

LOUIS R. RIGBY  
Mayor  
BRANDON LUNSFORD  
Councilperson At Large A  
BRENT McCaulley  
Councilperson At Large B  
TREY KENDRICK  
Councilperson District 1



CHUCK ENGELKEN  
Councilperson District 2  
BILL BENTLEY  
Councilperson District 3  
THOMAS GARZA  
Councilperson District 4  
JAY MARTIN  
Mayor Pro Tem, Councilperson District 5  
ROBBIE McLARRIN  
Councilperson District 6

**MINUTES OF THE REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF LA PORTE  
MAY 24, 2021**

The City Council of the City of La Porte met in a regular meeting on Monday, May 24, 2021, 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, Brent McCaulley, Chuck Engelken, Bill Bentley, Thomas Garza, Jay Martin, Robbie McLarrin  
**Councilpersons attending remotely:** Brandon Lunsford  
**Councilpersons absent:** Trey Kendrick  
**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.
2. **INVOCATION** – The invocation was given by Pastor Alan Neel, Life Community Church, and pledges were led by Councilperson Thomas Garza.
3. **PRESENTATIONS, PROCLAMATIONS, AND RECOGNITIONS**
  - a. **Presentation and discussion of annual report from the Economic Alliance Houston Port Region. [Jason Weeks, Assistant City Manager]**

President/CFO Chad Burke presented the Economic Alliance annual report.
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.*)

Mike Shannahan spoke in support of changing the agenda schedule and with concern about revitalization along Main Street. Pastor Philip Dunn asked the Council to consider keeping the mask mandate in place. Mark Follis confirmed the May 1, 2021, Main Street revitalization gathering was open to all.
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 May 10, 2021, City Council meeting. [Louis R. Rigby, Mayor]**
  - b. **Approve an amended and restated economic development incentive agreement between the La Porte Development Corporation and Marion Campise and Vicki Campise, for the use of Type B Development Corporation Sales Tax funds for refurbishment/renovation of the old bank building located at 100 W. Main Street in La Porte, Texas. [Corby Alexander, City Manager]**
  - c. **Authorize the Mayor to sign an economic development services agreement with the Economic Alliance Houston Port Region for thirty-six (36) month term beginning July 1, 2021, and ending June 30, 2024, and providing for payments of \$20,000.00 per year. [Jason Weeks, Assistant City Manager]**

- d. Approve a Resolution of Contractor authorizing the City Manager to sign on behalf of the City of La Porte for the City of Houston's Nutrition and Transportation Services. [Lindsay French, Interim Director of Parks & Recreation]
- e. Approval or other action to award Bid #21016 - Northside Neighborhood Drainage Improvements Project Contract No. 19-231-000-B675 to Tandem Services, LLC in the amount of \$291,716.00, with a contingency amount of \$29,284.00, for a total authorization of \$321,000.00 [Ray Mayo, Public Works Director]
- f. Approve Resolution 2021-44 authorizing the resale of tax delinquent property described as Lots 21, 22 & 23, Block 1114, Town of La Porte. [Laura Reid, Deputy Tax Clerk]
- g. Approve Resolution 2021-45 authorizing the resale of tax delinquent property described as Lots 36 & 37, Block 1114, Town of La Porte. [Laura Reid, Deputy Tax Clerk]
- h. Approve Resolution 2021-46 authorizing the resale of tax delinquent property described as Lots 38, 39, 40, & 41, Block 1114, Town of La Porte. [Laura Reid, Deputy Tax Clerk]
- i. Approve Resolution 2021-47 authorizing the resale of tax delinquent property described as Lots 32, 33, 34, & 35, Block 1114, Town of La Porte. [Laura Reid, Deputy Tax Clerk]
- j. Approve Resolution 2021-48 authorizing the resale of tax delinquent property described as Lots 1 & 2, Block 189, Town of La Porte. [Laura Reid, Deputy Tax Clerk]
- k. Approve Resolution 2021-49 authorizing the resale of tax delinquent property described as South 1/2 of Lot 20, Spencer Highway Estates, Town of La Porte. [Laura Reid, Deputy Tax Clerk]
- l. Approve Resolution 2021-50 authorizing the resale of tax delinquent property described as Lot 1, Block 52, Town of La Porte. [Laura Reid, Deputy Tax Clerk]
- m. Approve Resolution 2021-51 authorizing the resale of tax delinquent property described as Lot 34, Block 52, Town of La Porte. [Laura Reid, Deputy Tax Clerk]
- n. Approve Resolution 2021-52 authorizing the publication of a Notice of Intent to issue up to \$13.5 million of Certificates of Obligation Bonds for planning, acquisition, design, and construction for new city facilities, infrastructure, and professional services. [Michael Dolby, Finance Director]
- o. Rescind the City of La Porte policy regarding the use of facial coverings for individuals in City buildings and facilities. [Corby Alexander, City Manager]
- p. Adopt Ordinance 2021-3830, amending the City Council Rules of Procedure and Ethics Policy, with reference to face coverings. [Louis R. Rigby, Mayor]

Councilperson Garza asked to pull each of the items on the Consent Agenda and asked that the minutes be read. The Mayor moved to take up item 6c at this time; Mayor Pro Tem Martin seconded the motion; the motion was adopted, 7-1, Councilperson Garza voting against. [Items below were taken up after item 6c was handled.]

