

LOUIS RIGBY
Mayor
BRANDON LUNSFORD
Councilmember At Large A
STEVE GILLETT
Councilmember At Large B
DANNY EARP
Councilmember District 1
CHUCK ENGELKEN
Councilmember District 2
Mayor Pro Tem



BILL BENTLEY
Councilmember District 3
THOMAS GARZA
Councilmember District 4
JAY MARTIN
Councilmember District 5
NANCY OJEDA
Councilmember District 6

MINUTES OF THE REGULAR MEETING OF THE CITY COUNCIL OF THE CITY OF LA PORTE, JULY 27, 2020

The City Council of the City of La Porte met in a regular meeting on Monday, July 27, 2020, at the City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, Texas, at 6:00 p.m., with the following in attendance:

Councilpersons present: Louis Rigby, Danny Earp, Bill Bentley, Thomas Garza (6-6:21 p.m.)

Councilpersons attending remotely: Brandon Lunsford, Steve Gillett, Chuck Engelken, Jay Martin, Nancy Ojeda

Councilpersons absent: None

Council-appointed officers present: Corby Alexander, City Manager; Lee Woodward, City Secretary; Clark T. Askins, Assistant City Attorney

CALL TO ORDER – Mayor Rigby called the meeting to order at 6:00 p.m.

2. CITY COUNCIL RULES OF PROCEDURE AMENDMENT

- a. **Presentation, discussion, and possible action to adopt Ordinance 2020-3796, amending the City Council Rules of Procedure and Ethics Policy, in reference to face masks and face coverings by the City Council. [Mayor Rigby]**

Councilperson Martin moved to adopt Ordinance 2020-3796, amending the City Council Rules of Procedure and Ethics Policy, for a second paragraph to be inserted in Section 6.09. Decorum. item (A) to provide that, during any period in which face masks or face coverings are required in public by a local disaster declaration or other law, all Councilpersons in the Council chamber must wear an appropriate face mask or face covering during City Council meetings; the motion was seconded by Councilperson Bentley. Councilperson Garza spoke in opposition to the amendment, contending that the change was not prompted by public health concerns. Randy Rowan offered a public comment of reiteration of the current law. The motion was adopted, 8-1, Councilperson Garza voting against. The Mayor reminded Councilperson Garza that he could attend the meeting remotely or wear a face mask, Councilperson said he would not wear a mask as he had a medical condition that exempted him from the requirement, and, further, that he would not leave the meeting until the Mayor asked the Sergeant-at-Arms to remove him, per the Rules of Procedure. The Mayor asked the officers present to ask Councilperson Garza to put on a mask or leave and attend the meeting from his office. Councilperson Garza moved that Mayor be overruled and the Sergeant-at-Arms be directed otherwise by the Council. The motion was not seconded and was not considered by the Council.

Councilperson Gillett asked that the City request an opinion from the Attorney General, either directly or through TML, as to what level of proof is required from a person claiming a medical exemption from a face mask/face covering requirement due to a medical issue.

3. **INVOCATION AND PLEDGES** - The invocation was given by Reverend Jackie King, Victory Tabernacle Church, and the pledges were led by Mayor Pro Tem Chuck Engelken.

4. PRESENTATIONS, PROCLAMATIONS, AND RECOGNITIONS

- a. **Recognition of Employee of the Second Quarter 2020 - Kayla Baez, Recreation Specialist [Mayor Rigby]**

5. CITIZEN COMMENT (Generally limited to five minutes per person; in accordance with state law, the time may be reduced if there is a high number of speakers or other considerations.)

Randy Rowan said he had contacted the City Manager's office about financial documents on the City website concerning the use of funds for Animal Control. Chuck Rosa expressed his displeasure with the *Rules of Procedure* discussion earlier in the meeting and the local requirements concerning face masks/face coverings.

6. CONSENT AGENDA (Approval of Consent Agenda items authorizes each to be implemented in accordance with staff recommendations provided. An item may be removed from the consent agenda and added to the Statutory Agenda for full discussion upon request by a member of the Council present at this meeting.)

- a. **Approve the minutes of the July 13, 2020, City Council meeting. [Mayor Rigby]**
- b. **Approve the purchase of library flooring from Continental Flooring, utilizing the US Communities/National IPA Cooperative Contract #R171701, in the amount of \$107,204 and approve a project contingency of \$10,720, for a total authorization of \$117,924. [Rosalyn Epting, Director of Parks & Recreation]**
- c. **Award Bid No. 20019 for Roseberry Cure in Place Pipe Sewer Rehab Project, authorize the City Manager to execute a contract with Insituform Technologies, LLC in the amount of \$78,950.00, and approve a project contingency of \$7,850.00, for a total authorization of \$86,845.00. [Ray Mayo, Public Works Director]**
- d. **Authorize the City Manager to execute a professional services agreement with Lockwood, Andrews, & Newnam, Inc. for the Northside Neighborhood Drainage Improvement Project, for a total authorization of \$394,983.00. [Ray Mayo, Public Works Director]**

Mayor Pro Tem Engelken moved to approve the consent agenda; the motion was seconded by Councilperson Bentley and was adopted 8-0.

7. ELECTION MATTERS

- a. **Presentation, discussion, and possible action to approve an election services contract/joint election agreement between Harris County and the City of La Porte, relating to the City's postponed 2020 general election to be held on November 3, 2020. [Mayor Rigby]**

Councilperson Bentley moved to approve an election services contract/joint election agreement between Harris County and the City of La Porte, relating to the City's postponed 2020 general election to be held on November 3, 2020; the motion was seconded by Councilperson Earp and was adopted, 8-0.

