke for everything he does for the City; Finance Director Michael Dolby and present and prior Councilmembers for investing in the City of La Porte's drainage system; Councilmember J. Martin thanked Chad Burke for his report; commended Director of Public Works Don Pennell and the department for the tremendous job before the arrival of Hurricane Harvey; thanked the First Responders; commented the drainage improvements since Hurricane Ike are working; congratulated Sgt. Matt Novosad for receiving the Crime Stoppers of Houston Superhero Sidekick Award; requested code violations be enforced in the City; thanked Susan Giacona for her beautiful song and presentation; thanked Martha Gillett for her comments and requested the City find a resolution for the easement on Crescent View; Councilmember K. Martin congratulated Sgt. Matt Novosad for receiving the Crime Stoppers of Houston Superhero Sidekick Award; thanked First Responders and the Ride-out Team during Hurricane Harvey; commented Sens Road was not a concern during the hurricane and the drainage was great around the City; Councilmember Kaminski congratulated Sgt. Matt Novosad for receiving the Crime Stoppers of Houston Superhero Sidekick Award and the recipients of the proclamation for 811 Safe Digging Day; thanked the First Responders; Chad Burke for his report; Finance Director Michael Dolby and Staff for their work on the proposed budget; the Public Works Department for picking up all the debris after Hurricane Harvey and everyone for the cards and flowers during her stay in the hospital. Mayor Rigby congratulated Sgt. Matt Novosad for receiving the Crime Stoppers of Houston Superhero Sidekick Award; Finance Michael Dolby and Staff for preparing the proposed budget; thanked Staff for the preparations before and after Hurricane Harvey; informed he and City Manager Corby Alexander met with FEMA on Labor Day and received good information; informed he met today with Representative Mary Ann Perez and other Mayors and advised there is 7.4 billion dollars allocated for the states of Texas and Louisiana; and congratulated 2 former City of La Porte citizens for receiving awards for the University of Texas Hall of Honor.

13. **EXECUTIVE SESSION** – The City reserves the right to meet in closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code, including, but not limited to the following:

Texas Government Code, Section 551.074 – Personnel Matter: Deliberation concerning the appointment, employment, evaluation, assignment, duties, discipline, or dismissal of a public officer or employee, unless the officer or employee requests a public hearing: Meet with City Manager and City Attorney regarding an extension of line-of-duty injury leave for Officer Seth Candelari.

City Council recessed the regular Council meeting to convene an executive session at 8:22 p.m. regarding the subject of the executive session item listed above.

14. **Reconvene** into regular session and consider action, if any, on item(s) discussed in executive session.
- (a) Consider approval or other action regarding an Ordinance approving an extension of line-of-duty injury leave for Officer Seth Candelari and setting salary during the extension period.

City Council reconvened the regular council meeting at 9:05p.m.

Regarding **Texas Government Code, Section 551.074** – Deliberation regarding Personnel Matter,

Councilmember Earp made a motion to deny passage of the Ordinance and extension of benefits. Councilmember Leonard seconded the motion. **MOTION PASSED UNANIMOUSLY 9/0.**

15. **ADJOURN** - There being no further business, Councilmember Engelken made a motion to adjourn the meeting at 9:06 p.m. Councilmember Leonard seconded the motion. **MOTION PASSED UNANIMOUSLY 9/0.**

Patrice Fogarty, City Secretary

Passed and approved on September 25, 2017.

Mayor Louis R. Rigby