

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



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
SEPTEMBER 10, 2018**

The City Council of the City of La Porte met in a regular meeting on **Monday, September 10, 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. Members of Council present: Councilmembers Ojeda, Zemanek, J. Martin, K. Martin, Bentley, and Engelken. Also present were City Secretary Patrice Fogarty, City Manager Corby Alexander, Assistant City Manager Jason Weeks and Assistant City Attorney Clark Askins. Councilmembers Earp and Kaminski were absent.
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 Nancy Ojeda.
4. **PUBLIC COMMENTS** (Limited to five minutes per person.)

Jo Ann Pitzer, 10011 Carlow Ln., addressed Council requesting the project for the south side fence on Spencer not be removed from the budget.

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 meeting held on August 27, 2018 – P. Fogarty
 - (b) Consider approval or other action authorizing the City Manager to execute a subordination agreement with lender for Ybarra Restaurants, Inc., in connection with El Toro Restaurant 380 Agreement project – c. Alexander
 - (c) Consider approval or other action awarding Bid #18021 for Automotive Parts – C. Daeumer
 - (d) Consider approval or other action awarding Bid #18023 for Bayshore Park Waterline Relocation project – D. Pennell

Councilmember Engelken made a motion to approve all Consent Agenda items pursuant to staff recommendations. Councilmember Zemanek seconded the motion. **MOTION PASSED UNANIMOUSLY 7/0. Councilmembers Kaminski and Earp were absent.**

6. **DISCUSSION AND POSSIBLE ACTION**
 - (a) Discussion and possible action regarding the purchase of golf carts utilizing BuyBoard Contract 529-17 – A. Osmond

Golf Course Manager Alex Osmond presented a summary.

Councilmember Zemanek made a motion to purchase Yamaha golf carts with a 4-year payout. Councilmember Ojeda seconded. **MOTION PASSED UNANIMOUSLY 7/0. Councilmembers Kaminski and Earp were absent.**

- (b) Discussion and possible action authorizing the Mayor to execute an Interlocal Agreement with City of Morgan's Point for Municipal Court Services for a five-year period beginning October 1, 2018 – C. Alexander

City Manager Corby Alexander presented a summary.

Councilmember J. Martin made a motion to authorize the Mayor to execute an Interlocal Agreement with the City of Morgan's Point for Municipal Court Services for a 5-year period beginning October 1, 2018, for \$43,500 base, with a cost of \$72.50 for each case over 600 cases per year. Mayor Rigby seconded. **MOTION PASSED 6/1. Councilmembers Kaminski and Earp were absent.**

Ayes:	Mayor Rigby, Councilmembers J. Martin, K. Martin, Bentley, Engelken and Ojeda
Nays:	Councilmember Zemanek
Absent:	Councilmembers Earp and Kaminski

7. PUBLIC HEARING AND ASSOCIATED ORDINANCES

- (a) Public hearing to receive comments regarding the City of La Porte Fiscal Year 2018-2019 Proposed Budget – M. Dolby

The public hearing opened at 6: 28 p.m.

Finance Director Michael Dolby presented a summary and changes from the proposed budget.

Mayor Rigby commented he would prefer adding \$186,000 back in the budget to have enough to pay for merit increases for non-civil service employees.

Councilmember J. Martin commented he would propose a one-time payment of \$1,000 to non-civil service employees.

Steve Gillett, 2601 S. Broadway, addressed Council and commented he has been a part of the budget process in the past and has attended the recent budget meetings. Mr. Gillett applauded City Council for keeping the tax rate and expressed concerns with building a new fitness center and suggested the existing building be repaired. Mr. Gillett also commented that employees should be rewarded with merit increases and not a one-time payment.

Wyatt Smith, 10905 Spruce Dr. North, thanked Council for appropriating funds for flooding and drainage and requested turf fields at Pecan Park and requested the cost for Texas Intercity Football, Inc. (TIFI) team playoffs to be held at the La Porte High School Stadium be added to the budget. Mr. Smith also commented he is in favor of a new fitness center.

There being no further public comments, the public hearing closed at 6:57 p.m.

