

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



**BILL BENTLEY**  
Councilmember District 3  
**KRISTIN MARTIN**  
Councilmember District 4  
**JAY MARTIN**  
Councilmember District 5  
**NANCY OJEDA**  
Councilmember District 6  
Mayor Pro-Tem

## **MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LA PORTE NOVEMBER 12, 2018**

The City Council of the City of La Porte met in a regular meeting on **Monday, November 12, 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. All members of Council were present except Councilmembers Earp and Zemanek. Staff present: 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 Rev. Dee Spears, Fairmont Park Church.
3. **PLEDGE OF ALLEGIANCE** – The pledge of allegiance was led by Councilmember Bill Bentley.
4. **PRESENTATIONS, PROCLAMATIONS, and RECOGNITIONS**
  - (a) Recognition – The City of La Porte 2018 Achievement of Excellence in Procurement Award, GFOA Distinguished Budget Presentation Award, Certificate of Achievement for FY2017 Financial Report, and FY2017 Popular Financial Reporting Award – Mayor Rigby  
  
Mayor Rigby recognized Finance Director Michael Dolby and Staff for receiving the City of La Porte 2018 Achievement of Excellence in Procurement Award, the GFOA Distinguished Budget Presentation Award, Certificate of Achievement for FY2017 Financial Report, and FY2017 Popular Financial Reporting Award.
  - (b) Recognition – 2018 City University Participants – Mayor Rigby  
  
Mayor Rigby recognized 2018 City University Participants: Katie Coones, Norma Elliott, Virginia Hollis, Aloisia Jones, Shirley Larkey, Christina Longoria, Brandon Lunsford, Donna O’Conner, and JoAnn Pitzer.
  - (c) Presentation – Memorial presentation to the Kaminski Family – Mayor Rigby  
  
Mayor Rigby presented a Memorial to the Kaminski family on behalf of the late Councilmember Dottie Kaminski.
5. **PUBLIC COMMENTS** (Limited to five minutes per person.)  
  
Wyatt Smith, 10905 Spruce Drive North, thanked Council for sponsoring the Dottie Bowl.

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 minutes of the meeting held on October 22, 2018 – P. Fogarty
- (b) Consider approval or other action regarding proposed amendments to the development agreement with Liberty Property Trust, to allow for additional land uses within reserves E1 and E2 of the Port Crossing Commerce Center – I. Clowes
- (c) Consider approval or other action to roll over requested encumbrances from City of La Porte Fiscal Year 2018 budget to City of La Porte Fiscal Year 2019 – M. Dolby
- (d) Consider approval or other action authorizing to purchase fleet equipment from CAP Fleet Outfitters under Texas Buy Board Contract 524-17 – R. Parker
- (e) Consider approval or other action accepting the Fiscal Year 2018 audit/asset forfeiture report and associated financial records for the City of La Porte Police Department as required by Chapter 59 of the Texas Code of Criminal Procedure – R. Parker

Councilmember Engelken made a motion to approve Consent Agenda items pursuant to staff recommendations. Councilmember K. Martin seconded the motion. **MOTION PASSED UNANIMOUSLY 6/0.** Councilmembers Earp and Zemanek were absent.

7. **AUTHORIZATIONS**

- (a) Consider approval or other action regarding an ordinance authorizing an early penalty on delinquent tangible personal property taxes for tax year 2018 and subsequent years, as provided by Section 33.11 of the Texas Tax Code, in the amount of 20 percent of the delinquent tax – M. Dolby

Finance Director Michael Dolby presented a summary.

Councilmember Bentley made a motion to approve an Ordinance authorizing an early penalty on delinquent tangible personal property taxes for tax year 2018 and subsequent years, as provided by Section 33.11 of the Texas Tax Code, in the amount of 20 percent of the delinquent tax. Councilmember K. Martin seconded. **MOTION PASSED 6/0.** Councilmembers Earp and Zemanek were absent.

