

LOUIS RIGBY
Mayor
JOHN ZEMANEK
Councilmember At Large A
DOTTIE KAMINSKI
Councilmember At Large B
DANNY EARP
Mayor Pro-Tem
Councilmember District 1



CHUCK ENGELKEN
Councilmember District 2
DARYL LEONARD
Councilmember District 3
KRISTIN MARTIN
Councilmember District 4
JAY MARTIN
Councilmember District 5
MIKE CLAUSEN
Councilmember District 6

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LA PORTE SEPTEMBER 12, 2016

The City Council of the City of La Porte met in a regular meeting on **Monday, September 12, 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:

1. Mayor Rigby called the meeting to order at 6:00 p.m. Members of Council present: Councilmembers Engelken, Earp, J. Martin, K. Martin, Zemanek, Clausen, Leonard, and Kaminski. Also present were City Secretary Patrice Fogarty, City Manager Corby Alexander, and Assistant City Attorney Clark Askins.
2. **INVOCATION** – The invocation was given by Brian Christen, La Porte Community Church.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by Councilmember Danny Earp.
4. **PUBLIC COMMENTS** (Limited to five minutes per person.)

Terry Rodery, with Altom Transportation spoke and provided Council with information for their request to use allotted water for tank washing.

Justin Surginer, 201 S. Virginia St., addressed Council with his concern of communities being united and individuals not being judged by their appearance; requested more sidewalks be built and informed his water meter has been replaced three times.

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 meeting held on August 22, 2016 – P. Fogarty
 - (b) Consider approval or other action authorizing the City Manager to execute a contract for Bid #16019 for Fairmont Parking Lot – R. Epting
 - (c) Consider approval or other action regarding an Ordinance amending Chapter 50 Parks and Recreation Appendix A – “Fees” of the Code of Ordinances of the City of La Porte by adjusting various green user fees – A. Osmond
 - (d) Consider approval or other action regarding an amendment to the Meet and Confer Agreement between the City of La Porte and the La Porte Police Officers’ Association to extend the term of the base agreement and existing amendments to September 30, 2017 – M. Hartleib

- (e) Consider approval or other action regarding an Ordinance establishing Chapter 86, "Development Regulations" Appendix – A "Fees" of the Code of Ordinances of the City of La Porte, by designating filing fees for plans; plats and waivers; amending Chapter 62 "Streets; Sidewalks and other Public Places" regarding right-of-way closures, and amending Chapter 62 Appendix – A "Fees" by revising right-of-way closing application fee; and amending Chapter 106 "Zoning" Appendix – "Fees", by revising fees for Zone Changes; SCUPS, Variances; Special Exceptions and Appeals of Enforcement Officer Decision; providing a repealing clause; containing a severability clause; finding compliance with the Open Meetings Law; and providing an effective date hereof.

Councilmember Engelken made a motion 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 2016-3639**: AN ORDINANCE AMENDING CHAPTER 50 "PARKS AND RECREATION" APPENDIX – A "FEES" OF THE CODE OF ORDINANCES OF THE CITY OF LA PORTE BY ADJUSTING VARIOUS GREEN USER FEES; PROVIDING A REPEALING CLAUSE; CONTAINING A SEVERABILITY CLAUSE; 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 2016-3640**: AN ORDINANCE ESTABLISHING CHAPTER 86, "DEVELOPMENT REGULATIONS" APPENDIX – A "FEES" OF THE CODE OF ORDINANCES OF THE CITY OF LA PORTE, BY DESIGNATING FILING FEES FOR PLANS; PLATS AND WAIVERS; AMENDING CHAPTER 62 "STREETS; SIDEWALKS AND OTHER PUBLIC PLACES" REGARDING RIGHT-OF-WAY CLOSURES, AND AMENDING CHAPTER 62 APPENDIX – A "FEES" BY REVISING RIGHT-OF-WAY CLOSING APPLICATION FEE; AND AMENDING CHAPTER 106 "ZONING" APPENDIX – "FEES", BY REVISING FEES FOR ZONE CHANGES; SCUPS, VARIANCES; SPECIAL EXCEPTIONS AND APPEALS OF ENFORCEMENT OFFICER DECISION; PROVIDING A REPEALING CLAUSE; CONTAINING A SEVERABILITY CLAUSE; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

6. PUBLIC HEARINGS AND ASSOCIATED ORDINANCES

- (a) Public hearing to receive comments regarding Juvenile Curfew Ordinance; and consider approval or other action regarding an Ordinance amending Chapter 42 "Miscellaneous Offenses" of the Code of Ordinances by revising Juvenile Curfew Regulations – K. Adcox

The public hearing was opened at 6:15 p.m.

