

LOUIS R. 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

CITY COUNCIL MEETING AGENDA

Notice is hereby given of a Regular Meeting of the La Porte City Council to be held March 28, 2016, beginning at 6:00 PM in the City Hall Council Chambers, 604 W. Fairmont Parkway, La Porte, Texas, for the purpose of considering the following agenda items. All agenda items are subject to action.

- 1. CALL TO ORDER**
- 2. INVOCATION** – The invocation will be given by Kevin Gilmore, First United Methodist Church.
- 3. PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance will be led by Councilmember Kristin Martin.
- 4. PRESENTATIONS, PROCLAMATIONS, and RECOGNITIONS**
 - (a) Proclamation - La Porte Special Olympics Shrimp Boil Day - Mayor Rigby
 - (b) Recognition - Retirement of Keith Walker (City of La Porte Fire Department) - Mayor Rigby
- 5. PUBLIC COMMENTS** (Limited to five minutes per person.)
- 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 the City Council meeting held on March 14, 2016 - P.Fogarty
 - (b) Consider approval or other action regarding a Resolution authorizing the sale of tax delinquent properties consisting of Tracts 5 & 6, Block 1445 and Lot 1, Block 1125, Town of La Porte - K. Powell
 - (c) Consider approval or other action regarding a Resolution authorizing the Harris County Constable's Office to hold a second public hearing on the sale of tax delinquent property described as Block 85, Lots 29 and 30, Town of La Porte - K. Powell
- 7. RESOLUTION**
 - (a) Consider approval or other action regarding a Resolution Opposing Central Regional Alternative Design #2 (CR#2) Storm Suppression Alternative by Gulf Coast Community Protection and Recovery District (GCCPRD) - T.Tietjens
- 8. ADMINISTRATIVE REPORTS**
 - La Porte Development Corporation Board Meeting, Thursday, March 31, 2016
 - City Council Meeting, Monday, April 11, 2016
 - Council Budget Retreat, Saturday, April 16, 2016
 - City Council Meeting, Monday, April 25, 2016

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 or existing policies – Councilmembers K. Martin, Kaminski, Zemanek, Leonard, Engelken, Earp, Clausen, J. Martin and Mayor Rigby

10. **EXECUTIVE SESSION**

The City Council 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, in accordance with the authority contained in:

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: City Manager Corby Alexander

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

12. **ADJOURN**

The City Council 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 (the Texas open meetings laws).

In compliance with the Americans with Disabilities Act, the City of La Porte will provide for reasonable accommodations for persons attending public meetings. To better serve attendees, requests should be received 24 hours prior to the meeting. Please contact Patrice Fogarty, City Secretary, at 281.470.5019.

CERTIFICATION

I certify that a copy of the March 28, 2016, agenda of items to be considered by the City Council was posted on the City Hall bulletin board on by March 22, 2016.

Patrice Fogarty



**Council Agenda Item
March 28, 2016**

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

Office of the Mayor



Proclamation

Whereas, the La Porte Special Olympics provides year round athletic training for participants; and

Whereas, the La Porte Special Olympics Participants, Special Programs Staff and Volunteers wish to raise funds to help support our athletes' participation in Special Olympics Texas by hosting a shrimp boil; and

Whereas, the shrimp boil will be held Saturday, April 16th, serving meals from 11:00 a.m. until 1:00 p.m. at the Norman L. Malone Senior Center located at 1322 South Broadway. Tickets are \$12.00 each, or also available in books of 10 tickets to share with family and friends, for \$120.00 each. We invite everyone to continue to support the La Porte Special Olympics program by purchasing tickets for the Shrimp Boil to help make it possible for our athletes to compete in this fun and worthwhile event; and

Now therefore, I, Louis R. Rigby, Mayor of the City of La Porte, along with members of the La Porte City Council do hereby proclaim April 16, 2016, as

“La Porte Special Olympics Shrimp Boil Day”

IN WITNESS THEREOF, I have hereto set my hand and caused the Seal of the City to be affixed hereto, this the 28th day of March 2016.

CITY OF LA PORTE

Louis R. Rigby, Mayor

Keith Walker started his career with La Porte Fire Department as a volunteer on March 7, 1978. He spent 10 years as a volunteer and achieved the rank of a Captain in 1984.

In January of 1989, Keith became a career firefighter who started out at Fire Station 3 and soon moved to Station 1 where he spent the bulk of his career up until these past couple of years when he served at Station 4.

Keith is known around the fire department for his great welding ability, holding pump ops classes, and cooking a mean meal. Keith Walker has spent over thirty-seven years serving the La Porte community and he will truly be missed.



Council Agenda Item March 28, 2016

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Councilmember District 6

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LA PORTE
MARCH 14, 2016**

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

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

2. **INVOCATION** – The invocation was given by Michael Abportus, Congregation Benim Avraham.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by Councilmember Jay Martin.
4. **PUBLIC COMMENTS** (Limited to five minutes per person.)

There were no public comments.

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 the minutes of the City Council Meeting held on February 22, 2016 – P. Fogarty
 - (b) Consider approval or other action regarding an Ordinance cancelling the May 7, 2016, general election and declaring the candidate for Councilperson At Large-A, the candidate for Councilperson-District 4 and the candidate for Councilperson-District 5 unopposed; and declaring John Zemanek, candidate for Councilperson At-Large-Position A, elected; declaring Kristin Martin, candidate for Councilperson-District 4, elected; and declaring Jay Martin, candidate for Councilperson-District 5, elected – P. Fogarty
 - (c) Consider approval or other action authorizing the execution of an Interlocal Agreement for Election Services between the City of La Porte and the La Porte Fire Control, Prevention and Emergency Medical Services District – P. Fogarty
 - (d) Consider approval or other action regarding a Resolution prohibiting handgun license holders from openly carrying a handgun in the room or rooms where meetings of the City Council and or

its Boards, Commissions, and Committees are being conducted pursuant to the Texas Open meetings Act – C. Alexander

- (e) Receive 2015 Comprehensive Annual Financial (CAFR) Report – M. Dolby
- (f) Consider approval or other action regarding a Resolution authorizing the City Manager s the designated grant official for the Body Cameras Acquisition Project through the Criminal Justice Division, Office of the Governor, State of Texas – K. Adcox
- (g) Consider approval or other action awarding Bid #16002 for LPISD Historic Colored School Phase I – R. Davidson
- (h) Consider approval or other action awarding Bid # 16008 for purchase of certain vehicles (Trucks & Van) for the Fiscal Year 2016 Vehicle Replacement Program – S. Valiante
- (i) Consider approval or other action approving purchase of Equipment & Vehicles using the H-GAC and Texas Local Government Cooperative Purchasing methods for the Fiscal Year 2016 Vehicle Replacement Program – S. Valiante

Regarding Item E, Councilmember Earp asked if the 2015 Comprehensive Annual Financial (CAFR) Report is stamped DRAFT because it requires Council approval. Paula Lowe, auditor with Pattillo, Brown & Hill, responded yes; the report will be finalized after approved by Council.

