

LOUIS R. RIGBY
Mayor
BRANDON LUNSFORD
Councilperson At Large A
BRENT McCAULLEY
Councilperson At Large B
MANDI WILLIAMS
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
SEPTEMBER 13, 2021**

The City Council of the City of La Porte met in a regular meeting on Monday, September 13, 2021, at the City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, Texas, at 6:00 p.m., 2021, with the following in attendance:

Councilpersons present: Louis Rigby, Brandon Lunsford, Brent McCaulley, Mandi Williams, Chuck Engelken, Bill Bentley, Jay Martin, Robbie McLarrin
Councilpersons attending remotely: Thomas Garza
Councilpersons absent: None
Council-appointed officers present: Corby Alexander, City Manager; Lee Woodward, City Secretary; Clark Askins, Assistant City Attorney

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

2. **INVOCATION** – The invocation was given by Reverend Brian Christen and pledges were led by Mayor Pro Tem Jay Martin.
3. **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.*)

Terry Matthews spoke of the difficulties with her next door neighbor.

4. CONSIDERATION OF COUNCILPERSON ABSENCES

- a. Presentation, discussion, and possible action to consider classification of absences of Mayor Pro Tem Jay Martin and Councilperson Brent McCaulley at the August 23, 2021, City Council meeting, under the City Council Attendance Policy. [Louis R. Rigby, Mayor]

Councilperson Engelken moved that the absences of Mayor Pro Tem Jay Martin and Councilperson Brent McCaulley at the August 23, 2021, City Council meeting be excused; the motion was seconded by Councilperson Bentley. The motion was adopted, 9-0.

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 regular City Council meeting, held on August 23, 2021. [Louis R. Rigby, Mayor]
- b. Adopt Resolution 2021-56 authorizing the City Manager or his designee(s) to post signage authorized by Texas Penal Code Sec. 46.15(o) prohibiting the carrying of firearms in the room or rooms where a meeting of a governmental entity is held, and repealing Resolution 2016-06. [Corby Alexander, City Manager]
- c. Approve three- (3-) year renewal and upgrade of the City's ASEoD services with AT&T in the annual amount of \$152,940.00 [Grady Parker, IT Manager]

- d. Approve proposed Meet and Confer Agreement between the City of La Porte and the La Porte Police Officers Association, for a four- (4-) year term beginning October 1, 2021. [Matt Hartleib, HR Manager]
- e. Award the purchase of two (2) Dodge Chargers from Grapevine Dodge through BuyBoard Contract 601-19 and approve issuing a future Purchase Order to reserve the vehicles, with payment to be made from the FY2021-22 budget after October 1, 2021. [Ray Mayo, Director of Public Works]
- f. Ratify the Emergency Purchase authorized by the City Manager to replace the chiller for the Municipal Court Building, at a cost of \$74,680.00 and additional expense for a temporary rental unit at \$4,697.71, for a total cost of \$79,377.71. [Ray Mayo, Director of Public Works]
- g. Authorize the City Manager to execute a professional services contract with CONSOR Engineers for the Pecan Park Parking Lot Improvements Project in the amount of \$156,003.15. [Ray Mayo, Director of Public Works]
- h. Adopt Ordinance 2021-3844 authorizing the City Manager to execute a Water Service Agreement and a Sanitary Sewer Service Agreement with Matheson Tri-Gas for its development at 12204 Fairmont Parkway, in the Bayport Industrial District. [Ray Mayo, Director of Public Works]

Councilperson Engelken moved to adopt the consent agenda; the motion was seconded by Councilperson Bentley; the motion was adopted, 9-0.

6. PUBLIC HEARINGS AND ASSOCIATED ORDINANCES

- a. The City Council will hold a public hearing to receive comments regarding a recommendation by the Planning and Zoning Commission to adopt Ordinance 2021-3837 amending the City's Future Land Use Map Component of the Comprehensive Plan for an approximately 2.1-acre tract of land located at the northwest corner of E. Main St. and S. Utah St, legally described as Lots 1-27, Block 184, Town of La Porte, by changing the land use designation from "Commercial" to "Mid-High Density Residential"; followed by discussion and possible action to adopt Ordinance 2021-3837 amending the City's Future Land Use Map Component of the Comprehensive Plan for an approximately 2.1-acre tract of land located at the northwest corner of E. Main St. and S. Utah St, legally described as Lots 1-27, Block 184, Town of La Porte, by changing the land use designation from "Commercial" to "Mid-High Density Residential". [Ian Clowes, City Planner]