Police Chief Ken Adcox presented a summary.

There being no comments, the public hearing closed at 6:19 p.m.

Councilmember Engelken made a motion to approve an Ordinance amending Chapter 42 "Miscellaneous Offenses" of the Code of Ordinances by revising Juvenile Curfew Regulations. Councilmember Clausen seconded. **MOTION PASSED 8/1.**

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

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2016-3641**: AN ORDINANCE AMENDING CHAPTER 42 "MISCELLANEOUS OFFENSES" OF THE CODE OF ORDINANCES BY REVISING JUVENILE CURFEW REGULATIONS; PROVIDING FOR A REPEALING CLAUSE; CONTAINING A SEVERABILITY CLAUSE; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; PROVIDING THAT ANY PERSON VIOLATING THE TERMS OF THIS ORDINANCE SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND UPON CONVICTION SHALL BE FINED IN A SUM NOT TO EXCEED FIVE HUNDRED DOLLARS; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF; AND PROVIDING AN EFFECTIVE DATE HEREOF.

- (b)** Public hearing to receive comments on Staff recommendation of condemnation of eighteen (18) dangerous/substandard structures; consider Ordinances for condemnation of dangerous/substandard structures located at 403 Arizona St.; 3313 Bayer St.; 129 Bayshore Dr.; 223 Bayside Dr.; 304 S. Blackwell St.; 2511 S. Broadway St.; 2823 S. Broadway St. #1; 3142 Fondren St.; 202 North Forrest Ave; 211 North Forrest Ave, 3142 Hamilton St.; 727 S. Kansas St.; 0 S. Lobit St.; 621 W. Main St.; 11810 N. P St.; 1608 Roscoe St.; and 902 S. Utah St. – M. Huber

The public hearing opened at 6:21 p.m.

Building Official Mark Huber presented a summary and recommendation by Staff for condemnation of eighteen (18) dangerous/substandard structures and provided an update on the properties. Mr. Huber requested 713 S. Lobit and 11810 N. P St., be removed from the condemnation list. In addition, Mr. Huber advised Staff has been contacted by property owners of 3313 Bayer St.; 223 Bayside Dr., 3142 Fondren St. and 1608 Roscoe to make corrections to their property.

Dennis Albright, 13410 Holly Park, Houston, spoke in regards to 223 Bayside Dr., and provided an update on the improved property and requested an additional 90 days for improvements.

Yantis Rand Nichols, 223 Bayside Dr., addressed Council and apologized for his property and requested an additional 90 days for improvements.

Randy Porter, 11810 N. P St., addressed Council and requested additional time to improve his property. Mayor Rigby informed Mr. Porter his property has been removed from the condemnation list.

Scott Greenlee, 440 Louisiana, addressed Council as the attorney representing his father's property at 621 W. Main, and requested the property be removed from the condemnation list.

Paul Larson, 200 N. 4th St., addressed Council and requested an additional year to improve the property at 621 W. Main.

Nancy Doize, 211 N. Forrest Ave., addressed Council and requested an additional 120 days to improve the property.

Phil Walters, 3142 Fondren St., addressed Council and requested an additional 60 days to remove items out of the building. Mr. Walters agreed the building does need to be condemned.

Phillip Hoot, 927 Seabreeze, addressed Council in regards to 304 S. Blackwell and advised he does not wish to see the property condemned.

Russell Harrison addressed Council regarding 304 S. Blackwell, requesting 180 days to improve the property and an additional 90 days for 202 N. Forrest for improvements.

Abe Castaneda and Brett Coe, 2823 S. Broadway, addressed Council regarding 2823 S. Broadway St. #1 and requested an additional 120 days to improve the property.

Michael Chadick, 129 Bayshore, addressed Council and requested an additional 180 days to improve the property.

Randall Sexton, 403 Arizona, addressed Council and requested an additional 120 days to remove items out of the building before the property is demolished.

Lucy Disisto, 3313 Bayer, addressed Council and requested an additional 90 days to improve the property.

