

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



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

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LA PORTE
OCTOBER 26, 2020**

The City Council of the City of La Porte met in a regular meeting on Monday, October 26, 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, Brandon Lunsford, Steve Gillett, Danny Earp, Chuck Engelken, Bill Bentley, Thomas Garza (*left at 6:03 p.m.*), Jay Martin, Nancy Ojeda

Councilpersons attending remotely: None

Councilpersons absent: None

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

1. **CALL TO ORDER** – Mayor Rigby called the meeting to order at 6:00 p.m. Mayor Rigby reminded Councilperson Garza that the Council's adopted Rules of Procedure required Councilpersons to wear a mask during Council meetings. The Mayor reminded Councilperson Garza that he had the opportunity to attend the meeting electronically and could go to his office in City Hall. Councilperson Garza said he was exempted from wearing a face covering for medical reasons and would not be wearing one. The Mayor asked the Sergeant-at-Arms to remove Councilperson Garza. Councilperson Garza moved that the Council oppose the Mayor's direction, which he termed as illegal. The motion did not receive a second and was not considered. Councilperson Garza was escorted from the room.
2. **INVOCATION** – The invocation was given by Pastor Ben Rosenberger, Bayshore Baptist Church, and pledges were led by Councilperson Bill Bentley.
3. **PRESENTATIONS, PROCLAMATIONS, AND RECOGNITIONS**
 - a. **Proclamation in recognition of the Ladies Reading Club of La Porte's 120th anniversary.**
[Mayor Rigby]
 - b. **Recognition of Johnny Morales as Employee of the Quarter** [Mayor Rigby]
4. **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.*)

Angela Tellez of Amegy Bank thanked the Council for being allowed to attend the meeting.
5. **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 City Council meeting held on October 12, 2020.** [Louis R. Rigby, Mayor]
 - b. **Approve Resolution 2020-25 adopting the 2020 Parks, Recreation and Open Space Master Plan.** [Rosalyn Epting, Director of Parks & Recreation]
 - c. **Adopt Resolution 2020-26 authorizing the City Manager to sign the TXDOT IDM grant award and other documents for the TXDOT Impaired Driving Mobilization STEP Grant.** [Steve Deardorff, Chief of Police]

- d. **Authorize the City Manager to execute a Member Services Agreement with Channel Industries Mutual Aid (CIMA) to provide assistance, when requested, for firefighting, rescue, hazmat or emergency medical services in emergency situations. [Carl Holley, Fire Chief]**
- e. **Approve a banking depository services agreement with Amegy Bank. [Michael Dolby, Finance Director]**
- f. **Approve purchases for Vehicle and Equipment Replacement purchase for the FY 2020-21 budget year through Texas BuyBoard Cooperative Purchasing Program. [Ray Mayo, Public Works Director]**

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

The Council adjourned into executive session on item 9c at 6:18 p.m. The Council reconvened into open session at 6:59 p.m. Mayor Pro Tem Engelken moved to direct the outside counsel to file an appeal of the ZBOA's decision of October 22; the motion was seconded by Councilperson Earp; the motion was adopted, 8-0.

6. STATUTORY AGENDA

- a. **Presentation, discussion, and possible action to approve the updated CRF Funding Plan and proposed La Porte Cares Emergency Household Assistance Program. [Corby Alexander, City Manager]**

Mayor Pro Tem Engelken moved to approve the updated CRF Funding Plan and proposed La Porte Cares Emergency Household Assistance Program with a designation of the \$130,000 to touchless restrooms; the motion was seconded by Councilperson Bentley; the motion was adopted, 8-0.

- b. **Presentation, discussion, and possible action to select the City representative and alternate from the City Council to the Houston-Galveston Area Council (H-GAC) 2021 General Assembly and Board of Directors, and adopt Resolution 2020-21 in support of same. [Louis R. Rigby, Mayor]**

Councilperson Ojeda moved to select Mayor Pro Tem Engelken as the City representative and Councilperson Bentley as the alternate City representative to the Harris -Galveston Area Council (H-GAC) 2021 General Assembly and Board of Directors, and adopt Resolution 2020-21; the motion was seconded by Councilperson Earp; the motion was adopted, 8-0.

- c. **Presentation, discussion, and possible action to set meeting dates for regular City Council meetings in November and December 2020. [Louis R. Rigby, Mayor]**

Mayor Pro Tem Engelken moved to cancel the November 23 and December 21, 2020 meeting dates and to schedule possible canvass dates of November 16 and 17; the motion was seconded by Councilperson Earp; the motion was adopted, 7-0 [Councilperson Bentley was away from the dais for a moment].

7. ADMINISTRATIVE REPORTS

- Drainage and Flooding Committee meeting, November 9
- City Council meeting, November 9
- Planning and Zoning Commission meeting, November 19
- City Council meeting, November 23

City Manager Corby Alexander said there were no reports.

8. **COUNCIL COMMENTS 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 reported on the work at H-GAC and suggested adding a holiday of MLK, Jr. Day to the City's holiday schedule; expressed dismay at the way Harris County Flood Control District (HCFCD) conducted the Brookglen virtual town hall meeting but noted that HCFCD was still accepting comments; congratulated the Ladies Reading Club, Johnny Morales, and all the City's employees for stepping up;

offered support for getting CFD money into the hands of those who need it; thanked the Parks & Recreation Department for their care of Seabreeze Park; requested the link for the HCFCD comments on Brookglen be forwarded to the Council; and congratulated Councilperson Lunsford on the opening of his new *Garden of Eden* location at the airport.

9. EXECUTIVE SESSION

- a. **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 - concerning City Secretary Lee Woodward.**
- b. **The City Council will convene in closed session as authorized by Texas Government Code Section 551.071(1)(A) - Pending or Contemplated Litigation: consultation with city attorney to discuss enforcement of the extraterritorial jurisdiction (ETJ) exchange agreement between the City of La Porte and the City of Pasadena. [Clark T. Askins, Assistant City Attorney].**

The Council adjourned into executive session for items 9a and b at 7:30 p.m.

- c. **The City Council will convene in closed session as authorized by Texas Government Code Sec. 551.071(1)(A) – Pending or Contemplated Litigation, to discuss SV Sons Hwy. 146, LLC vs. City of La Porte. [Clark T. Askins, Assistant City Attorney]**

[This item was handled after the Consent Agenda.]

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

- a. **Discussion and possible action regarding direction to the Assistant City Attorney in connection with enforcement of the ETJ exchange agreement between the City of La Porte and the City of Pasadena.**
- b. **Discussion and possible action regarding direction to the Assistant City Attorney in connection with the Zoning Board of Adjustment (ZBOA) ruling in SV Sons Hwy. 146, LLC vs. City of La Porte.**

The Council reconvened into open session at 8:53 p.m. Mayor Rigby said the Council had provided additional direction and would meet with the City Secretary again in July. Regarding item b, Mayor Rigby said the Council had provided direction to the City Manager and Assistant City Attorney to discuss an amendment to the original exchange agreement between the cities and return with the result.

ADJOURN – Without objection, Mayor Rigby adjourned the meeting at 8:54 p.m.



Lee Woodward, City Secretary