Councilmember Leonard moved to approve Consent Agenda items pursuant to staff recommendations. Councilmember Engelken seconded. **MOTION PASSED UNANIMOUSLY 8/0. Councilmember Clausen was absent.**

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2016-3628**: AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS, DECLARING THE CANDIDATE FOR COUNCILPERSON AT LARGE-A, THE CANDIDATE FOR COUNCILPERSON-DISTRICT 4 AND THE CANDIDATE FOR COUNCILPERSON-DISTRICT 5 UNOPPOSED; AND DECLARING JOHN ZEMANEK, CANDIDATE FOR COUNCILPERSON AT-LARGE-POSITION A, ELECTED; DECLARING KRISTIN MARTIN, CANDIDATE FOR COUNCILPERSON-DISTRICT 4, ELECTED; AND DECLARING JAY MARTIN, CANDIDATE FOR COUNCILPERSON-DISTRICT 5, ELECTED; CANCELLING THE ECTION FOR POSITION OF AT-LARGE-POSITION A AND SINGLE-MEMBER DISTRICTS 4 AND 5; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; CONTAINING A SEVERABILITY CLAUSE; CONTAINING AN OPEN MEETINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

6. PUBLIC HEARINGS AND ASSOCIATED ORDINANES

- (a) Public hearing to receive comments regarding recommendation by the Planning and Zoning Commission to approve an amendment to the Future Land Use Map Component of the La Porte Comprehensive Plan to change designation of a 3.9 acre tract located north of Fairmont Parkway near Willmont Rd., and described as Reserve B and C, Block 1, Willmont Commercial Park Amended Subdivision and Tract 33 Treat Plant Site, Abstract 482, William Jones Survey from “Neighborhood Commercial” to “Commercial”; consider approval or other action regarding an Ordinance amending the Future Land Use Map Component of the La Porte Comprehensive Plan to change designation of a 3.9 acre tract located north of Fairmont Parkway near Willmont Rd., and described as Reserve B and C, Block 1, Willmont Commercial Park Amended Subdivision and Tract 33 Treat Plant Site, Abstract 482, William Jones Survey from “Neighborhood Commercial” to “Commercial” – E. Ensey (**This item as postponed at the February 22, 2016 meeting, until March 14, 2016.**)

The public hearing continued from February 22, 2016.

City Planner Eric Ensey presented a summary and recommended taking 6(a) and 6(b) together.

Councilmember Zemanek asked if the applicant is requesting a zoning change to make the property more marketable. City Planner Eric Ensey responded, that is correct. Councilmember Zemanek asked if there is a fill dirt permit for the issue that exists. Mr. Ensey responded there is a permit for the dirt that is there; and the problem is, when the dirt was put in there, the drainage ditch does not appear to provide the appropriate slope or drainage for the people behind the property and he is flooding the people behind him. Councilmember Zemanek asked how long has the fill dirt been at the site. Mr. Ensey responded about 2-3 years. Councilmember Zemanek asked what has been done to resolve the issue in the last 2-3 years. We still haven't resolved the issue. Planning and Development Director Tim Tietjens addressed the question stating the swale has silted in over time, and that is definitely part of the issue. It was made Neighborhood Commercial for a reason.

Councilmember Earp commented he is not in favor of changing the property from "Neighborhood Commercial" to "Commercial."

Councilmember Martin asked how many responses were received from abutting properties. City Planner Eric Ensey responded four responses in opposition, one unopposed – which is the veterinarian. Councilmember Martin asked what is on the northeast corner. Mr. Ensey responded the City's lift station.

Charles Breitenbach, 10110 Roseberry, spoke in opposition and provided photos of flooding on his property due to the fill on this piece of property. When asked when the pictures were taken, he replied, "...about an hour ago." In addition, Mr. Breitenbach advised that his neighbor's home gets water in it after a large rain event. The water just keeps seeping onto our property. There is just such a great amount of water on this property. It doesn't make it to the retaining pond. The retaining pond is dry. We've been dealing with this for 2-3 years. Please just fix the problem. There's a hundred yards of water on this land. The situation needs to be taken care of.

The public hearing was closed at 6:24 p.m.

Councilmember Zemanek moved to deny the request to amend the Future Land Use Map Component of the La Porte Comprehensive Plan. Councilmember Leonard seconded. **MOTION PASSED UNANIMOUSLY 8/0. Councilmember Clausen was absent.**

- (b) Public hearing to receive comments regarding the recommendation by the Planning and Zoning Commission to approve rezone of a 3.9 acre tract located north of Fairmont Parkway near Willmont Rd., and described as Reserve B and C, Block 1, Willmont Commercial Park Amended Subdivision and Tract 33 Treat Plant Site, Abstract 482, William Jones Survey from Neighborhood Commercial (NC) to General Commercial (GC); consider approval or other action regarding an Ordinance to approve zone change request #15-92000004, for a 3.9 acre tract located north Fairmont Parkway near Willmont Rd., and described as Reserve B and C, Block 1, Willmont Commercial Park Amended Subdivision and Tract 33 Treat Plant Site, Abstract 482, William Jones Survey, from Neighborhood Commercial (NC) to General Commercial (GC) – E. Ensey **(This item as postponed at the February 22, 2016 meeting, until March 14, 2016).**

The public hearing was continued from February 22, 2016.

There being no comments the public hearing closed at 6:26 p.m.

Councilmember Zemanek moved to deny item 6(b). Councilmember Leonard seconded. **MOTION PASSED UNANIMOUSLY 8/0. Councilmember Clausen was absent.**

7. AUTHORIZATIONS

(a) Consider approval or other action regarding RFP No. 16503 for Lifeguard services at City pools/recreation facilities – R. Epting

Parks and Recreation Director Rosalyn Epting presented a summary.

Councilmember Earp moved to have staff provide lifeguard services in-house at City pools/recreation facilities. Councilmember Kaminski seconded. **MOTION PASSED UNANIMOUSLY 8/0. Councilmember Clausen was absent.**

8. DISCUSSION AND POSSIBLE ACTION

- (a) Discussion and possible action appointing members to a planning committee for the La Porte 125th Anniversary Celebration Committee – T. Leach

City Manager Corby Alexander presented a summary.

Councilmember Zemanek suggested Council workshop the item in order to provide staff with direction.

Councilmember Leonard commented City Council are the promoters. Council needs to set the parameters of what will take place.