Mayor Rigby opened the public hearing at 6:22 p.m. Raj Shafaii, Bryan Moore, and Rami Shafaii spoke in support of the development. Barbara Norwine, April Baggett, John Baggett, Mike Shannahan, and Jim Yancey spoke in opposition to the project. Mayor Rigby closed the public hearing at 6:50 p.m. Councilperson Bentley moved to deny Ordinance 2021-3837 amending the City's Future Land Use Map Component of the Comprehensive Plan for an approximately 2.1-acre tract of land located at the northwest corner of E. Main St. and S. Utah St, legally described as Lots 1-27, Block 184, Town of La Porte, by changing the land use designation from "Commercial" to "Mid-High Density Residential"; the motion was seconded by Councilperson Garza. The motion was not adopted, 4-5. Councilpersons McLarrin, Martin, McCaulley, and Engelken, and Mayor Rigby voting against.

Councilperson McCaulley moved to adopt Ordinance 2021-3837 amending the City's Future Land Use Map Component of the Comprehensive Plan for an approximately 2.1-acre tract of land located at the northwest corner of E. Main St. and S. Utah St, legally described as Lots 1-27, Block 184, Town of La Porte, by changing the land use designation from "Commercial" to "Mid-High Density Residential"; the motion was seconded by Councilperson McLarrin. The motion was adopted, 5-4. Councilpersons Bentley, Lunsford, Garza, and Williams voting against.

- b. The City Council will hold a public hearing to receive comments regarding a recommendation by the Planning and Zoning Commission to adopt Ordinance 2021-3834 amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning" by granting Zone Change #21- 92000001, a change from General Commercial (GC) to Medium Density Residential (R-2) for a 2.1-acre tract of land located at the northwest corner of E. Main St. and S. Utah St. and legally described as Lots 1-27, Block 184, Town of La Porte; followed by

discussion and possible action to consider adopting Ordinance 2021-3834 amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning" by granting Zone Change #21-92000001, a change from General Commercial (GC) to Medium Density Residential (R-2) for a 2.1-acre tract of land located at the northwest corner of E. Main St. and S. Utah St. and legally described as Lots 1-27, Block 184, Town of La Porte. [Ian Clowes, City Planner]

Mayor Rigby opened the public hearing at 7:12 p.m. Raj Shafaii spoke in clarification of Councilperson Garza's comments. Mayor Rigby closed the public hearing at 7:17 p.m. Councilperson McCaulley moved to adopt Ordinance 2021-3834 amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning" by granting Zone Change #21-92000001, a change from General Commercial (GC) to Medium Density Residential (R-2) for a 2.1-acre tract of land located at the northwest corner of E. Main St. and S. Utah St. and legally described as Lots 1-27, Block 184, Town of La Porte; the motion was seconded by Councilperson McLarrin. The motion was adopted, 5-4, Councilpersons Garza, Lunsford, Bentley, and Williams voting against.

- c. **The City Council will hold a public hearing to receive comments regarding their consideration of the proposed City of La Porte, Texas budget for the 2021-22 Fiscal Year; followed by discussion and possible action to adopt Ordinance 2021-3843, approving the City of La Porte Fiscal Year 2021-22 Proposed Budget. [Michael Dolby, Finance Director]**

Mayor Rigby opened the public hearing at 7:22 p.m. Wyatt Smith asked questions about the City. Mayor Rigby closed the public hearing at 7:44 p.m.

Mayor Pro Tem Martin previously signed a conflict of interest affidavit and did not participate in the vote taken on the line item for the Chamber of Commerce funding. Councilperson McCaulley moved to adopt the line item for the Chamber of Commerce funding; the motion was seconded by Councilperson Bentley. The motion was adopted, 8-0.

Councilperson McCaulley moved to adopt Ordinance 2021-3843, approving the City of La Porte Fiscal Year 2021-22 Proposed Budget; the motion was seconded by Councilperson Bentley. The motion was adopted, 8-1, Councilperson Garza voting against, taken as a roll call vote.

