

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 OCTOBER 10, 2016

The City Council of the City of La Porte met in a regular meeting on **Monday, October 10, 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 Assistant City Secretary Sharon Harris, City Manager Corby Alexander, and Assistant City Attorney Clark Askins.
2. **INVOCATION** – The invocation was given by Clark Askins, Assistant City Attorney.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by Councilmember Mike Clausen.
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 minutes of meeting held on September 26, 2016 – P. Fogarty
 - (b) Consider approval or other action regarding change in City Council meeting dates for the months of November and December due to holiday schedule – P. Fogarty
 - (c) Consider approval or other action regarding an Ordinance vacating, abandoning and closing the east/west alley in Block 185, Town of La Porte – T. Leach
 - (d) Consider approval or other action authorizing the City Manager to sign an agreement for participating in the Regional DWI Task Force – K. Adcox
 - (e) Consider approval or other action regarding a Resolution authorizing the City Manager to sign grant award for Speed and Intersection Traffic Control (STEP) Grant – K. Adcox
 - (f) Consider approval or other action approving purchase of Equipment & Vehicles using the Houston-Galveston Area Council and Texas Local Government Cooperative Purchasing methods for the Fiscal Year 2016-2017 Vehicle Replacement Program – S. Valiante

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

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2016-3654**: AN ORDINANCE VACATING, ABANDONING AND CLOSING THE EAST/WEST ALLEY IN BLOCK 185, TOWN OF LA PORTE AND AUTHORIZING THE EXECUTION AND DELIVERY OF A DEED TO THE ADJOINING LANDOWNER, FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

6. PUBLIC HEARING AND ASSOCIATED ORDINANCES

- (a) Public hearing to receive comments regarding recommendation by the Planning and Zoning Commission to approve a Special Conditional Use Permit (SCUP) for the construction of a secondary dwelling unit for property located at 2711 Crescent Drive, La Porte; consider approval or other action regarding an Ordinance to approve SCUP #16-91000003, to allow development of one (1) secondary dwelling unit for property located at 2711 Crescent Drive, La Porte – R. Cramer

The public hearing was opened at 6:03 p.m.

Planning Technician Ryan Cramer presented a summary.

There being no comments, the public hearing closed at 6:08 p.m.

Councilmember Leonard made a motion to approve an Ordinance approving SCUP #16-91000003, allowing development of one (1) secondary dwelling unit for property located at 2711 Crescent Drive, La Porte. Councilmember J. Martin seconded the motion. **MOTION PASSED UNANIMOUSLY 9/0.**

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2016-3655**: AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LA PORTE, CHAPTER 106, MORE COMMONLY REFERRED TO AS THE ZONING ORDINANCE OF THE CITY OF LA PORTE, BY GRANTING SPECIAL CONDITIONAL USE PERMIT NO. 16-91000003 FOR THAT CERTAIN TRACT OF LAND HEREIN DESCRIBED, FOR THE PURPOSE OF ALLOWING DEVELOPMENT OF ONE (1) SECONDARY DWELLING UNIT; MAKING CERTAIN FINDINGS OF FACT RELATED TO THE SUBJECT; CONTAINING A SEVERABILITY CLAUSE; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

7. AUTHORIZATIONS

- (a) Consider approval or other action authorizing the Mayor to execute a Local Government Code Chapter 380 Agreement between the City of La Porte and Ybarra Restaurants, Inc., for waiver of payment of fees for closure of street right-of-way in connection with the construction of a new El Toro Restaurant – T. Leach

Assistant City Manager Traci Leach presented a summary and John Mayes the Director of Operations of El Toro Mexican Restaurant addressed Council and provided additional information regarding the building project.

Councilmember J. Martin asked how many parking spots are required to accommodate over 400 patrons. Mr. Mayes advised he does not have the actual number of parking spots, and the parking accommodations have met all code requirements based on the size of the restaurant. Councilmember J. Martin asked what are the plans for the existing El Toro Restaurant on Main Street. Mr. Mayes responded there are plans for a different restaurant concept.

Mayor Rigby asked the anticipated construction timeline. Mr. Mayes advised approximately one year for construction.

Councilmember Zemanek made a motion to authorize the Mayor to execute a Local Government Code Chapter 380 Agreement between the City of La Porte and Ybarra Restaurants, Inc., for waiver of payment of fees for closure of street right-of-way in connection with the construction of a new El Toro Restaurant. Councilmember Leonard seconded the motion. **MOTION PASSED UNANIMOUSLY 9/0.**

- (b) Consider approval or other action regarding an Ordinance vacating, abandoning, and closing a portion of the North 25th Street right-of-way – T. Leach

Assistant City Manager Traci Leach presented a summary.

Councilmember Zemanek made a motion to approve an Ordinance vacating, abandoning, and closing a portion of the North 25th Street right-of-way. Councilmember Leonard seconded the motion. **MOTION PASSED UNANIMOUSLY 9/0.**

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2016-3656: AN ORDINANCE VACATING, ABANDONING AND CLOSING A PORTION OF THE NORTH 25TH STREET RIGHT-OF-WAY; AUTHORIZING THE EXECUTION AND DELIVERY OF A DEED TO THE ADJOINING LANDOWNER, FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.**

8. DISCUSSION AND POSSIBLE ACTION

- (a) Discussion and possible action regarding a matrix for Request for Proposals for collection services of delinquent ad valorem taxes – M. Dolby

Finance Director Michael Dolby presented a summary.

Councilmember Earp made a motion approve the matrix for evaluation of proposals for future Request for Proposals and directed Staff to bring the matrix back for review and approval. Councilmember Leonard seconded the motion. **MOTION PASSED UNANIMOUSLY 9/0.**

9. REPORTS

- (a) Receive presentation for Procurement Methods – C. Daeumer

Purchasing Manager Cherell Daeumer presented a summary.

Mayor Rigby asked if quotes from City departments for \$2,000-\$24,999 are reviewed by the Purchasing Department. Ms. Daeumer responded, yes; she advised there is a quote form used by departments; and the forms are then reviewed by the Purchasing Department.

There were no additional questions from City Council.

10. ADMINISTRATIVE REPORTS

There were no additional comments.

- 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.

There were no comments from Councilmembers K. Martin; Kaminski; Engelken and Earp.

Councilmember Clausen commented the meeting was good; Councilmember J. Martin thanked Purchasing Manager Cherell Daeumer for her presentation and commented he attended the Texas Municipal League Conference last week, and he enjoyed the opportunity; Councilmember Zemanek wished Mike Fogarty, husband of City Secretary Patrice Fogarty, a speedy recovery from his recent surgeries; Councilmember Leonard congratulated El Toro Mexican Restaurant; and Mayor Rigby commented he attended La Porte Independent School District's 100th Anniversary Celebration and

advised it was well attended; he congratulated Tony Constanzo, La Porte firefighter for walking 24 hours on a treadmill in full bunker gear, and also commented he attended the Texas Municipal League Conference last week; and he enjoyed the opportunity as well.

12. **ADJOURN** - There being no further business, Councilmember Engelken made a motion to adjourn the meeting at 6:46 p.m. Councilmember Leonard seconded the motion. **MOTION PASSED UNANIMOUSLY 9/0.**

Sharon Harris, Assistant City Secretary

Passed and approved on October 24, 2016.

Mayor Louis R. Rigby