

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
APRIL 23, 2018**

The City Council of the City of La Porte met in a regular meeting on **Monday, April 23, 2018**, 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, Zemanek, Leonard, Engelken, and Earp. Also present were City Secretary Patrice Fogarty, City Manager Corby Alexander, Assistant City Manager Jason Weeks, and Assistant City Attorney Clark Askins.
2. **INVOCATION** – The invocation was given by Assistant City Attorney, Clark Askins
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by Councilmember Nancy Ojeda.
4. **PRESENTATIONS, PROCLAMATIONS, and RECOGNITIONS**
 - (a) Recognition – Councilmember Daryl Leonard – Appreciation of Nine Years of Service to the City of La Porte – Mayor Rigby

Mayor Rigby recognized Councilmember Daryl Leonard for Nine Years of Service to the City of La Porte.

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

Sonja Smith, 8415 Beechaven, addressed Council with concerns of possible drug activity at 8406 Beechaven. The home is vacant; there are no cameras to catch activity. She would like to know what type of actions need to be taken in order to have the house condemned.

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 on April 9, 2018 – P. Fogarty
 - (b) Consider approval or other action regarding an amended Ordinance consenting to petition for creation of Harris County MUD 561 and adoption of utility agreement between the City of La Porte and Beazer Homes Texas, L.P. – C. Alexander
 - (c) Consider approval or other action authorizing the City Manager to execute a professional services contract with HDR, Inc., for design, bidding and construction phase services for the Coupland Drive Improvement project – D. Pennell

- (d) Consider approval or other action authorizing the City Manager to execute an agreement with Jones Carter Engineering Inc., to provide professional engineering services for the 2018 Water Master Plan Update – D. Pennell
- (e) Consider approval or other action regarding an Interlocal Agreement between the City of La Porte and North Central Texas Council of Government for actuarial services in relation to GASB 74 and 75 – M. Dolby
- (f) Consider approval or other action to reject Bid # 18008 for Wave Pool Renovations – R. Epting

Councilmembers Earp and Engelken had questions regarding Items (b) and (e), respectively. Staff responded to the questions.

Councilmember Earp requested an amendment to the Harris County Mud 561 and Restated Utility Agreement by striking a sentence in Section 6.01, found on page 9; Beazer Homes agreed to make the change to the agreement.

Councilmember Earp made a motion to approve Consent Agenda items pursuant to staff recommendations, including the amendment to the MUD 561 Utility Agreement. Councilmember Leonard seconded the motion. **MOTION PASSED UNANIMOUSLY 9/0.**

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

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2018-3704: AN ORDINANCE OF THE CITY OF LA PORTE, TEXAS CONSENTING TO AND GRANTING A PETITION FOR THE CREATION OF HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO 561, A MUNICIPAL UTILITY DISTRICT TO BE LOCATED WITHIN THE BOUNDARIES OF THE CITY OF LA PORTE, TEXAS AND BEING MORE PARTICULARLY DESCRIBED AS A 234.650 ACRE TRACT OF LAND AND SITUATED IN THE RICHARD PEARSALL SURVEY, ADBSTRACT NO. 265, HARRIS COUNTY, TEXAS; APPROVING A UTILITY AGREEMENT BY AND BETWEEN THE CITY OF LA PORTE, TEXAS AND BEAZER HOMES TEXAS L.P., ON BEHALF OF HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 561; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith PROVIDING FOR SEVERABILITY; CONTAINING AN OPEN MEETINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

7. AUTHORIZATIONS

- (a) Consider approval or other action authorizing City Staff to execute payment in the amount of \$96,558.79 to Oakland Land and Development, Inc., for the development of Sector 23, in accordance with Chapter 380 economic development agreement between City of La Porte and Oakland Land and Development, Inc. – R. Cramer

Economic Development Coordinator Ryan Cramer presented a summary.

Councilmember Zemanek made a motion to authorize Staff to execute payment in the amount of \$96,558.79 to Oakland Land and Development, Inc., for the development of Sector 23, in accordance with Chapter 380 economic development agreement between City of La Porte and Oakland Land and Development, Inc. Councilmember K. Martin seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

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

8. DISCUSSION AND POSSIBLE ACTION

- (a) Discussion and possible action regarding report on dangerous/substandard residential building located at 9906 Rocky Hollow – M. Kirkwood

Deputy Building Official Mike Kirkwood presented a summary and requested Council authorize a public hearing date for this property on June 11, 2018.

Councilmember Leonard made a motion to authorize a public hearing date for June 11, 2018. Councilmember Engelken seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

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

- (b) Discussion and possible action regarding the five-year update to the City of La Porte Comprehensive Plan 2030 – I. Clowes

City Planner Ian Clowes presented a summary and introduced consultants from Kendig Keast who gave a brief presentation on the La Porte Comprehensive Plan 2030. Mr. Clowes will proceed with public hearings for the Planning and Zoning Commission and then to be brought to Council.