Councilmember Martin commented the scope of work needs to be defined for a committee.

Mayor Rigby commented he understands everyone's thoughts, and the item can be workshopped before the Budget Retreat or during the Budget Retreat.

City Manager Corby Alexander advised Council that staff will set a Special Meeting to workshop the item.

8. REPORTS

- (a) Presentation – Receive 2015-2016 Annual Report from Chad Burke, President/CEO of the Economic Alliance Houston Port Region – S. Livingston

Chad Burke, President/CEO of the Economic Alliance Houston Port Region, presented the 2015-2016 Annual Report.

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

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

11. ADMINISTRATIVE REPORTS

There were no additional reports.

- 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.

Councilmember J. Martin congratulated Councilmember Engelken on his appointment as Chairman of the Houston-Galveston Area Council and Mayor Rigby as Chairman of the Harris County Mayors' and Councils' Association; Councilmember K. Martin congratulated Councilmember Engelken on his appointment as Chairman of the Houston-Galveston Area Council and thanked Parks and Recreation Director Rosalyn Epting on the new park on Martin Luther King Dr.; Councilmember Kaminski congratulated Councilmembers K. Martin; J. Martin and Zemanek on being re-elected for another term and Councilmember Engelken on his appointment as Chairman of the Houston-Galveston Area Council; Councilmember Zemanek congratulated Councilmember Engelken on his appointment as Chairman of the Houston-Galveston Area Council and requested Staff to assist the homeowners that have received flooding issues due to the fill dirt permit that was issued 2-3 years ago; Councilmember Leonard wished Parks and Recreation Director Rosalyn Epting well on her challenge of getting the pools ready for the summer season; congratulated Councilmembers K. Martin; J. Martin and Zemanek on being re-elected for another term and Councilmember Engelken on his appointment as Chairman of

the Houston-Galveston Area Council; Councilmember Engelken congratulated Councilmembers K. Martin; J. Martin and Zemanek on being re-elected for another term; thanked Chad Burke, President/CEO of the Economic Alliance Houston Port Region for the 2015-2016 Annual Report; Councilmember Earp congratulated Councilmembers K. Martin; J. Martin and Zemanek on being re-elected for another term and Councilmember Engelken on his appointment as Chairman of the Houston-Galveston Area Council; and thanked Public Works Director Sharon Valiante and Solid Waste Supervisor Gus Alfaro for their assistance with trash in Lomax before the storm and Mayor Rigby congratulated Councilmember Engelken on his appointment as Chairman of the Houston-Galveston Area Council; advised of his attendance of the new Maritime Academy; informed the Gulf Coast Community Protection and Recovery District (GCCPRD) have come up with two options to be considered by the Feds for a levy or a dike along Hwy 146 to Texas City, and meetings will be held in various places; however, none in La Porte or a surrounding community directly on the bay. He advised everyone to comment or attend the meetings. In addition, Mayor Rigby also requested Staff assist the homeowners who have endured flooding issues due to the fill dirt permit that was issued 2-3 years ago. Councilmember Engelken added the City should pass a resolution against the Gulf Coast Community Protection and Recovery District (GCCPRD) proposed dike project.

11. **ADJOURN** - There being no further business, Councilmember Engelken made a motion to adjourn the meeting at 7:18 p.m. Councilmember Leonard seconded. **MOTION PASSED UNANIMOUSLY 8/0. Councilmember Clausen was absent.**

Patrice Fogarty, City Secretary

Passed and approved on March 28, 2016.

Mayor Louis R. Rigby

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: March 28, 2016

Appropriation

Requested By: K.Powell

Source of Funds:

Department: Finance

Account Number:

Report: Resolution: Ordinance:

Amount Budgeted:

Other:

Amount Requested:

Budgeted Item: YES NO

Attachments :

1. Resolution
2. Resale P132
3. Resale P279

SUMMARY & RECOMMENDATIONS

If a property is sold or struck off to a taxing unit that is party to the judgment, the taxing unit may sell the property at any time by public or private sale. The City of La Porte has had these properties on the public resale list for more than an adequate amount of time and has received a bid for the minimum bid amount set by the judgment or higher; at this time staff is asking the City Council to pass a resolution to approve the sale of these properties for the amount that has been offered.

P132 – Trs 5 & 6 Block 1445 Town of La Porte– Offer \$6,250.00

P279 – Lot 1 Block 1125 Town of La Porte – Offer \$3,100.00

Action Required of Council:

Consider approval or other action of the Resolution authorizing the sale on the properties listed above.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

RESOLUTION 2016- .

RESOLUTION AUTHORIZING THE RESALE OF CERTAIN PROPERTY

WHEREAS the City of La Porte (City), in the course of its function as a taxing entity in the State of Texas, obtains title to real property in the capacity as Trustee for itself and other taxing units that tax the property; and

WHEREAS it is necessary for various reasons that some of the property so obtained must be resold by the taxing units for less than the aggregate amounts of taxes, penalties, interest and costs; and

WHEREAS Section 34.05 of the Texas Property Tax Code requires that when real property is sold for less than the aggregate amount of taxes, penalties, interest and costs, the sale must be approved by all taxing units that tax the property; and

WHEREAS the City has adopted procedures designed to provide all parties the opportunity to submit offers to purchase such real property and to secure the best offer for such property that is sufficient to pay at least the costs of suit and sale of such property; and

WHEREAS it is desirable that resale of the property be free and clear of all claims of the taxing units, for all taxes, penalties interest and costs that have accrued up to the date of resale

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LA PORTE,

Section 1. That the City of La Porte, as Trustee, resells the real properties described in the attached Exhibit "A", for the amounts set for on said Exhibit "A", in full satisfaction of taxes, penalties, interest and costs that have accrued on the property up to the date of sale.

Section 2. That the City Council officially finds, determines, recites and declares that a sufficient written notice of the date, hour, place and subject of this meeting of the City Council was posted at a place convenient to the public at the offices of City of La Porte for the time required by law preceding this meeting, as required by the Open Meetings Law, Chapter 551, Texas Government Code; and that this meeting has been open to the public as required by law at all times during which this resolution and the subject matter thereof has been discussed, considered and formally acted upon. The City Council further ratifies, approves and confirms such written notice and the contents and posting thereof.

PASSED AND APPROVED this the 28th day of March 2016.