Jerry Guest, 622 Nugent, addressed Council in regards to 0 Lobit and requested an additional 90 days to improve the property and requested assistance from City Staff on bringing the property back to code.

Paul Schaidler, 1608 Roscoe, addressed Council and requested an additional 180 days to improve the property.

Lucky Kellner, 727 S. Kansas, addressed Council and requested an additional 90 days to improve the property.

Councilmember Clausen left the table at 7:51 p.m. and returned at 7:52 p.m.

Mayor Rigby stated 713 S. Lobit and 11810 N. P St. will be removed from the demolition list.

Mayor Rigby stated 2511 S. Broadway; 3142 Hamilton; and 902 S. Utah are to be demolished. He also stated:

Requests have been made for an additional 90 days on the following: 3142 Fondren; 202 N. Forrest; 3313 Bayer St.; 0 S. Lobit; and 727 S. Kansas.

Requests have been made for an additional 120 days on the following: 223 Bayside Dr.; 211 N. Forrest; 2823 S. Broadway; and 403 Arizona.

Requests have been made for an additional 180 days on the following: 304 S. Blackwell; 129 Bayshore Dr.; and 1608 Roscoe.

A request has been made for an additional one year on 621 W. Main.

Councilmember Martin stated he takes exception to allowing 120 days for 2823 S. Broadway because it is a dangerous structure. Councilmember Zemanek said we are showing a great deal of compassion for everyone asking for more time, and he doesn't have a problem with the 120 days.

Councilmember Leonard moved to grant the extensions; condemn for demolition 2511 S. Broadway, 3142 Hamilton, and 902 S. Utah; and to continue the public hearing at future council meetings. Councilmember Engelken seconded. **MOTION PASSED 8/1.**

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

For properties granted an additional 90 days, the public hearing will be continued on or about the December 12, 2016, Council meeting. For properties granted an additional 120 days, the public hearing will be continued on or about the January 9, 2017, Council meeting. For properties granted an additional 180 days, the public hearing will be continued on or about the March 13, 2017, Council meeting. For the property granted an additional year, the public hearing will be continued on or about the September 11, 2017, Council meeting.

Councilmember Zemanek made a motion to adopt an ordinance for condemnation and demolition of dangerous/substandard structures located at 2511 S. Broadway; 3142 Hamilton; and 902 S. Utah. Councilmember Leonard seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

Prior to council action, Assistant City Attorney Clark Askins read the caption of three ordinances condemning properties located at the following addresses: 2511 S. Broadway (Ord. 3642); 3142 Hamilton (Ord. 3643) and 902 S. Utah (Ord. 3644).

AN ORDINANCE **(2016-3642)** DECLARING THE COMMERCIAL BUILDING LOCATED AT LOTS FIVE (5) AND SIX (6), BLOCK 1373, TOWN OF LA PORTE, HARRIS COUNTY, TEXAS, MORE COMMONLY KNOWN AS 2511 S. BROADWAY ST. TO BE IN FACT A NUISANCE; ORDERING SUCH BUILDING CONDEMNED; FINDING THAT J.M. WELCH, MIKE AARSCOTT, AND JOANN WELCH ARE THE RECORD OWNERS OF SAID PROPERTY; ORDERING THE SAID OWNERS TO ENTIRELY REMOVE OR TEAR DOWN SUCH BUILDING; ORDERING THE SAID OWNERS TO COMMENCE SAID REMOVAL OR DEMOLITION WITHIN TEN (10) DAYS FROM THE EFFECTIVE DATE OF THIS ORDINANCE; AND TO COMPLETE SAID REMOVAL OR DEMOLITION WITHIN FORTY-FIVE (45) DAYS FROM THE EFFECTIVE DATE OF THIS ORDINANCE; ORDERING THE DANGEROUS BUILDING INSPECTION BOARD TO PLACE A NOTICE ON SAID BUILDING; ORDERING THE CITY SECRETARY TO FORWARD A COPY OF THIS ORDINANCE TO SAID OWNER; PROVIDING FOR THE REMOVAL OF SAID BUILDING) BY THE CITY OF LA PORTE IF NOT REMOVED BY SAID OWNERS IN THE MANNER PROVIDED HEREIN; PROVIDING AN EFFECTIVE DATE HEREOF; AND FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW.