Councilperson Bentley moved to approve the minutes of the May 10, 2021, City Council meeting, as read; the motion was seconded by Councilperson McCaulley. The motion was adopted, 8-0.

Councilperson Garza requested the agreement be read. Councilperson Garza moved to approve an amended and restated economic development incentive agreement between the La Porte Development Corporation and Marion Campise and Vicki Campise, for the use of Type B Development Corporation Sales Tax funds for refurbishment/renovation of the old bank building located at 100 W. Main Street in La Porte, Texas; the motion was seconded by Councilperson Bentley; the motion was adopted, 8-0.

Councilperson Bentley moved to authorize the Mayor to sign an economic development services agreement with the Economic Alliance Houston Port Region for thirty-six (36) month term beginning July 1, 2021, and ending June 30, 2024, and providing for payments of \$20,000.00 per year; Councilperson McCaulley seconded the motion. Councilperson Garza requested the agreement be read. Mayor Pro Tem Martin moved that the reading of documents not be permitted; the motion was seconded by Councilperson McCaulley; the motion [to suspend the rule permitting items to be read] was adopted 7-1, Councilperson Garza voting against. The main motion was adopted, 8-0.

Councilperson Garza moved that the Resolution of Contractor authorizing the City Manager to sign on behalf of the City of La Porte for the City of Houston's Nutrition and Transportation Services be amended so that as long as the City has this program, the Mayor, City Manager, and those who conduct the program must eat the meals at least once a week. The Mayor ruled the motion out of order [cannot mandate what others eat] and it was not considered.

Councilperson Bentley moved to approve a Resolution of Contractor authorizing the City Manager to sign on behalf of the City of La Porte for the City of Houston's Nutrition and Transportation Services; the motion was seconded by Mayor Pro Tem Martin; the motion was adopted, 8-0.

Councilperson Garza moved to award Bid #21016 - Northside Neighborhood Drainage Improvements Project Contract No. 19-231-000-B675 to Tandem Services, LLC in the amount of \$291,716.00, with a contingency amount of \$29,284.00, for a total authorization of \$321,000.00; Councilperson Bentley seconded the motion; the motion was adopted, 8-0.

The Mayor moved that items f through m be approved in gross; the motion was seconded by Councilperson Bentley. Councilperson Garza moved a point of order that the motion was creating a consent agenda. The Mayor ruled the point not well taken [a motion to consider a series of independent items by a single main motion is in order]. Councilperson Garza appealed from the decision of the chair. The appeal did not receive a second and was not considered. The motion to approve items f through m was adopted, 7-1, Councilperson Garza voting against.

Councilperson Garza moved to deny the adoption of Resolution 2021-52 and place on the next agenda an item to earmark \$13.5 million to offset the cost of assessing the effective tax rate in future years. The Mayor ruled the motion out of order [outside the scope of the posted item].

Mayor Rigby moved to approve Resolution 2021-52 authorizing the publication of a Notice of Intent to issue up to \$13.5 million of Certificates of Obligation Bonds for planning, acquisition, design, and construction for new city facilities, infrastructure, and professional services; the motion was seconded by Councilperson Bentley; the motion was adopted, 7-1, Councilperson Garza voting against.

Councilperson Bentley moved to rescind the City of La Porte policy regarding the use of facial coverings for individuals in City buildings and facilities and to have signs posted throughout the City that masks are not required but strongly encouraged; the motion was not seconded and was not considered.

Councilperson Garza moved to rescind the City of La Porte policy regarding the use of facial coverings for individuals in City buildings and facilities; the motion was seconded by Councilperson McCaulley; the motion was adopted, 7-1, Mayor Pro Tem Martin voting against.

Councilperson Bentley moved to adopt Ordinance 2021-3830, amending the City Council Rules of Procedure and Ethics Policy, with reference to face coverings; the motion was seconded by Councilperson McCaulley; the motion was adopted, 7-1, Mayor Pro Tem Martin voting against.

The Council took a brief recess and reconvened at 9:10 p.m.

