

**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 JANUARY 23, 2017**

The City Council of the City of La Porte met in a regular meeting on **Monday, January 23, 2017**, 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 Rev. Dr. Kevin Gilmore, First United Methodist Church.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by Councilmember Daryl Leonard.
4. **PUBLIC COMMENTS** (Limited to five minutes per person.)

Phillip Hoot, 927 Seabreeze, addressed council to give a campaign speech in support of his re-election bid for a position on the LPISD Board of Trustees. When asked if he was there to give a campaign speech, Mr. Hoot replied, "Kinda, sorta, if I could." Mayor Rigby very briefly conferred with the assistant city attorney and then stated, "I think we are going to have to pass on this one." Mr. Hoot replied, "Okay. That's fine. Thanks." Mr. Hoot did not provide additional public comments.

Wyatt Smith, 10905 Spruce Dr. North, addressed Council regarding the City charging teams for practicing on baseball practice fields.

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 January 9, 2017 – P. Fogarty
  - (b) Consider approval or other action appointing Christopher Cargile to the City of La Porte Police Reserve Force – K. Adcox
  - (c) Consider approval or other action regarding an Ordinance amending the City of La Porte Fiscal Year 2016-2017 Budget – S. Wolny
  - (d) Consider approval or other action awarding Bid #17004 for Little Cedar Bayou Phase II Improvements – D. Pennell

- (e) Consider approval or other action awarding Bid #17009 for Main Street Elevated Water Tank- D. Pennell
- (f) Consider approval or other action regarding a Memorandum of Agreement with Fairmont Park Homeowners Association for a community cooperation project providing for fence installation along portions of Farrington Blvd., and long Collingswood Dr., bot abutting Fairmont Park for a total City contribution of \$5,000.00 – T. Leach
- (g) Consider approval or other action authorizing the Mayor to execute an Interlocal Agreement with the City of Shoreacres for municipal court services – D. Mitrano
- (h) Consider approval or other action regarding an Ordinance authorizing the issuance of City of La Porte, Texas Certificates of Obligation, Series 2017 – P. Rinehart

Councilmembers, Zemanek, Engelken and Earp asked questions regarding Consent Items, E, G and H.

Regarding Item E, Councilmember Earp asked if points were given to the locally owned business. City Manager Corby Alexander responded yes.

Regarding Item G, Councilmember Zemanek asked how many tickets the City usually files in a year and the typical court costs for a ticket. Court Administrator Cathy Haney responded 13,000-14,000 a year; court costs are about \$99.10 to the State and City receives 10%. Councilmember Zemanek requested the item be voted on separately.

Regarding Item H, Councilmember Engelken questioned the final percentage rate regarding Consent Item H. Robert Henderson with RBC Capital Market provided an update on the final percentage rates.

Councilmember Engelken made a motion to approve Consent Agenda Items 5 a-f and h pursuant to staff recommendations. Councilmember Earp seconded the motion. **MOTION PASSED UNANIMOUSLY 9/0.**

Councilmember Earp made a motion to deny Consent Agenda Item 5g. Councilmember Zemanek seconded the motion. **MOTION PASSED 5/4.**

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

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2017-3665: AN ORDINANCE APPROVING AN AMENDMENT TO THE BUDGET FOR THE CITY OF LA PORTE, TEXAS, FOR THE PERIOD OF OCTOBER 1, 2016 THROUGH SEPTEMBER 30, 2017; FINDING THAT ALL THINGS REQUISITE AND NECESSARY HAVE BEEN DONE IN PREPARTION AND PRESENTMENT OF SAID BUDGET; FINDING COMPLIANCE WITH THE OPEN MEETING LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.**

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2017-3666: AN ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF LA PORTE, TEXAS, CERTICATES OF OBLIGATION, SERIS 2017; AND CONTAINING OTHER MATTERS INCIDENT THERETO.**

## 6. AUTHORIZATIONS

- (a) Consider approval or other action awarding Bid #17002 for LPISD Historic Colored School Reconstruction-Phase 2 Rebid – D. Pennell

Assistant Public Works Director Don Pennell presented a summary.