CITY OF LA PORTE, TEXAS

Louis R. Rigby, Mayor

ATTEST:

APPROVED:

Patrice Fogarty, City Secretary

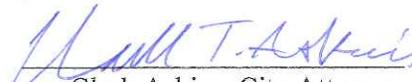

Clark Askins, City Attorney

EXHIBIT A

TAX RESALE PROPERTY TO BE SOLD

- TRACT 1: Resale Property P132
Legal Description: Tracts 5 & 6 Block 1445 Town of La Porte
HCAD #0024-298-045-0005
Offer Amount: \$6,250.00
- TRACT 2: Resale Property P279
Legal Description: Lot 1 Block 1125 Town of La Porte
HCAD #024-195-025-0001
Offer Amount: \$3,100.00

SUMMARY OF FORECLOSURE ACTIVITY

HCAD ACCOUNT NO:	024-298-045-0005	Property Struck off for:	Value
CAUSE NO:	2000-51592		
PLAINTIFF(S):	City of La Porte & La Porte Independent School District		
JUDGMENT AGAINST:	Velmer R Briggs		
JUDGMENT DATE:	April 23, 2001	STRUCK OFF DATE:	July 3, 2001
ORDER OF SALE:	May 17, 2001		
DEED RECORDED DATE:	July 19, 2001	STRUCK OFF TO:	City of La Porte
CONSTABLE:	Bill Bailey, Constable Precint No 8		
PROPERTY ADDRESS:	Broadway		
LEGAL DESCRIPTION:	Trs 5 & 6 Block 1445 Town of La Porte		

ADJUDGED VALUE (IN JUDGMENT): \$ 6,250.00
 SQUARE FOOTAGE: 6,250

SUMMARY OF SALE ACTIVITY

BIDDER:	Ornelas Sabino	BIDDER'S ADDRESS:	1713 S Broadway
AMOUNT OF BID:	\$6,250.00		La Porte, TX 77571
AMOUNT OF DEPOSIT:	\$625.00		
AMOUNT DUE:	\$5,625.00	BIDDER'S PHONE NO:	281-471-3720

PRORATED PERCENTAGED OF TAXES DUE TO EACH JURISDICTION BASED UPON JUDGMENT

JUDGMENT TO	COUNTY, ET AL.	%	SCHOOL	%	CITY	%	TOTAL
AMOUNT DUE	\$1,912.22	25.23%	\$3,642.23	48.06%	\$2,023.33	26.70%	\$7,577.78

ASSOCIATED COSTS ON ORIGINAL AND SEALED BID SALES

AMOUNT OF BID	COURT COST	CONSTABLE/ PUBLICATION FEE (TISD)	AD LITEM FEE	RESEARCH FEE & DEED RECORDING FEE	ESTIMATED AMOUNT TO BE PRORATED TO TAXES
\$6,250.00	\$690.00	\$175.00	\$540.00	\$250.00	\$4,595.00

PRORATED TAX AMOUNTS TO EACH JURISDICTION

OWED TO	COUNTY	%	SCHOOL	%	CITY	%	TOTAL
PRORATED AMOUNT	\$1,159.53	25.23%	\$2,208.57	48.06%	\$1,226.90	26.70%	\$4,595.00

Amount of Bid:	\$6,250.00
Costs:	
-District Clerk	\$640.00
-Tax Master	\$50.00 Mike Landrum
-Constable Fee	\$0.00
-Publication	\$175.00
-Abstract Fee	\$250.00
-Cost	\$0.00
-Ad Litem Fee	\$540.00 Angela Aaron
Total:	\$4,595.00

Taxing

Jurisdictions:	Amount in Judgment:	%	Amount Received
City of La Porte	\$2,023.33	26.70%	\$1,226.90
La Porte ISD	\$3,642.23	48.06%	\$2,208.57
Harris County	\$1,645.58	21.72%	\$997.84
San Jacinto CCD	\$266.64	3.52%	\$161.68
State of Texas	\$0.00	0.00%	\$0.00
	\$7,577.78	100.00%	\$4,595.00

Costs + Taxes \$9,232.78
 Adjudged Value \$ 6,250.00

subject to the right of redemption, if any, provided under the Texas Property Tax Code. Grantee acknowledges and agrees that this conveyance is expressly made without warranty.

This transaction is in full satisfaction of all taxes, penalties, interest, and costs that have accrued until the date hereof.

IN TESTIMONY WHEREOF, CITY OF LA PORTE, TRUSTEE, for the use and benefit of itself, LA PORTE INDEPENDENT SCHOOL DISTRICT, HARRIS COUNTY EDUCATION DISTRICT (LA PORTE – HCED), HARRIS COUNTY, HARRIS COUNTY EDUCATION DEPARTMENT, PORT OF HOUSTON OF HARRIS COUNTY AUTHORITY, HARRIS COUNTY FLOOD CONTROL DISTRICT, THE HARRIS COUNTY HOSPITAL DISTRICT and SAN JACINTO COMMUNITY COLLEGE DISTRICT has caused these presents to be executed this _____ day of _____ 2016.

CITY OF LA PORTE, TRUSTEE

LOUIS R. RIGBY, MAYOR,
CITY OF LA PORTE

ACCEPTED:

ORNELAS SABINO

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared LOUIS R. RIGBY, Mayor, City of La Porte, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and consideration therein expressed, in the capacity therein stated, and with the conditions and the limitations therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2016.

NOTARY PUBLIC, in and for the
STATE OF TEXAS
My Commission Expires: _____

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared ORNELAS SABINO, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and consideration therein expressed, in the capacity therein stated, and with the conditions and the limitations therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2016.

NOTARY PUBLIC, in and for the
STATE OF TEXAS
My Commission Expires: _____

After Recording
Return To: Ornelas Sabino
 1713 S Broadway
 La Porte, TX 77571

P132 AREA MAP



1 inch = 200 feet

SUMMARY OF FORECLOSURE ACTIVITY

HCAD ACCOUNT NO:	024-195-025-0001	Property Struck off for:	Taxes
CAUSE NO:	2014-01931		+ Post Judgment Taxes
PLAINTIFF(S):	City of La Porte & La Porte Independent School District		
JUDGMENT AGAINST:	La Porte Land Company		
JUDGMENT DATE:	June 20, 2014	STRUCK OFF DATE:	October 7, 2014
ORDER OF SALE:	July 31, 2014		
DEED RECORDED DATE:		STRUCK OFF TO:	City of La Porte
CONSTABLE:	Phil Sandlin, Constable Precinct No 8		
PROPERTY ADDRESS:	North Third		
LEGAL DESCRIPTION:	Lot 1 Block 1125 Town of La Porte		
ADJUDGED VALUE (IN JUDGMENT):	\$ 3,125.00		
SQUARE FOOTAGE:	3,125		

SUMMARY OF SALE ACTIVITY

BIDDER:	Anthony R Chan & Peggy S Chan	BIDDER'S ADDRESS:	300-C North Perez St South Houston, TX 77587
AMOUNT OF BID:	\$3,100.00		
AMOUNT OF DEPOSIT:	\$310.00		
AMOUNT DUE:	\$2,790.00	BIDDER'S PHONE NO:	281-217-3538