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2018-3729 AN ORDINANCE PROVIDING FOR A PENALTY TO DEFRAID COSTS OF COLLECTING DELINQUENT PROPERTY TAXES PURSUANT TO TEXAS PROPERTY TAX CODE SECTION 33.11: PROVIDING FOR SEVERABILITY; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.**

8. **DISCUSSION AND POSSIBLE ACTION**

- (a) Discussion and possible action regarding appointing councilmember to fill vacancy on the Fiscal Affairs Committee – P. Fogarty

City Secretary Patrice Fogarty presented a summary.

Councilmember Engelken made a motion to nominate Councilmember Zemanek to fill the regular member vacancy on the Fiscal Affairs Committee and to appoint Councilmember Ojeda as the alternate on the Fiscal Affairs Committee. Councilmember J. Martin seconded. **MOTION PASSED UNANIMOUSLY 6/0.** Councilmembers Earp and Zemanek were absent.

- (b) Discussion and possible action regarding Eagle Scout Project regarding flags – Mayor Rigby

Mayor Rigby presented a summary of a proposed Eagle Scout flag project submitted by Eagle Scout Kaleb Little, who provided additional information on the project.

Councilmember Engelken made a motion to approve the project. Councilmember Ojeda seconded. **MOTION PASSED UNANIMOUSLY 6/0.** Councilmembers Earp and Zemanek were absent.

- (c) Discussion and possible action regarding award of RFP for stop loss insurance, in connection with city health plan – M. Hartleib

Human Resources Manager Matt Hartleib presented a summary.

Councilmember Engelken made a motion to approve Staff's recommendation. Councilmember Bentley seconded. **MOTION PASSED UNANIMOUSLY 6/0.** Councilmembers Earp and Zemanek were absent.

## 9. REPORTS

- (a) Receive report of the Drainage and Flooding Committee Meeting – Councilmember Jay Martin.

Councilmember Jay Martin provided a report of the Drainage and Flooding Committee Meeting held prior to the City Council Meeting.

## 10. ADMINISTRATIVE REPORTS

There were no additional reports.

- 11. **COUNCIL COMMENTS** regarding matters appearing on the agenda; recognition of community members, city employees, and upcoming events; inquiry of staff regarding specific factual information or existing policies – Those present: Councilmembers Engelken, Ojeda, J. Martin, K. Martin, Bentley and Mayor Rigby.

Councilmember Bentley recognized Eagle Scout Kaleb Little for a great job on his project; Finance Staff on the awards; Municipal Court Staff for collections and wished everyone a Happy Thanksgiving.

Councilmember Engelken recognized Eagle Scout Kaleb Little for a great job on his project; Finance Staff on the awards; participants of the 2018 City University Participants; the City for the nice Memorial recognizing late Councilmember Dottie Kaminski.

Councilmember Ojeda thanked Mayor Rigby and all veterans for the service; Finance Director Michael Dolby and Staff for their transparency; Human Resources Manager Matt Hartleib for his work with Staff that participated in the weight loss challenge, and recognized the Parks Department and the Special Olympians for their gold, silver and bronze medals.

Councilmember J. Martin congratulated the Finance Department on the awards; thanked all veterans for their service; wished Eagle Scout Kaleb Little well on his project; commented the Kaminski family is still in his prayers; informed he attended the Rotary Reverse Draw; the swearing in of Police Chief Ron Parker, and wished everyone a Happy Thanksgiving.

Councilmember K. Martin thanked the 2018 City University Participants for their participation in the program; congratulated the Finance Department on the awards; wished Eagle Scout Kaleb Little well on his project, and wished everyone a Happy Thanksgiving.

Mayor Rigby wished everyone a Happy Veterans Day and thanked all veterans for their service; he congratulated the 2018 City University Participants, and wished Eagle Scout Kaleb Little well on his project.

12. **ADJOURN** - There being no further business, Councilmember Engelken made a motion to adjourn the meeting at 6:47 p.m. Councilmember J. Martin seconded the motion. **MOTION PASSED UNANIMOUSLY 6/0.** Councilmembers Earp and Zemanek were absent.

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Patrice Fogarty, City Secretary

Passed and approved on December 10, 2018.

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Mayor Louis R. Rigby