AN ORDINANCE **(2016-3643)** DECLARING THE BUILDINGS LOCATED AT LOT ELEVEN (11) THROUGH LOT FOURTEEN (14), BLOCK 19, BAYSIDE TERRACE, HARRIS COUNTY, TEXAS, MORE COMMONLY KNOWN AS 3142 HAMILTON ST. TO BE IN FACT A NUISANCE; SUCH BUILDINGS BEING ONE PRIMARY RESIDENTIAL DWELLING AND ONE ACCESSORY STORAGE FACILITY; ORDERING SUCH BUILDING CONDEMNED; FINDING THAT THE ESTATE OF ROBERT LOUIS CARLISLE IS THE RECORD OWNER OF SAID PROPERTY; ORDERING THE SAID OWNER TO ENTIRELY REMOVE OR TEAR DOWN SUCH BUILDINGS; ORDERING THE SAID OWNERS TO COMMENCE SAID REMOVAL OR DEMOLITION WITHIN TEN (10) DAYS FROM THE EFFECTIVE DATE OF THIS ORDINANCE; AND TO COMPLETE SAID REMOVAL OR DEMOLITION WITHIN FORTY-FIVE (45) DAYS FROM THE EFFECTIVE DATE OF THIS ORDINANCE; ORDERING THE DANGEROUS BUILDING INSPECTION BOARD TO PLACE A NOTICE ON SAID BUILDING; ORDERING THE CITY SECRETARY TO FORWARD A COPY OF THIS ORDINANCE TO SAID OWNER; PROVIDING FOR THE REMOVAL OF SAID BUILDING) BY THE CITY OF LA PORTE IF NOT REMOVED BY SAID OWNERS IN THE MANNER PROVIDED HEREIN; PROVIDING AN EFFECTIVE DATE HEREOF; AND FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW.

AN ORDINANCE **(2016-3644)** DECLARING THE PRIMARY RESIDENTIAL DWELLING LOCATED AT WEST 20 FEET OF LOT THIRTY-EIGHT (38), LOT THIRTY-NINE (39), AND FORTY (40), BLOCK 17, BAYFRONT ADDITION TO LA PORTE, HARRIS COUNTY, TEXAS, MORE COMMONLY KNOWN AS 902 S. UTAH ST. TO BE IN FACT A NUISANCE; ORDERING SUCH BUILDING CONDEMNED; FINDING THAT GARY JOE KOLAFA AND THE ESTATE OF HELEN ELIZABETH KOLAFA ARE THE RECORD OWNERS OF SAID PROPERTY; ORDERING THE SAID OWNERS TO ENTIRELY REMOVE OR TEAR DOWN SUCH BUILDING; ORDERING THE SAID OWNERS TO COMMENCE SAID REMOVAL OR DEMOLITION WITHIN TEN (10) DAYS FROM THE EFFECTIVE DATE OF THIS ORDINANCE; AND TO COMPLETE SAID REMOVAL OR DEMOLITION WITHIN FORTY-FIVE (45) DAYS FROM THE EFFECTIVE DATE OF THIS ORDINANCE; ORDERING THE DANGEROUS BUILDING INSPECTION BOARD TO PLACE A NOTICE ON SAID BUILDING; ORDERING THE CITY SECRETARY TO FORWARD A COPY OF THIS ORDINANCE TO SAID OWNER; PROVIDING FOR THE REMOVAL OF SAID BUILDING) BY THE CITY OF LA PORTE IF NOT REMOVED BY SAID OWNERS IN THE MANNER PROVIDED HEREIN; PROVIDING AN EFFECTIVE DATE HEREOF; AND FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW.

Mayor Rigby recessed the meeting for a break at 8:02 p.m. and returned at 8:13 p.m.

- (c)** Public hearing to receive comments regarding the City of La Porte, Texas Fiscal Year 2016-2017 Proposed Budget – M. Dolby

The public hearing opened at 8:13 p.m.

Finance Director Michael Dolby presented a summary. Council wished to see an additional expenditure for fencing along Spencer, from Farrington to Myrtle Creek, on both sides of the street, and also fencing along Wharton Weems. City Manager Alexander will provide Council with costs and designs.

There being no public comments, the public hearing closed at 8:47 p.m.