PRORATED PERCENTAGED OF TAXES DUE TO EACH JURISDICTION BASED UPON JUDGMENT

JUDGMENT TO	COUNTY, ET AL.	%	SCHOOL	%	CITY	%	TOTAL
AMOUNT DUE	\$335.66	21.02%	\$860.73	53.90%	\$400.55	25.08%	\$1,596.94

ASSOCIATED COSTS ON ORIGINAL AND SEALED BID SALES

AMOUNT OF BID	COURT COST	CONSTABLE/ PUBLICATION FEE (TISD)	AD LITEM FEE	RESEARCH FEE & DEED RECORDING FEE	ESTIMATED AMOUNT TO BE PRORATED TO TAXES
\$3,100.00	\$545.00	\$575.00	\$0.00	\$270.00	\$1,710.00

PRORATED TAX AMOUNTS TO EACH JURISDICTION

OWED TO	COUNTY	%	SCHOOL	%	CITY	%	TOTAL
PRORATED AMOUNT	\$359.42	21.02%	\$921.67	53.90%	\$428.91	25.08%	\$1,710.00

Amount of Bid:	\$3,100.00
Costs:	
-District Clerk	\$510.00
-Tax Master	\$35.00 Kristen Brauchle
-Constable Fee	\$400.00
-Publication	\$175.00
-Abstract Fee	\$250.00
-Cost	\$0.00
-Advertising Fee/Deed Recording	\$20.00
-Ad Litem Fee	\$0.00
Total:	\$1,710.00

Taxing			
Jurisdictions:	Amount in Judgment:	%	Amount Received
City of La Porte	\$400.55	25.08%	\$428.91
La Porte ISD	\$860.73	53.90%	\$921.67
Harris County	\$335.66	21.02%	\$359.42
San Jacinto CCD	\$0.00	0.00%	\$0.00
State of Texas	\$0.00	0.00%	\$0.00
	<u>\$1,596.94</u>	<u>100.00%</u>	<u>\$1,710.00</u>

Costs + Taxes	\$2,986.94
Adjudged Value	\$ 3,125.00

Notice of confidentiality rights: If you are a natural person, you may remove or strike any of the following information from this instrument before it is filed for record in the public records: your social security number or your driver's license number
(Language pursuant section 11.008 of the Texas Property Code)

THE STATE OF TEXAS

§

TAX RESALE DEED

§

COUNTY OF HARRIS

§

KNOW ALL MEN BY THESE PRESENTS that the CITY OF LA PORTE, TRUSTEE, for the use and benefit of itself, LA PORTE INDEPENDENT SCHOOL DISTRICT, HARRIS COUNTY EDUCATION DISTRICT (LA PORTE – HCED), HARRIS COUNTY, HARRIS COUNTY EDUCATION DEPARTMENT, PORT OF HOUSTON OF HARRIS COUNTY AUTHORITY, HARRIS COUNTY FLOOD CONTROL DISTRICT, THE HARRIS COUNTY HOSPITAL DISTRICT and SAN JACINTO COMMUNITY COLLEGE DISTRICT, acting by and through its duly elected officials (“GRANTOR”) as authorized by Section 34.05, Texas Property Tax Code, for and in consideration of the sum of TEN DOLLARS AND 00/100 (\$10.00) AND OTHER GOOD AND VALUABLE CONSIDERATION, in hand paid by ANTHONY R. CHAN & PEGGY S. CHAN (“GRANTEES”) the receipt of which is hereby acknowledged and confessed, has conveyed and quitclaimed and by these presents do convey and quitclaim unto said Grantees all right, title and interest of the CITY OF LA PORTE, LA PORTE INDEPENDENT SCHOOL DISTRICT and HARRIS COUNTY EDUCATION DISTRICT (LA PORTE – HCED), HARRIS COUNTY, HARRIS COUNTY EDUCATION DEPARTMENT, PORT OF HOUSTON OF HARRIS COUNTY AUTHORITY, HARRIS COUNTY FLOOD CONTROL DISTRICT, THE HARRIS COUNTY HOSPITAL DISTRICT and SAN JACINTO COMMUNITY COLLEGE DISTRICT in the property herein conveyed, acquired by tax foreclosure sale heretofore held, in Cause No. 2014-01931, styled *City of La Porte vs. La Porte Lan Company* said property being described as:

LOT 1, IN BLOCK 1125, OF TOWN OF LA PORTE, AN ADDITION IN HARRIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 60, PAGE 114 OF THE DEED RECORDS OF HARRIS COUNTY, TEXAS. (ACCOUNT NUMBER 0241950250001)

This conveyance is made and accepted subject to the following matters to the extent that the same are in effect at this time: any and all rights of redemption, restrictions, covenants, conditions, easements, encumbrances and outstanding mineral interests, if any, relating to the hereinabove described property, but only to the extent they are still in effect, shown of record in the hereinabove mentioned County and State, and to all zoning laws, regulations and ordinances of municipal and/or other governmental authorities, if any but only to the extent that they are still in effect, relating to the hereinabove described property.

TO HAVE AND TO HOLD said premises, together with all and singular the rights, privileges and appurtenances thereto in any manner belonging unto the said ANTHONY R. CHAN & PEGGY S. CHAN, their heirs and assigns forever, so that neither the CITY OF LA PORTE, LA PORTE INDEPENDENT SCHOOL DISTRICT and HARRIS COUNTY EDUCATION DISTRICT (LA PORTE – HCED), HARRIS COUNTY, HARRIS COUNTY EDUCATION DEPARTMENT, PORT OF HOUSTON OF HARRIS COUNTY AUTHORITY, HARRIS COUNTY FLOOD CONTROL DISTRICT, THE HARRIS COUNTY HOSPITAL DISTRICT and SAN JACINTO COMMUNITY COLLEGE DISTRICT nor any person claiming under it shall at any time hereafter have, claim or demand any right or title to the aforesaid premises or appurtenances, or any part thereof.

Grantees accept the property in “AS IS, WHERE IS” condition and subject to any environmental conditions that might have or still exist on said property, and subject to any title defects and deficiencies, and

subject to the right of redemption, if any, provided under the Texas Property Tax Code. Grantees acknowledge and agree that this conveyance is expressly made without warranty.

This transaction is in full satisfaction of all taxes, penalties, interest, and costs that have accrued until the date hereof.

