

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
Councilmember District 4
JAY MARTIN
Mayor Pro-Tem
Councilmember District 5
MIKE CLAUSEN
Councilmember District 6

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LA PORTE
APRIL 25, 2016**

The City Council of the City of La Porte met in a regular meeting on **Monday April 25, 2016**, 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:

Mayor Rigby called the meeting to order at 6:00 p.m. Members of Council present: Councilmembers Engelken, Earp, Zemanek, Clausen, K. Martin, Leonard, Kaminski and J. Martin. Also present were City Secretary Patrice Fogarty, City Manager Corby Alexander, and Assistant City Attorney Clark Askins.

2. **INVOCATION** – The invocation was given by Windell Gill, First Baptist Church.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by Councilmember John Zemanek.
4. **PUBLIC COMMENTS** (Limited to five minutes per person.)

Barbara Norwine, 222 S. Lobit, addressed Council regarding her neighbor receiving a certified letter for high weeds from the City and questioned the legal term for receipt of a certified letter and the referenced 10 days in the certified letter.

5. **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 City Council Meeting held on April 11, 2016 – P. Fogarty
 - (b) Consider approval or other action regarding a Resolution opposing any legislation increasing the maximum transport truck haul weights on roadways within the City of La Porte, including heavy haul corridors – Mayor Rigby
 - (c) Consider approval or other action awarding Bid # 16013 for Black Base and Type D Asphalt – S. Valiante
 - (d) Consider approval or other action awarding Bid # 16009 for Rehabilitation of Sanitary Sewer using Slip lining and Pipe Bursting – S. Valiante
 - (e) Consider approval or other action regarding a Resolution authorizing the public resale of property acquired through tax foreclosure by the Constable of Harris County – K. Powell
 - (f) Consider approval or other action regarding a Resolution authorizing the sale of Lot 2, Block 1149; Lots 11-16, Block 1149; Lot 30 Block 1149; Lots 26 & 27, Block 106 and Lots 31-32, Block 106, Town of La Porte – K. Powell

- (g) Consider approval or other action regarding an Ordinance authorizing the execution by the City of La Porte of five Industrial District Agreements with Carson Bayport 3 LLC., for 4111 Malone Dr.; 4121 Malone Dr., 10344 New Decade; 4033 Malone Dr., and 10322 New Decade – K. Powell

Regarding Item G, Councilmember Earp questioned if the agreements are new. Tax Manager Kathy Powell responded they are new people who have acquired the properties.

Councilmember Engelken moved to approve the Consent Agenda items pursuant to staff recommendations. Councilmember Leonard seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2007-IDA-142: AN ORDINANCE AUTHORIZING THE EXECUTION BY THE CITY OF LA PORTE OF AN INDUSTRIAL DISTRICT AGREEMENT WITH CARSON BAYPORT 3, LLC., A DELAWARE LIMITED LIABILITY COMPANY FOR THE TERM COMMENCING JANUARY 1, 2008, AND ENDING DECEMBER 31, 2019, MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT, FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW, AND PROVIDING AN EFFECTIVE DATE HEREOF.**

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2007-IDA-143: AN ORDINANCE AUTHORIZING THE EXECUTION BY THE CITY OF LA PORTE OF AN INDUSTRIAL DISTRICT AGREEMENT WITH CARSON BAYPORT 3, LLC., A DELAWARE LIMITED LIABILITY COMPANY FOR THE TERM COMMENCING JANUARY 1, 2008, AND ENDING DECEMBER 31, 2019, MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT, FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW, AND PROVIDING AN EFFECTIVE DATE HEREOF.**

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2007-IDA-144: AN ORDINANCE AUTHORIZING THE EXECUTION BY THE CITY OF LA PORTE OF AN INDUSTRIAL DISTRICT AGREEMENT WITH CARSON BAYPORT 3, LLC., A DELAWARE LIMITED LIABILITY COMPANY FOR THE TERM COMMENCING JANUARY 1, 2008, AND ENDING DECEMBER 31, 2019, MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT, FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW, AND PROVIDING AN EFFECTIVE DATE HEREOF.**

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2007-IDA-145: AN ORDINANCE AUTHORIZING THE EXECUTION BY THE CITY OF LA PORTE OF AN INDUSTRIAL DISTRICT AGREEMENT WITH CARSON BAYPORT 3, LLC., A DELAWARE LIMITED LIABILITY COMPANY FOR THE TERM COMMENCING JANUARY 1, 2008, AND ENDING DECEMBER 31, 2019, MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT, FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW, AND PROVIDING AN EFFECTIVE DATE HEREOF.**

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2007-IDA-146: AN ORDINANCE AUTHORIZING THE EXECUTION BY THE CITY OF LA PORTE OF AN INDUSTRIAL DISTRICT AGREEMENT WITH CARSON BAYPORT 3, LLC., A DELAWARE LIMITED LIABILITY COMPANY FOR THE TERM COMMENCING JANUARY 1, 2008, AND ENDING DECEMBER 31, 2019, MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT, FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW, AND PROVIDING AN EFFECTIVE DATE HEREOF.**

6. **DISCUSSION AND POSSIBLE ACTION**

- (a) Discussion and possible action regarding the future of the La Porte Municipal Airport – S. Valiante

Public Works Director Sharon Valiante presented a summary and introduced TxDot Aviation Representative and consultant Randall Weidemann to present a presentation.

Councilmember Engelken asked if any preliminary work has been done at the airport and if information can be shared. Mr. Weidemann responded there is not any information to share at this time because work has not started; but the company does know the process for the project. Councilmember Engelken asked what are some of the outcomes after analysis for airports similar in size of the City of La Porte. Mr. Weidemann responded every airport is different and in most cases they come up with plans that increase the net revenue and financial production of the airports. Councilmember Engelken asked if the proposed business plan will include a financial information of

the economic impact on the community. Mr. Weidemann responded yes. Councilmember Engelken requested copies of reports for the seven airports to confirm how studies were conducted.

No action was taken.

8. ADMINISTRATIVE REPORTS

There were no additional reports.

9. 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 commented economic development funds qualify for building a new Recreation and Fitness Center, and it would be a benefit in the community; Councilmember Earp commented a new Recreation and Fitness Center is a good idea to consider; and Councilmember K. Martin reminded everyone about the Sylvan Beach Festival this weekend.

10. 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: Deliberations concerning the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, unless the officer or employee requests a public hearing: Denise Mitrano, Municipal Court Judge.

Texas Government Code, Section 551.071 (2) – Consultations with Attorney: Meet with City Attorney to discuss legal issues presented by use of Harris County issued overweight/oversize permits by commercial motor vehicles operating in La Porte corporate limits.

11. RECONVENE into regular session and consider action, if any on item(s) discussed in executive session.

City Council recessed the regular Council meeting to convene an executive session at 6:33 p.m. Regarding the evaluation of the Municipal Court Judge, Denise Mitrano, Councilmember Engelken moved to increase her salary by 4.5 percent. Councilmember Zemanek seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

Regarding the legal issues presented by use of Harris County issued overweight/oversize permits by commercial motor vehicles operating in La Porte corporate limits, Councilmember Zemanek moved to direct the City Attorney to gather additional information on specifics of permits from Harris County. Councilmember Kaminski seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

12. ADJOURN - There being no further business, Councilmember Engelken made a motion to adjourn the meeting at 7:48 p.m. Councilmember Leonard seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

Patrice Fogarty, City Secretary

Passed and approved on May 9, 2016.

Mayor Louis R. Rigby