Councilmember Engelken made a motion to award Bid #17002 for LPISD Historic Colored School Reconstruction-Phase 2 Rebid. Councilmember K. Martin seconded the motion. **MOTION PASSED UNANIMOUSLY 9/0.**

- (b) Consider approval or other action regarding funding to the Bay Area Coastal Protection Alliance for the production of new video to promote a coastal spine – C. Alexander

City Manager Corby Alexander presented a summary and Len Waterworth provided information for the production of a new video to promote a coastal spine.

Councilmember Engelken made a motion to fund \$10,000.00 to the Bay Area Coastal Protection Alliance for the production of new video to promote a coastal spine. Councilmember Leonard seconded the motion. **MOTION PASSED UNANIMOUSLY 9/0.**

- (c) Consider approval or other action regarding an Ordinance amending Chapter 34 “Environment,” of the Code of Ordinances of the City of La Porte, Texas for the purpose of enacting regulations for utilizations of donation collections bins – C. Alexander

City Manager Corby Alexander presented a summary.

Councilmember K. Martin made a motion to adopt an Ordinance amending Chapter 34 “Environment,” of the Code of Ordinances of the City of La Porte, Texas for the purpose of enacting regulations for utilization of donation collection bins with a start date of March 1, 2017. Councilmember Kaminski seconded the motion. **MOTION PASSED 5/4.**

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

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2017-3667: AN ORDINANCE AMENDING CHAPTER 34 “ENVIRONMENT,” OF THE CODE OF ORDINANCES OF THE CITY OF LA PORTE, TEXAS BY ADDING NEW ARTICLE VII “DONATION COLLECTION BINS” 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 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.**

## 7. DISCUSSION AND POSSIBLE ACTION

- (a) Discussion and possible action regarding the reassignment of the detective position assigned to Internet Crimes Against Children (ICAC) to the Patrol Division – K. Adcox

Police Chief Ken Adcox presented a summary.

Councilmember Engelken asked the cause for the increase. Police Chief Ken Adcox responded it is mainly the increase of citizens.

Councilmember Zemanek asked if Detective Huckabee was not retiring would the City be requesting another patrol officer. Chief Adcox responded yes, and that he did not want to wait until the Council Retreat to request the position.

Councilmember J. Martin made a motion to reassign the current detective position that is currently assigned to the Internet Crimes Against Children (ICAC) to the patrol division. Councilmember Kaminski seconded the motion. **MOTION PASSED UNANIMOUSLY 9/0.**

**8. ADMINISTRATIVE REPORTS**

City Manager Corby Alexander wished Assistant City Manager Traci Leach a Happy Birthday.

**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 Leonard passed on making comments;

Councilmember Engelken wished Assistant City Manager Traci Leach a Happy Birthday and requested Staff provide an update on field maintenance and the security plan at Pecan Park;

Councilmember Earp wished Assistant City Manager Traci Leach a Happy Birthday;

Councilmember Clausen wished Assistant City Manager Traci Leach a Happy Birthday;

Councilmember J. Martin wished Assistant City Manager Traci Leach a Happy Birthday and requested City Manager Alexander introduce recent newly hired employees at a council meeting;

Councilmember K. Martin wished Assistant City Manager Traci Leach a Happy Birthday and thanked Parks and Recreation Director Rosalyn Epting for the new basketball program;

Councilmember Kaminski wished Assistant City Manager Traci Leach a Happy Birthday;

Councilmember Zemanek wished Assistant City Manager Traci Leach a Happy Birthday and commented the Houston Texans played well in the play-offs;

Mayor Rigby informed he attend the Martin Luther King Jr., Celebration hosted by the La Porte Civic Club, and that it was well attended; he encouraged councilmembers to attend next year's celebration; he informed he attended the Harris County Mayors and Councils' Association meeting and advised Mr. Smith to get with City Manager Corby Alexander regarding the City charging for practices on baseball fields.

**10. ADJOURN** - There being no further business, Councilmember Engelken made a motion to adjourn the meeting at 7:09 p.m. Councilmember Leonard seconded the motion. **MOTION PASSED UNANIMOUSLY 9/0.**

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Patrice Fogarty, City Secretary

Passed and approved on February 13, 2017.

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Mayor Louis R. Rigby