IN TESTIMONY WHEREOF, CITY OF LA PORTE, TRUSTEE, for the use and benefit of itself, LA PORTE INDEPENDENT SCHOOL DISTRICT, HARRIS COUNTY EDUCATION DISTRICT (LA PORTE – HCED), HARRIS COUNTY, HARRIS COUNTY EDUCATION DEPARTMENT, PORT OF HOUSTON OF HARRIS COUNTY AUTHORITY, HARRIS COUNTY FLOOD CONTROL DISTRICT, THE HARRIS COUNTY HOSPITAL DISTRICT and SAN JACINTO COMMUNITY COLLEGE DISTRICT has caused these presents to be executed this _____ day of _____ 2016.

CITY OF LA PORTE, TRUSTEE

LOUIS R. RIGBY, MAYOR,
CITY OF LA PORTE

ACCEPTED:

ANTHONY R. CHAN

ACCEPTED:

PEGGY S. CHAN

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared LOUIS R. RIGBY, Mayor, City of La Porte, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and consideration therein expressed, in the capacity therein stated, and with the conditions and the limitations therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2016.

NOTARY PUBLIC, in and for the
STATE OF TEXAS
My Commission Expires: _____

THE STATE OF TEXAS §
 §
COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared ANTHONY R. CHAN, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and consideration therein expressed, in the capacity therein stated, and with the conditions and the limitations therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2016.

NOTARY PUBLIC, in and for the
STATE OF TEXAS
My Commission Expires: _____

THE STATE OF TEXAS

§
§
§

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared PEGGY S. CHAN, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed same for the purposes and consideration therein expressed, in the capacity therein stated, and with the conditions and the limitations therein stated.

GIVEN UNDER MY HAND AND SEAL OF OFFICE this _____ day of _____, 2016.

NOTARY PUBLIC, in and for the
STATE OF TEXAS
My Commission Expires: _____

After Recording

Return To: Anthony R. Chan
Peggy S. Chan
300-C North Perez St.
South Houston, TX 77587

P279 AREA MAP



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: March 28, 2016

Appropriation

Requested By: Kathy Powell

Source of Funds:

Department: Finance

Account Number:

Report: Resolution: Ordinance:

Amount Budgeted:

Other:

Amount Requested:

Budgeted Item: YES NO

Attachments :

1. Resolution
2. Second Sale P282

SUMMARY & RECOMMENDATIONS

If a property is sold or struck off to a taxing unit that is party to the judgment, the taxing unit may sell the property at any time by public or private sale. The City of La Porte has had these properties on the public resale list for more than an adequate amount of time, and there has been no interest in purchasing the property at the minimum bid amount set by the judgment. At this time, staff is asking the City Council to pass a resolution to lower the minimum bid by 50% to \$9,375, which matches the offer received, so that the City can have a second public sale by the constable's office. The State of Texas will not approve struck off property that is sold at private resale; therefore, staff is recommending the second sale, since it would be the cleanest way to close out all jurisdictions. At the second sale, the City will hopefully get an interested party that will purchase these properties, so that they can be taxable again and possibly developed.

Section 34.05 (c) of the Tax Code states that the taxing unit purchasing the property by resolution of its governing body may request the sheriff or a constable to sell the property at a public sale. If the purchasing taxing unit has not sold the property within six months after the date on which the owner's right of redemption terminates (these properties have past the redemption period), any taxing unit that is entitled to receive proceeds of the sale by resolution of its governing body may request the sheriff or a constable in writing to sell the property at a public sale. On receipt of a request made under this subsection, the sheriff or constable shall sell the property at a public sale as provided by Subsection (d).

The minimum bid was arrived at by either the amount of costs in the judgment or a percentage of the HCAD value. The goal is to get the property back on the tax roll as taxable property.

P282 – Lots 29 & 30 Block 85 Town of La Porte (50% of HCAD value)

Action Required of Council:

Consider approval or other action of the Resolution authorizing the constable's office to hold a second public sale on the properties listed above.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

RESOLUTION NO. 2016-_____

A RESOLUTION AUTHORIZING THE PUBLIC RESALE OF PROPERTY ACQUIRED THROUGH TAX FORECLOSURE BY THE CONSTABLE OF HARRIS COUNTY.

On the 28th day of March, 2016, at the regularly scheduled meeting of the City Council of the City of La Porte, a motion was duly made and seconded for the City of La Porte to resell property described on Exhibit "A" attached hereto, which was acquired through tax foreclosure proceedings. The City of La Porte requests that the Constable of Harris County conduct such sale in accordance with Section 34.05 (a), (c) and (d), Property Tax Code, and that such sale be held at the earliest available date in accordance with the laws of the State of Texas; and further that the City of La Porte notify the Constable that it would not object to a sale price of such property in the sum of: See Exhibit "A".

Discussion amongst the City Council was then conducted, and upon completion of the same the Mayor of the City of La Porte called a vote on the motion, and the same was passed by majority. Now therefore:

BE IT RESOLVED by the City Council of the City of La Porte, Texas, that the City of La Porte offer for resale, in accordance with Section 34.05 (a), (c) and (d), Property Tax Code, the property described on Exhibit "A" and that the Constable is hereby requested to conduct such sale in accordance with such statutes at the earliest possible date and further, that a minimum acceptable sale price for such property is as set forth on Exhibit "A".

Passed by the City Council 28th day of March, 2016.

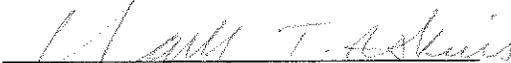
CITY OF LA PORTE

Louis R Rigby, Mayor

ATTEST:

Patrice Fogerty, City Secretary

APPROVED:



Clark Askins, Assistant City Attorney

EXHIBIT "A"

Legal Description:

LOTS 29 AND 30, IN BLOCK 85 TOWN OF LA PORTE AN ADDITION IN HARRIS COUNTY, TEXAS ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN VOLUME 83, PAGE 345, OF THE DEED RECORDS OF HARRIS COUNTY, TEXAS.

Minimum Bid: \$9,375.00.