- (b) Consider approval or other action regarding an Ordinance approving and adopting the City of La Porte, Texas' Fiscal Year 2018-2019 Proposed Budget – M. Dolby

Finance Director Michael Dolby presented a summary.

Councilmember Engelken made a motion to adopt the City of La Porte Texas' Fiscal Year 2018-2019 Proposed Budget as presented. Councilmember Bentley seconded. **MOTION PASSED 4/3. Councilmembers Kaminski and Earp were absent.**

Ayes: Mayor Rigby, Bentley, Engelken and Zemanek
Nays: Councilmember Ojeda J. Martin and K. Martin
Absent: Councilmembers Earp and Kaminski

Prior to council action, Assistant City Attorney Clark Askins read the caption of Ordinance **2018-3719 AN ORDINANCE APPROVING AND ADOPTING THE BUDGET FOR THE CITY OF LA PORTE, TEXAS FOR THE PERIOD OF OCTOBER 1, 2018 THROUGH SEPTEMBER 30, 2019; FINDING THAT ALL THINGS REQUISITE AND NECESSARY HAVE BEEN DONE IN REPARATION AND PRESENTMENT OF SAID BUDGET; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW AND PROVIDING AN EFFECTIVE DATE HEREOF.**

8. AUTHORIZATIONS

- (a) Consider approval or other action regarding appointment of members to various City boards, committees, and commissions – P. Fogarty

City Secretary Patrice Fogarty presented a summary.

Councilmember Ojeda nominated Johnny Morales to replace Doyle Black on the La Porte Development Corporation Board and Charles Crittenden to fill the vacant position Alternate 2 on the Zoning Board of Adjustment.

Councilmember Zemanek commented alternate positions on the Zoning Board of Adjustment are required to attend meetings but are not allowed to vote; and he would like all members to have the ability to vote on matters. Mayor Rigby requested Assistant City Attorney Clark Askins check into the matter.

Councilmember Ojeda made a motion to approve all appointments presented by City Secretary Patrice Fogarty and to appoint Johnny Morales to the La Porte Development Corporation Board in place of Doyle Black and Charles Crittenden to the Alternate 2 position on the Zoning Board of Adjustment, which moves Phillip Hoot up to the Alternate 1 position. Councilmember Bentley seconded. **MOTION PASSED UNANIMOUSLY 7/0. Councilmembers Kaminski and Earp were absent.**

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

9. REPORTS

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

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

10. ADMINISTRATIVE REPORTS

City Manager Corby Alexander reminded City Council of the First Responders Breakfast tomorrow morning at 7:30 a.m. at Sylvan Beach Pavilion hosted by the La Porte Chamber of Commerce.

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 – Councilmembers Ojeda, J. Martin, K. Martin, Kaminski, Zemanek, Bentley Engelken, Earp and Mayor Rigby

Councilmember Ojeda apologized to Parks and Recreation Director Rosalyn Epting for comments made and directed to her regarding the maintenance of the fitness center during the September 6, 2018, Special City Council Meeting; Councilmember K. Martin expressed prayers for Councilmember Kaminski who has been hospitalized; Councilmember Zemanek expressed prayers for Councilmember Kaminski and reminded everyone of Constable Phil Sandlin's gumbo event at the Pasadena Convention Center; Councilmember Bentley thanked Staff for their intense work on the budget; thanked the citizens for their comments tonight; thanked the La Porte Fire Department for the program of inspecting citizens' homes and installing fire detectors; Councilmember Engelken commented preparing for the budget is a long process and encouraged employees that have new ideas and/or suggestions that will benefit the City to report them to their supervisors; advised the funds that have not be utilized for the beautification program on the utility bills be changed over to benefit the La Porte Animal Shelter and thanked everyone for attending the meeting; and Mayor Rigby congratulated the Purchasing Department for receiving the Achievement of Excellence in Procurement Award.

12. **ADJOURN** - There being no further business, Councilmember Engelken made a motion to adjourn the meeting at 7:16 p.m. Councilmember Zemanek seconded the motion. **MOTION PASSED UNANIMOUSLY 7/0. Councilmembers K. Martin and Earp were absent.**

Patrice Fogarty, City Secretary

Passed and approved on September 24, 2018.

Mayor Louis R. Rigby