

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
NOVEMBER 14, 2016**

The City Council of the City of La Porte met in a regular meeting on **Monday, November 14, 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, J. Martin, K. Martin, Leonard, Earp, Zemanek, Clausen, 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 Dee Spears, Fairmont Park Church.

3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by Councilmember Kristin Martin.

4. **PRESENTATIONS, PROCLAMATIONS and RECOGNITIONS**

(a) Recognition – 2016 City University Participants – Mayor Rigby

Mayor Rigby recognized the 2016 City University Participants.

(b) Proclamation – Tony Constanzo Day – Mayor Rigby

Mayor Rigby presented Tony Constanzo with a proclamation for Tony Constanzo Day.

(c) Recognition – Employees of the Third Quarter (2016) – Rachel Gomez and Trudy Rayburn – City of La Porte Emergency Medical Services (EMS) Department – Mayor Rigby

Recognition of Employees of the Third Quarter 2016 were rescheduled to the December 12, 2016, Council meeting.

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

There were no public comments.

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 meeting held on October 24, 2016 – P. Fogarty

- (b) Consider approval or other action regarding a Resolution appointing one representative and one alternate to the H-GAC 2017 General Assembly and Board of Directors – P. Fogarty
- (c) Consider approval or other action authorizing the Mayor to execute an Interlocal Agreement with Harris County to construct sidewalk, drainage and traffic control improvements along Park Drive from S. Blackwell to Fairmont Parkway – S. Valiante
- (d) Consider approval or other action authorizing the Mayor to execute an Interlocal Agreement with Harris County to construct a sidewalk along Park Drive from S. Lobit to San Jacinto Street – S. Valiante
- (e) Consider approval or other action awarding bid for vehicle and equipment replacements for Fiscal Year 2016-2017 – S. Valiante
- (f) Consider approval or other action regarding the purchase of playground equipment in the amount of \$52, 949.52 from GameTime, for Lomax Park and Tom Brown Park – R. Epting
- (g) Consider approval or other action authorizing the purchase of medical treatment devices in the amount of \$57,603.33 from Physio-Control, Inc. – R. Nolen
- (h) Consider approval or other action regarding the purchase of computers through PCMG (PCMall Gov) utilizing Buy Board Contract 498-15) – R. Valdez
- (i) Consider approval or other action regarding to roll over requested encumbrances from La Porte Fiscal Year 2016 Budget to La Porte Fiscal 2017 Budget – M. Dolby
- (j) Consider approval or other action accepting the Fiscal Year 2016 audit/asset forfeiture report and associated financial records as required by Chapter 59 of the Texas Code of Criminal Procedure – K. Adcox

Councilmember J. Martin made a motion to approve the Consent Agenda items pursuant to staff recommendations. Councilmember Kaminski seconded the motion. **MOTION PASSED UNANIMOUSLY 9/0.**

7. AUTHORIZATIONS

- (a) Consider approval or other action regarding recommendation of City Staff and the Chapter 172 Employee Retiree Insurance and Benefits Committee for award of bid proposal to vendors for Medical; Pharmacy; Stop Loss; Medical and Vision benefits plans – M. Hartleib

Human Resources Manager Matt Hartleib introduced John Heerwagen, who presented a summary. These are the following staff recommendations:

Third Party Administration of Medical and Pharmacy Plans – Recommended is the proposal received from the City's current provider, Aetna, which reduces administrative costs and increases the share of Rx rebates the City retains;

Stop Loss – Recommended is the proposal received from Partner RE which would result in a projected savings over the current plan with Highmark.

Medicare – Recommended is the proposal received from Aetna, which is the current provider. This recommendation will result in no change to our retirees' coverage and no increase to City cost.

Vision – The City's current provider for the voluntary vision plan did not submit a proposal. Recommended is the proposal from Avesis, which includes benefits that closely match the current plan and a slight reduction in cost to participants.

Councilmember Zemanek made a motion to approve the recommendation of City Staff and the Chapter 172 Employee Retiree Insurance and Benefits Committee for award of bid proposal to vendors for Medical; Pharmacy; Stop Loss; Medical and Vision benefits plans. Councilmember K. Martin seconded the motion. **MOTION PASSED UNANIMOUSLY 9/0.**

- (b) Consider approval or other action regarding vendor service contract for mowing of City-maintained properties – R. Epting

Parks and Recreation Director Rosalyn Epting presented a summary.

Mayor Rigby asked if Camp Landscape Services were the only bidder, would the City have to go out for bid a second time. Finance Director Dolby and Purchasing Manager Cherell Daeumer both responded, probably not.

Mayor Rigby asked Assistant City Attorney Clark Askins if there is a fourth option. Mr. Askins responded the City should choose from the bids that were submitted.

Councilmember Earp made a motion to reject the first bids and accept the bid of \$286,280 from Cornerstone Maintenance. Councilmember Leonard seconded the motion. **MOTION PASSED 8/1.**

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

8. DISCUSSION AND POSSIBLE ACTION

- (a) Discussion and possible action regarding design of the elevated storage tank artwork on 4th Street and Main Street – S. Valiante

Public Works Director Sharon Valiante presented a summary.

Councilmember Zemanek commented he likes La Porte in the middle of the tank, the La Porte logo on the left and the Bulldog artwork on the right.