- (d) Consider approval or other action regarding an Ordinance approving and adopting the City of La Porte Texas' Fiscal Year 2016-2017 Proposed Budget – M. Dolby

Councilmember Engelken made a motion to postpone approving and adopting the City of La Porte, Texas, Fiscal Year 2016-2017 Proposed Budget until the September 26, 2016, Council meeting. Councilmember Zemanek seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

7. AUTHORIZATIONS

- (a) Consider approval or other action regarding a Resolution adopting the 2016 Appraisal Roll of the Harris County Appraisal District – M. Dolby

Councilmember Engelken made a motion to postpone items 7(a) and 7(b) until the September 26, 2016, Council meeting. Councilmember K. Martin seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

- (b) Consider approval or other action regarding an Ordinance establishing the tax rate for the current tax year (2016) for a total tax rate of \$0.71 per hundred dollar valuation – M. Dolby

See action on 7(a), above.

- (c) Consider approval or other action regarding an Ordinance amending Chapter 70 "Traffic and Vehicles" of the Code of Ordinances by revising certain regulations related to establishment of school zones within the corporate limits of the City of La Porte – K. Adcox

Police Chief Ken Adcox presented a summary.

Councilmember Leonard made a motion to approve an Ordinance amending Chapter 70 "Traffic and Vehicles" of the Code of Ordinances by revising certain regulations related to establishment of school zones within the corporate limits of the City of La Porte and to add the school zone times in the signage. Councilmember Earp seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2016-3645: AN ORDINANCE AMENDING CHAPTER 70 "TRAFFIC AND VEHICLES" OF THE CODE OF ORDINANCES BY REVISING CERTAIN REGULATIONS RELATED TO ESTABLISHMENT OF SCHOOL ZONES WITHIN THE CORPORATE LIMITS OF THE CITY OF LA PORTE; PROVIDING A REPEALING CLAUSE; CONTAINING A SEVERABILITY CLAUSE; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; PROVIDING THAT ANY PERSON VIOLATING THE TERMS OF THIS ORDINANCE SHALL BE FINED IN A SUM NOT TO EXCEED TWO HUNDRED DOLLARS; PROVIDING FOR THE PUBLICATION OF THE CAPTION HEREOF; AND PROVIDING AN EFFECTIVE DATE HEREOF.**

- (d) Consider approval or other action regarding an Ordinance amending Chapter 74 "Utilities of the Code of Ordinances of the City of La Porte, Texas related to calculation of Development Fees for Development/Owner Funding of Utility Line Extensions – E. Ensey

City Planner Eric Ensey presented a summary.

Councilmember Earp made a motion to approve an Ordinance amending Chapter 74 "Utilities of the Code of Ordinances of the City of La Porte, Texas related to calculation of Development Fees for Development/Owner Funding of Utility Line Extensions. Councilmember Zemanek seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2016-3646: AN ORDINANCE AMENDING CHAPTER 74 "UTILITIES" OF THE CODE OF ORDINANCES OF THE CITY OF LA PORTE, TEXAS, RELATED TO CALCULATION OF DEVELOPMENT FEES FOR DEVELOPER/OWNER FUNDING OF UTILITY LINE EXTENSIONS; PROVIDING A SEVERABILITY CLAUSE; CONTAINING A REPEALING CLAUSE; PROVIDING THAT ANY PERSON VIOLATING THE TERMS OF THIS ORDINANCE SHALL BE DEEMED GUILTY OF A MISDEMEANOR AND UPON CONVICTION SHALL BE FINED IN A SUM NOT TO EXCEED TWO THOUSAND DOLLARS PROVIDING FOR THE PUBLICATION OF THE**

8. DISCUSSION AND POSSIBLE ACTION

- (a) Discussion and possible action regarding evaluation of and review process for Request for Proposals for collection services of delinquent ad valorem taxes – Councilmembers Zemanek; Kaminski and J. Martin

Councilmember Zemanek presented a summary and commented he would like City Council to grade the evaluation and review processes.

Mayor Rigby stated council is supposed to set policy and staff is to come back with their recommendation. He asked Clark if it was against the Charter for Council to do this.

Councilmember Zemanek stated he doesn't feel Finance staff can be impartial because they don't want the change. Councilmember Kaminski stated we need a new set of eyes like the City does for auditors. Councilmember J. Martin stated that a councilmember assigned to the review committee would be a good compromise or have the Fiscal Affairs Committee be a part of it, that a rotation of 3-5 years would be a healthy thing.