- (c) Discussion and possible action regarding an agreement between the City of La Porte and La Porte Independent School District for an additional Sergeant position at school campus and an Ordinance adding Sergeant and Patrolman civil service classification positions to La Porte Police Department – K. Adcox

Police Chief Ken Adcox presented a summary.

Councilmember Zemanek asked Chief Adcox whether La Porte ISD is paying for maintenance and operational expenses for the vehicle, and stated the contract doesn't state that, but will need to be amended. He also stated another thing not mentioned in the contract is insurance. He asked if the officer has an accident, who covers the repair or replacement of the vehicle. Councilmember Zemanek stated he spoke to City Manager Corby Alexander prior to the meeting regarding his concerns. Chief Adcox stated he will speak to the Superintendent regarding making the changes to the contract to reflect Councilmember Zemanek's concerns. Chief Adcox asked Council to approve the contract before the May 1, 2018, deadline; the contract will be brought back, along with the budget amendment. Councilmember Engelken asked what type of citations or arrest records the Police Department has had at La Porte High School; he feels that the administration should have some safety training for their faculty. Chief Adcox addressed Councilmember Engelken's question; Chief Adcox also stated that the School Resource Officers work for the Police Department; the school district doesn't tell the Police Officers what to do if it involves law enforcement. Mayor Rigby asked Chief Adcox that per the agreement, whomever is selected is under the PD's care and control and will follow all departmental policies and civil service requirements; but if the school district says they do not want a particular School Resource Officer, does the school district make that call? Chief Adcox response it is our call since they are contracting the service with the Police Department. I would listen to their concern; and if it is a legitimate reason, I will make the change.

Councilmember Zemanek made a motion to approve an agreement between the City of La Porte and La Porte Independent School District for an additional Sergeant position at a school campus and approved an Ordinance adding Sergeant and Patrolman civil service classification positions to La Porte Police Department. Councilmember Earp seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

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

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2018-3705: AN ORDINANCE AMENDING ORDINANCE NO. 1285, "AN ORDINANCE IMPLEMENTING POLICEMAN'S CIVIL SERVICE; ESTABLISHING CLASSIFICATIONS; NUMBER OF AUTHORIZED POSITIONS IN EACH CLASSIFICATION; ESTABLISHING PAY SCHEDULES;" CONTAINING A SEVERABILITY CLAUSE; CONTAINING AA REPEALING CLAUSE; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW, AND PROVIDING AN EFFECTIVE DATE HEREOF.**

(d) Discussion and possible action regarding policy for mutual aid response by the City of La Porte Emergency Medical Service – R. Nolen

EMS Chief Ray Nolen presented a summary.

Councilmember Zemanek stated he would like to see the policy change to one box on the east side, one box on the west side all the time; he would like to see a third box in service before we offer mutual aid to another city. Mayor Rigby asked when we request mutual aid, the patient pays our rates but there is no money exchanged from city to city; so, we don't charge any municipality for a mutual aid call? Chief Nolen response that is correct; we charge their patients our rate, and our rate is higher than Deer Park's. Chief Nolen recommends leaving the current policy as is and to give staff time to meet with other cities. Chief Nolen will bring this item back at the first meeting in June.

9. ADMINISTRATIVE REPORTS

There were no administrative reports. City Manager Corby Alexander directed Chief Adcox to get with Ms. Sonja Smith, who spoke under public comments, to address her concerns.

10. 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 J. Martin congratulated Councilmember Leonard for his years of service and stated he will be missed; also he stated he appreciates the School Resources Officers who spoke, and said it was very informative information, and that he learned a lot from them. Councilmember K. Martin told Councilman Leonard he will be missed, and she enjoyed working with him. Councilmember Kaminski stated she enjoyed working with Councilmember Leonard, and that he and his wife, Becky, will be missed. Councilmember Zemanek asked that staff bring a report on the National Guard Building as it looks like it has been vacated again; is there any remediation efforts on the hazardous conditions? Councilmember Zemanek congratulated Councilmember Leonard saying it was an honor and privilege sitting next to him these past years, and he wished him the best. Councilmember Leonard commented how it the last nine years have been the most enjoyable times of working with everyone on Council, and it was exciting and a privilege working for the citizens of La Porte. He thanked council and citizens for the support given him for the last nine years. Councilmember Engelken congratulated Councilmember Leonard on his service to the citizens of La Porte. Councilmember Earp congratulated Councilmember Leonard for his service. Councilmember Ojeda thanked Councilmember Leonard for appointing her to the La Porte Economic Development Board, Charter Review Committee, and Redistricting Committee and now she is on Council. She stated she has enjoyed every minute and thanked him. Mayor Rigby acknowledged Councilmember Leonard during his time as Mayor Pro-Tem when Mayor Beasley resigned due to a job change; that he was able to step in, and he appreciated the entire nine years he provided the citizens.

11. **ADJOURN** - There being no further business, Councilmember Engelken made a motion to adjourn the meeting at 7:32 p.m. Councilmember Leonard seconded the motion. **MOTION PASSED UNANIMOUSLY 9/0.**

Patrice Fogarty, City Secretary

Passed and approved on May 14, 2018.

Mayor Louis R. Rigby