8. STATUTORY AGENDA

- a. **Presentation, discussion, and possible action to direct staff on desired approach to evaluate safety options at Pecan Park. [Ray Mayo, Public Works Director]**

Councilpersons expressed a desire for more options and a concern over traffic flow, pedestrian safety, and visibility issues. Public Works Director Ray Mayo and Assistant Public Works Director Lorenzo Wingate presented three options from a traffic engineer/consultant and noted Councilpersons' points about items to consider in reworking the park. Councilperson Earp moved to direct staff to proceed with Option 3 at a cost of \$22,500.00 as presented within the consultant's proposal; the motion was seconded by Mayor Pro Tem Engelken and adopted, 8-0.

- b. **Presentation, discussion, and possible action regarding appointments and re-appointments to various boards, committees and commissions. [Mayor Rigby]**

Mayor Rigby moved to approve the following re-appointments to various boards, committees and commissions except the La Porte Development Corporation Board; the motion was seconded by Mayor Pro Tem Engelken and was adopted, 8-0. (Councilperson Earp signed a Conflict of Interest affidavit for the discussion and vote on the La Porte Development Corporation Board item and did not participate.) Mayor Pro Tem Engelken moved to approve the re-appointments to the La Porte Development Corporation; the motion was seconded by Councilperson Bentley and was adopted, 7-0.

Building Codes Appeals Board

Maisie Barringer
Mark Follis

Ch. 172 Employee, Retiree Insurance and Benefits Board

Aaron Corrales, Retiree Representative

Civil Service Commission

Les Bird

Fire Code Review Board

Champ Dunham
Chris Pettis

La Porte Area Water Authority (LPAWA)

Stephanie Bellew

La Porte Development Corporation Board

Danny Earp
Shelley Fuller
Johnny Morales

La Porte Fire Control, Prevention, and EMS District Board of Directors

Thomas Dye III
Johnny Jones

La Porte Tax Increment Reinvestment Zone Number One (TIRZ #1) Board of Directors

Barry Beasley
Horace Leopard
Mark Goodwin

La Porte Redevelopment Authority *(This is the same membership as the TIRZ Board, but the Mayor is required to appoint the members to this board, including the LPISD and Harris County appointments to the TIRZ.)*

Barry Beasley
Horace Leopard
Mark Goodwin

Planning and Zoning Commission

Trey Kendrick
Christina Tschappat

Zoning Board of Adjustment

Phillip Hoot
Thomas Deen
Rod Rothermel
Dennis Oian

9. REPORTS

a. Receive reports on the La Porte Development Corporation Board meeting. [Councilperson Ojeda]

Councilperson Ojeda said the Board had approved an improvement grant for \$85,000 and an enhancement grant for \$50,000 for 100 West Main Street, and approved the budget for the coming year for the Development Corporation.

10. ADMINISTRATIVE REPORTS

- Drainage and Flooding Committee meeting, August 10
- City Council meeting, August 10
- Planning and Zoning Commission meeting, August 20
- City Council meeting, August 24

City Manager Corby Alexander said he would follow up with Mr. Rowan's concerns, as noted earlier in the meeting.

11. COUNCIL COMMENT Hear announcements concerning matters appearing on the agenda; items of community interest; and/or inquiries of staff regarding specific factual information or existing policy from the Mayor, Councilmembers, and City staff, for which no formal action will be discussed or taken.

Councilpersons recognized that there have been cases of COVID at City Hall and said that face mask/face covering was the best way to combat it if social distancing could not be guaranteed; expressed disappointment over the options for Pecan Park and hoped for the best outcomes; congratulated Kayla Baez as the Employee of the Second Quarter 2020; offered appreciation to EMS and the EOC for all they have had to face during the pandemic; congratulated Kelly Garner on his retirement from the golf course after 31 years; shared wishes that the adoption of the update to the *Rules of Procedure* curb some of the conversation that has occurred over the last few meetings; congratulated EMS for their silver award from the American Heart Association; and gave the reasons they felt wearing face masks/face coverings were so important – for other people, for the safety of society and the common good, and to combat COVID, among others.

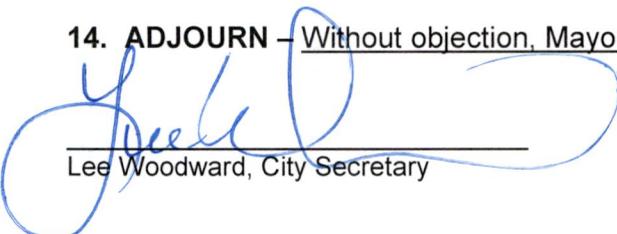
- 12. EXECUTIVE SESSION – The City Council will meet in closed session pursuant to Texas Government Code Section 551.074 - personnel matters regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee - regarding City Secretary Lee Woodward.**

The Council adjourned into executive session at 7:16 p.m.

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

The Council reconvened into open session at 9:16 p.m. Mayor Pro Tem Engelken moved to give the City Secretary a 2.5% lump sum and schedule a reevaluation in three months (October); the motion was seconded by Councilperson Bentley and was adopted, 8-0.

- 14. ADJOURN – Without objection, Mayor Rigby adjourned the meeting at 9:17 p.m.**



Lee Woodward, City Secretary