## **6. STATUTORY AGENDA**

- a. **Presentation, discussion and possible action to amend Chapter 94 - 'Floods' of the La Porte Code of Ordinances and Chapter 5 of the Public Improvement Criteria Manual (PICM) in connection with Harris County's recommended minimum drainage and floodplain standards and the new National Flood Insurance Program (NFIP) Community Rating System (CRS) Class 8 Prerequisite. [Teresa Evans, Director of Planning & Development]**

Candace Ward of Cobb Fendley provided a presentation on the Harris County revisions and Cobb Fendley's recommendations. Mayor Pro Tem Martin moved to amend Chapter 94 - 'Floods' of the La Porte Code of Ordinances and Chapter 5 of the Public Improvement Criteria Manual (PICM) in connection with Harris County's recommended minimum drainage and floodplain standards and the new National Flood Insurance Program (NFIP) Community Rating System (CRS) Class 8 Prerequisite, with the first additional criteria option requiring detention for all development and Cobb Fendley's recommendation for fill; the motion was seconded by Councilperson McCaulley. Councilperson Garza moved to postpone the item until Harris County Flood Control District could appear before the Council. The motion was not seconded and was not considered. The motion for the Code change was adopted, 7-1, Councilperson Garza voting against.

- b. **Adopt Ordinance 2021-3829 amending Chapter 38 "Fire Prevention and Protection" of the Code of Ordinances of the City of La Porte, Texas, by adopting regulations mandating installation of key access boxes at certain commercial and residential facilities to expedite fire department ingress during an emergency. [Carl Holley, Fire Chief]**

Councilperson Garza moved to institute the program on a completely voluntary basis; the motion did not receive a second and was not considered. Councilperson Garza moved that no program like this be adopted. The Mayor ruled the motion out of order [the result being the same as no motion being made at all; the member could urge defeat of the item in debate if a motion were made]. There were no further motions made or considered.

- c. **Presentation, discussion, and possible action to amend the City Council Rules of Procedure and Ethics Policy. [Louis R. Rigby, Mayor]**

[This item was handled after items were pulled from the Consent Agenda but before any of them were considered.] Mayor Pro Tem Martin moved to amend the Rules of Procedure to permit speakers to speak twice for five minutes each time [this will require an ordinance to be adopted; the ordinance will be placed for the June 14, 2021, meeting]; the motion was seconded by Councilperson McCaulley. Without objection, Mayor Pro Tem Martin amend the motion to include limits of debate for tonight's meeting; the amendment was seconded by Councilperson McCaulley; the motion was adopted, 7-1, Councilperson Garza voting against. The main motion, as amended, was adopted, 7-1, Councilperson Garza voting against.

- d. **Presentation and discussion concerning the possibility of amending the City Council Rules of Procedure to change deadline for posting of City Council agendas to allow for publication in the Bay Area Observer. [Councilpersons Bentley and Lunsford and Mayor Pro Tem Engelken]**

Councilperson Garza moved to direct staff to bring an ordinance revising the Rules of Procedure to approve moving back the agenda deadline and release by one day and ask the City Manager to come back with recommendations for increased transparency; the motion was seconded by Councilperson Bentley; the motion was adopted, 7-1, Mayor Rigby voting against.

- e. **Presentation and discussion concerning the possibility of adopting changes to the City's website to increase ease of use. [Councilpersons Bentley and Lunsford and Mayor Pro Tem Engelken]**

No motion was made and no action was taken.

## **7. REPORTS**

- a. **Receive report on the La Porte Development Corporation Board meeting. [Councilperson Chuck Engelken]**

Councilperson Engelken said three of the four items had been handled and had no further report.

## **8. ADMINISTRATIVE REPORTS**

- Zoning Board of Adjustment meeting, May 27
- Drainage and Flooding Committee meeting, June 14
- City Council meeting, June 14
- Planning and Zoning Commission meeting, June 17
- Zoning Board of Adjustments meeting, June 24
- City Council meeting, June 28

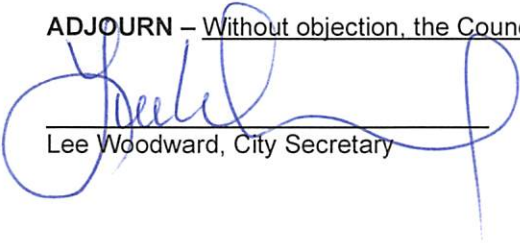
Mr. Alexander said there were no reports.

9. **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 spoke in support of transparency and on legality of Council action; reminded that remote participation has been available for City Council meetings during COVID-19; noted that improper activity would be addressed by the

Harris County District Attorney's Office; declared it was not necessary to have items read aloud at the meeting in order for Councilpersons to know what was being voted on; urged caution when considering adopting the effective property tax rate calculation because it would have been higher last year than the City's adopted rate; and recognized the City Secretary for her upcoming master's graduation.

**ADJOURN** – Without objection, the Council adjourned at 10:46 p.m.



Lee Woodward, City Secretary