Councilmember Earp asked for the grading criteria be specific and define how many points for each piece of criteria. He would like to see metrics on grading and define what is being evaluating.

Councilmember Clausen stated going out for RFQs is the right thing to do.

Councilmember Earp made a motion to reject the proposals and have Staff establish metrics for this proposal and bring them to Council for approval and then go out again for the RFQ. Contracts shall only be for three years with no extensions, and the company under contract at that time can rebid. Councilmember Zemanek seconded.

Councilmember Zemanek also commented the Finance Department can review the ones that we already have and let Council know if the bids are comparable, and Council can make a decision on the ones we have.

MOTION PASSED 5/4.

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

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

City Secretary Patrice Fogarty presented a summary.

Regarding the Building Codes Appeals Board – Consider appointment of Brian Moore (to replace Terry Bunch) to Position 2, to a three-year term expiring August 31, 2019, or until a successor has been appointed and qualified.

Regarding the La Porte Redevelopment Authority – consider ratifying Mayor Rigby's appointment of Barry Beasley to Position 2 (to replace Dave Turnquist), to a two-year term expiring August 31, 2018, or until a successor has been appointed and qualified.

Regarding the La Porte Reinvestment Zone Number One (TIRZ 1) – consider ratifying Mayor Rigby's appointment of Barry Beasley to Position 2 (to replace Dave Turnquist), to a two-year term expiring August 31, 2018, or until a successor has been appointed and qualified.

Councilmember Earp made a motion to approve these appointments. Councilmember Clausen seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

- (c) Discussion and possible action regarding casting of votes in election of candidates for the Texas Municipal League Intergovernmental Risk Pool Board of Trustees – P. Fogarty

City Secretary Patrice Fogarty presented a summary.

Councilmember Engelken made a motion to vote for Corby Alexander to Place 6; C.J. Wax to Place 7; no vote to Place 8; and Andres Garza to Place 9. Councilmember Leonard seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

- (d) Discussion and possible action regarding artwork for the Main Street elevated water tank – T. Leach

Assistant City Manager Traci Leach presented a summary. LPISD board members who were contacted stated they like concept Option No. 2.

Councilmember Engelken made a motion to go with Option No. 2, providing the fonts are the same. Councilmember Clausen seconded.

Additional discussion ensued. Staff will come back with the design and estimated total cost. Prior to the vote on the motion on the floor, there was additional discussion regarding the design company providing the design of exactly how it will look.

Councilmember Clausen called the question, discussion ended, and the motion on the floor went immediately to a vote.

MOTION PASSED UNANIMOUSLY 9/0.

- (e) Discussion and possible action regarding Altom Transport's request to utilize a portion of the water received under the terms of its Water Service Agreement for a proposed truck wash facility to be located at 4700 New West Drive, in the Bayport Industrial District – T. Tietjens

Councilmember Darrell Leonard was away from the table for this item regarding Altom Transport, and he filed a Conflict of Interest Disclosure form.

Planning and Development Director Tim Tietjens presented a summary and asked for Council's guidance for staff. Altom's Terry Rodery spoke, and so did Assistant Fire Chief Donald Ladd.

Councilmember Zemanek made a motion to postpone this item to the next council meeting, which is September 26, 2016, to give staff time to bring back facts and information discussed with the Fire Department. Councilmember Engelken seconded. **MOTION PASSED UNANIMOUSLY 8/0.**

After the vote on this item, Councilmember Leonard returned to the Council meeting.

9. ADMINISTRATIVE REPORTS

City Manager Corby Alexander thanked Council for their patience on such a large agenda, and will assist those citizens who requested help regarding the "dangerous building" item.

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.

No comments from Councilmembers Clausen, K. Martin, Kaminski, Zemanek, Engelken and Earp.

Councilmember J. Martin said he hoped next meeting Altom won't have to sit through a four-hour meeting. Councilmember D. Leonard hoped the students attending learned something tonight. Mayor Rigby thanked Finance for their hard work on the budget, and thanked Tim Tietjens and staff for their work on dangerous buildings, and stated maybe timing would be better next time and not have the dangerous buildings on at the same time as the budget.

11. **ADJOURN** - There being no further business, Councilmember Engelken made a motion to adjourn the meeting at 10:13 p.m. Councilmember Leonard seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

Patrice Fogarty, City Secretary

Passed and approved on September 26, 2016.

Mayor Louis R. Rigby