SUMMARY OF FORECLOSURE ACTIVITY

HCAD ACCOUNT NO:	023-206-085-0029	Property Struck off for:	Taxes
CAUSE NO:	2012-32141		+ Post Judgment Taxes
PLAINTIFF(S):	City of La Porte & La Porte Independent School District		
JUDGMENT AGAINST:	Colida Board Gray, et al	STRUCK OFF DATE:	January 7, 2014
JUDGMENT DATE:	August 8, 2013		
ORDER OF SALE:	October 25, 2013	STRUCK OFF TO:	City of La Porte
DEED RECORDED DATE:	February 28, 2014		
CONSTABLE:	Phil Sandlin, Constable Precinct No 8		
PROPERTY ADDRESS:	Broadway		
LEGAL DESCRIPTION:	Lots 29 & 30 Block 85 Town of La Porte		
ADJUDGED VALUE (IN JUDGMENT):	\$ 18,750.00		
SQUARE FOOTAGE:	6,250		

SUMMARY OF SALE ACTIVITY

BIDDER:	Linda Westergren	BIDDER'S ADDRESS:	5126 Archway La Porte, TX 77571
AMOUNT OF BID:	\$9,375.00		
AMOUNT OF DEPOSIT:	\$937.50	BIDDER'S PHONE NO:	832-492-6969
AMOUNT DUE:	\$8,437.50		

PRORATED PERCENTAGED OF TAXES DUE TO EACH JURISDICTION BASED UPON JUDGMENT

JUDGMENT TO	COUNTY, ET AL.	%	SCHOOL	%	CITY	%	TOTAL
AMOUNT DUE	\$2,695.21	22.56%	\$6,206.01	51.95%	\$3,044.78	25.49%	\$11,946.00

ASSOCIATED COSTS ON ORIGINAL AND SEALED BID SALES

AMOUNT OF BID	COURT COST	CONSTABLE/ PUBLICATION FEE (TISD)	AD LITEM FEE	RESEARCH FEE & DEED RECORDING FEE	ESTIMATED AMOUNT TO BE PRORATED TO TAXES
\$9,375.00	\$689.00	\$575.00	\$1,500.00	\$613.50	\$5,997.50

PRORATED TAX AMOUNTS TO EACH JURISDICTION

OWED TO	COUNTY	%	SCHOOL	%	CITY	%	TOTAL
PRORATED AMOUNT	\$1,353.13	22.56%	\$3,115.73	51.95%	\$1,528.63	25.49%	\$5,997.50

Amount of Bid:	\$9,375.00	
Costs:		
-District Clerk	\$654.00	
-Tax Master	\$35.00	Kristen Brauchle
-Constable Fee	\$400.00	
-Publication	\$175.00	
-Abstract Fee	\$450.00	
-Cost	\$93.50	
-Advertising Fee/Deed Recording	\$70.00	
-Ad Litem Fee	\$1,500.00	Nina Jean Taylor
Total:	\$5,997.50	

Taxing Jurisdictions:	Amount in Judgment:	%	Amount Received
City of La Porte	\$3,044.78	25.49%	\$1,528.63
La Porte ISD	\$6,206.01	51.95%	\$3,115.73
Harris County	\$2,695.21	22.56%	\$1,353.13
San Jacinto CCD	\$0.00	0.00%	\$0.00
State of Texas	\$0.00	0.00%	\$0.00
	\$11,946.00	100.00%	\$5,997.50

Costs + Taxes \$15,323.50
 Adjudged Value \$ 18,750.00

P282 AREA MAP



1 inch = 200 feet

REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: March 28, 2016

Requested By: Tim Tietjens

Department: Planning

Report: Resolution: Ordinance:

Appropriation

Source of Funds: N/A

Account Number: N/A

Amount Budgeted: N/A

Amount Requested: N/A

Budgeted Item: YES NO

Exhibits:

Resolution
GCCPRD Slide

SUMMARY & RECOMMENDATION

After Hurricane Ike, the SSPEED Center (Severe Storm Prediction, Education and Evacuation from Disasters), studied and proposed two structural alternatives in 2011, known as “Centennial Gate,” to protect certain areas from storm surge. Several Bay Area communities united to take the position that such a concept would not only fail to protect our communities, but would exacerbate flooding and storm surge damage. Several Bay Area communities followed La Porte’s lead by utilizing language from our resolution. Since that time, the Gulf Coast Community Protection and Recovery District was formed to analyze different options with the intent of better protecting our communities and the major petrochemical complexes surrounding the Houston Ship Channel and Galveston Bay that are critical for supplying fuel and power to much of the nation.

The three stage planning process to provide a plan for funding and implementation is currently winding up phase two, wherein alternatives have been generated for discussion and consideration. The two major alternatives generated for Galveston Bay region are 1) the creation of a coastal spine which would protect the entirety of Galveston Bay (formerly known as the Ike Dike, now known as CR#1), and 2) the creation of an extension to the Texas City Levee system which would exist within State Highway 146, and would terminate at State Highway 225 (now known as CR# 2).

The CR#2 alternative is similar to the Centennial Gate concept in that it fails to provide any protection for areas seaward of State Highway 146. However, unlike the Centennial Gate, CR#2 even fails to protect the upper parts of the Houston Ship Channel west of the Fred Hartman Bridge.

The attached resolution both declares support for CR#1 and opposes CR#2. Also attached is a map from the Phase Two Report of the GCCPRD which shows the alignment of the two alternatives. Additionally, a Benefit Cost Analysis contained in the Phase Two Report also shows that CR#1 has a score that is roughly one-half as beneficial as the CR#2 alternative. Given the total cost of damage if another Hurricane IKE level storm were to make landfall, the Benefit Cost Analysis between the two alternatives seems hard to validate, particularly when most of the IKE storm surge damage was east of State Highway 146.

Either option will require a coalition of public money, industry investment and federal funds that, at this time, are still unfunded. Staff recommends approval of the attached Resolution.

Action Required by Council:

Consider approval or other action on the proposed resolution opposing alternative CR#2 and supporting alternative CR#1.

Approved for City Council Agenda

Corby D. Alexander, City Manager

Date

RESOLUTION NO. _____

A RESOLUTION OF THE CITY OF LA PORTE, TEXAS, OPPOSING CENTRAL REGION ALTERNATIVE #2 (CR #2) OF THE GULF COAST COMMUNITY PROTECTION AND RECOVERY DISTRICT (GCCPRD) STORM SUPPRESSION STUDY, AND SUPPORTING CENTRAL REGION ALTERNATIVE #1 (CR #1), AND PROVIDING FOR THE DELIVERY OF SUCH RESOLUTION TO THE GCCPRD AS WELL AS REGIONAL ECONOMIC DEVELOPMENT AGENCIES AND STATE LEGISLATORS THAT REPRESENT LA PORTE.

WHEREAS, the City of La Porte, Texas is a coastal community with 3.1 miles of sea level frontage on Galveston Bay and a significant population of residents and businesses that can be affected by storm surge and sub-tropical coastal rain events, and

WHEREAS, The 2008 landfall of Hurricane IKE produced massive flooding and storm surge damage in La Porte, particularly east of State Highway 146, and

WHEREAS, The Gulf Coast Community Protection and Recovery District (GCCPRD) has generated potential alternatives for addressing storm surge in the Harris/Galveston County region as detailed in the Phase Two Report, and has asked for public input prior to moving into Phase Three of their study, and

WHEREAS, The GCCPRD Phase Two Report indicates that not only would the storm-surge suppression alternative called Central Region Alternative No. 2 (CR #2) fail to protect areas of La Porte seaward of State Highway 146 similar to the previous Centennial Gate concept to which the City has voiced its opposition, but also specifically fails to protect the Houston Ship Channel areas upstream of the northern portion of La Porte, and

WHEREAS, Any unprotected storm surge inundation will not only affect the physical state of improvements of La Porte residents, businesses and industries contending with such an event, but will also have severe impacts on the environment and continued employment at facilities damaged, as well as exacerbating flood insurance costs with increasing depth of flooding for those unprotected by CR #2.