Councilmember Clausen made a motion for the Bulldog logo at 0° and 180° and the word “La Porte” at 90° and 270°. Councilmember Zemanek seconded the motion. **MOTION PASSED UNANIMOUSLY 9/0.**

- (b) Discussion and possible action regarding City of La Porte Parks and Recreation Department Operational Analysis – R. Epting

Parks and Recreation Director Rosalyn Epting presented a summary and introduced Melissa Chew, Project Consultant with GreenPlay LLC.

After the presentation, Councilmember Leonard asked if Staff and the Parks and Recreation Department were made aware of alternative funding opportunities that other cities have used. Ms. Chew responded yes, they were provided with a list of over 100 funding strategies.

Councilman Zemanek stated the entire report is all of the negatives and none of the positives, and he indicated concern for the cost of making changes to comply with the proposed organization chart.

Councilmember Earp asked if the Master Plan was reviewed and re-evaluated. Ms. Chew responded yes. He also asked if the comparison to other cities was apples to apples or if it is slightly skewed. Ms. Epting responded that there are definitely subtle differences between what each city does, which means the information is skewed somewhat. She will be looking at this very closely.

Councilmember Engelken stated he is disappointed in the entire study and overall product, including performance metrics indicating some strengths don't coincide with indicated weaknesses. He said the study indicates staff doesn't know what the metrics are, so what are they being evaluated on? He said the study indicates the City does not advertise and toot our horn; however, the website and newsletters indicate all events.

Mayor Rigby asked if two new positions were being recommended on the organizational chart. Ms. Chew responded there are no additional full-time positions being recommended. Mayor Rigby asked if the Manager position is considered higher than the Superintendent position. Ms. Chew responded yes. Mayor Rigby commented Staff should not do anything with the organization until Human Resources Manager Matt Hartleib has completed the compensation study.

Mayor Rigby asked if the plan is to take additional comments. City Manager Corby Alexander asked Council to provide additional feedback before the next City Council meeting. Council does not have to reiterate what was said at this meeting, but any additional comments are welcome.

- (c) Discussion and possible action regarding future operations of the La Porte Boys Baseball Association – C. Alexander

Parks and Recreation Director Rosalyn Epting presented a summary.

Councilmember Engelken commented he is disappointed in the timeline of meeting the objective set this past summer, and there needs to be more accountability on the accounting side.

Councilmember Earp questioned how tournaments are handled. Heath Patterson, President of the La Porte Boys Baseball Association advised the association does not have a Tournament Director; but the association will host their own tournaments, and payments will be accepted by cashier's checks and credit cards.

Councilmember Zemanek commented he has a problem with subletting out the field.

Mayor Rigby stated there needs to be an agreement between the City of La Porte and the La Porte Boys Baseball Association.

Councilmember Engelken commented there was clear direction that a good and solid agreement was to be done by September 11, 2016; and here we are, two months later without one.

Councilmember Zemanek asked Finance Director Michael Dolby if he is confident that the changes have been addressed with the La Porte Boys Baseball Association. Mr. Dolby responded the association is working very well with Staff and are being very forthcoming.

Parks and Recreation Director Rosalyn Epting asked Council for direction to review the current agreement with the association; information regarding tournament play; general bookkeeping and registration; concession stand operation; umpires and fields.

Councilmember Clausen made a motion for Staff and the La Porte Boys Baseball Association to draft an agreement with items discussed and also those found in the agenda request and come back at a later date for approval. Councilmember Kaminski seconded the motion. **MOTION PASSED UNANIMOUSLY 9/0.**

9. REPORTS

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

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

10. ADMINISTRATIVE REPORTS

There were no administrative 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.

Councilmembers K. Martin; Zemanek and Clausen congratulated Tony Constanzo; participants of the 2016 City University and wished everyone a Happy Thanksgiving; Councilmember Kaminski congratulated Tony Constanzo; participants of the 2016 City University and commented she attended the Harvest Banquet that was well attended; Councilmember Leonard congratulated the participants of the 2016 City University and expressed condolences on the passing of La Porte Independent School District's retired teacher and coach Jerry Schima; Councilmember Engelken congratulated Tony Constanzo; participants of the 2016 City University; thanked the Parks and Recreation Department for the report; La Porte Boys Baseball Association President Heath Patterson and wished everyone a Happy Thanksgiving; Councilmember Earp congratulated Tony Constanzo; participants of the 2016 City University; wished everyone a Happy Thanksgiving and thanked La Porte Boys Baseball Association President Heath Patterson; Councilmember J. Martin congratulated Tony Constanzo; participants of the 2016 City University; the City for moving forward with the Park Drive sidewalks and Human Resources Manager Matt Hartleib for a great job on the Medical; Pharmacy; Stop Loss; Medical and Vision benefits plans and Mayor Rigby congratulated Tony Constanzo; participants of the 2016 City University; informed he attended the Veterans Day Ceremony at the high school; thanked Councilmember Leonard for serving the country and advised he and Mayors Bechtel; Mouton and Don Carlos attended a meeting in Austin with Speaker of the Texas House of Representatives Joe Straus to speak and address issues in the upcoming legislative session such as revenue caps; annexation and transportation. Lastly, Mayor Rigby wished Public Works Director Sharon Valiante the best in her future endeavors at the City of Fulshear.

- 12. ADJOURN** - There being no further business, Councilmember Engelken made a motion to adjourn the meeting at 8:30 p.m. Councilmember Leonard seconded the motion. **MOTION PASSED UNANIMOUSLY 9/0.**

Patrice Fogarty, City Secretary

Passed and approved on December 12, 2016.

Mayor Louis R. Rigby