WHEREAS, The City of La Porte again, does not accept the notion that areas of lower elevation seaward of CR #2 within any community fronting Galveston Bay should be considered collateral damage from the impacts of a storm surge,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LA PORTE, TEXAS THAT:

- Section 1.** City Council finds that the recitals above are true and correct.
- Section 2.** City Council hereby agrees that industries along the Houston Ship Channel should be protected, but opposes the CR #2 concept in its current form due to storm surge impacts that have been represented to disproportionately increase damage for unprotected areas of the City of La Porte, the Houston Ship Channel and communities that front western Galveston Bay.
- Section 3.** City Council fails to recognize how the Benefit Cost figures denoted in the GCCPRD Phase Two Report can find that an unprotected Houston Ship Channel and an unprotected area seaward of State Highway 146 can result in the Higher Benefit Cost Ratio with CR #2 when compared to CR #1.
- Section 4.** City Council hereby agrees that CR #1 is the only proposed alternative that would effectively and equitably protect both the upper areas of the Houston Ship Channel as well as mitigating damage and protecting La Porte and the entire Galveston Bay region.

Section 5. City Council hereby directs the City Secretary to send this Resolution to the GCCPRD as well as area regional economic development agencies and all State of Texas Legislators that represent La Porte, Texas.

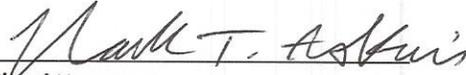
PASSED AND APPROVED, this _____ day of _____, 2016.

CITY OF LA PORTE, TEXAS

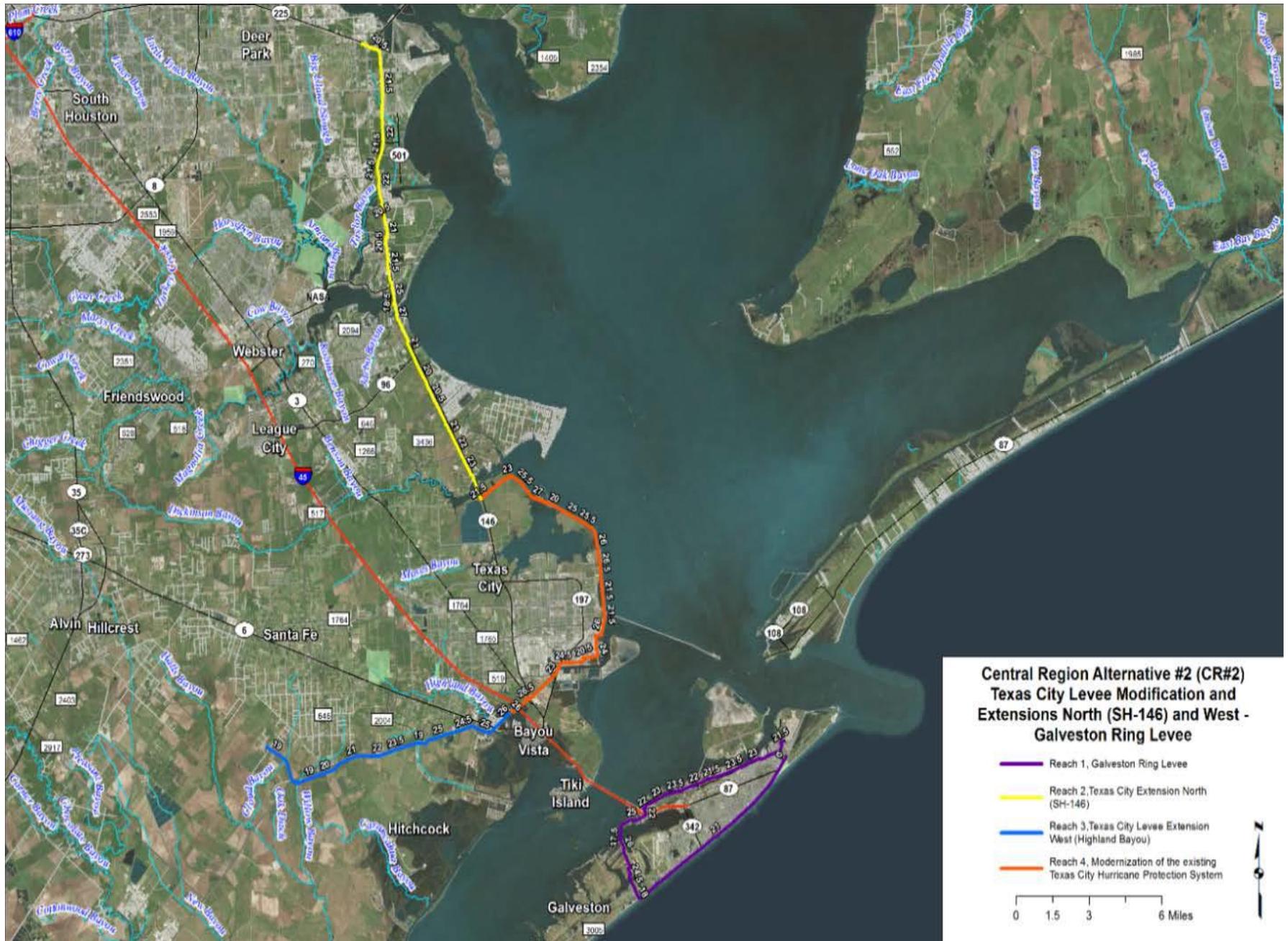
Mayor Louis R. Rigby

Attest:

City Secretary



City Attorney





Council Agenda Item March 28, 2016

8. ADMINISTRATIVE REPORTS

- La Porte Development Corporation Board Meeting, Thursday, March 31, 2016
- City Council Meeting, Monday, April 11, 2016
- Council Budget Retreat, Saturday, April 16, 2016
- City Council Meeting, Monday, April 25, 2016

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 or existing policies – Councilmembers K. Martin, Kaminski, Zemanek, Leonard, Engelken, Earp, Clausen, J. Martin and Mayor Rigby

10. EXECUTIVE SESSION

The City Council 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, in accordance with the authority contained in:

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: City Manager Corby Alexander

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

12. ADJOURN