7. STATUTORY AGENDA

- a. **Presentation, discussion, and possible action regarding vote ratifying increase of revenue from property tax reflected in the La Porte 2021-2022 Fiscal Year Budget. [Michael Dolby, Finance Director]**

Councilperson Garza stepped away from the meeting and did not vote on the item. Councilperson Engelken moved to ratify the increase of revenue from property tax reflected in the La Porte 2021-2022 Fiscal Year Budget; the motion was seconded by Councilperson Bentley. The motion was adopted, 8-0.

- b. **Presentation, discussion, and possible action to adopt Resolution 2021-54, accepting the 2021 Harris County Appraisal District certified appraisal roll for property situated within the City of La Porte. [Michael Dolby, Finance Director]**

Councilperson Garza stepped away from the meeting and did not vote on the item. Councilperson Engelken moved to adopt Resolution 2021-54, accepting the 2021 Harris County Appraisal District certified appraisal roll for property situated within the City of La Porte; the motion was seconded by Councilperson Bentley. The motion was adopted, 8-0.

- c. **Presentation, discussion, and possible action to approve the City's proposed ad valorem tax rate of \$0.71 for the 2021-22 Fiscal Year. [Michael Dolby, Finance Director]**

Councilperson Garza stepped away from the meeting and did not vote on the item. Councilperson Engelken moved to approve the City's proposed ad valorem tax rate of \$0.71 for the 2021-22 Fiscal Year; the motion was seconded by Councilperson Bentley. The motion was adopted, 8-0, taken as a roll call vote.

- d. **Presentation, discussion, and possible action to approve appointments and reappointments to various City boards, committees, and commissions. [Louis R. Rigby, Mayor]**

Councilperson Garza stepped away from the meeting and did not vote on the item. Councilperson Engelken moved to approve appointments and reappointments to various City boards, committees, and commissions; the motion was seconded by Councilperson Bentley. The motion was adopted, 8-0.

Building Code Appeals Board (3-year terms
– Position 5 remains unfilled)
Paul Larson for Position 3

La Porte Development Corporation (2-year terms)
Richard Warren

La Porte Area Water Authority Board of Directors (2-year terms)
Frank Nance, initial appointment

La Porte Health Authority (2-year terms)
Abdul R. Moosa, M.D.

La Porte Fire Control, Prevention, and Emergency Medical Services District Board of Directors (2-year terms)
Patrick McElroy
Steve Gillett
Ronald Nowetner
Dewey Walls, Jr.

La Porte Tax Increment Reinvestment Zone Number One (TIRZ #1) Board of Directors/La Porte Redevelopment Authority
Peggy Antone
Alton Porter
Doug Martin

Fire Code Review Board (3-year terms)
Jeff Brown for District 2 position
Jim Bridge for District 5 position
Bryan Moore for At-Large A position
Lynn Green for Mayoral position

Planning and Zoning Commission (3-year terms/to coincide with term of office of the appointing Councilperson)
Hal Lawler for Chair/Mayoral appointee

Zoning Board of Adjustments (2-year terms)
Nettie Warren for Position 5

- e. **Presentation, discussion and possible action to establish a three- (3-) member committee of elected officials to work with City staff for FY 2021-22 community fencing project applications and provide staff with direction on possible policy guidelines or other action regarding requests for community fencing. [Corby Alexander, City Manager]**

City Manager Alexander said he understood the committee to be an ad hoc committee that would meet only in years when community fencing was budgeted and that the committee could review the policy and procedures staff has assembled. Councilperson Garza moved to alter the policy so that no participant receives more than zero points; the motion did not receive a second and was not considered

Councilperson McCaulley moved to establish a three- (3-) member committee [of elected officials to work with City staff for FY 2021-22 community fencing project applications and provide staff with direction on possible policy guidelines or other action regarding requests for community fencing] and that the Mayor make the appointments; the motion was seconded by Councilperson Engelken. The motion was adopted, 8-1, Councilperson Garza voting against. Mayor Rigby moved to appoint Councilperson McCaulley as the chair and Councilpersons Engelken and Bentley as the members; the motion was seconded by Mayor Pro Tem Martin. The motion was adopted, 7-1, Councilperson Garza voting against. Councilperson Bentley had stepped away from the dais.

- f. **Presentation, discussion, and possible action to provide direction to administrative staff on implementation of remote participation platforms for meetings in City Council Chambers. [Louis R. Rigby, Mayor]**

Councilperson Garza moved to continue allowing remote participation by citizens and selected the proposed option 2b for integration for remote participation for Council and staff; the motion was

seconded by Councilperson Bentley. The motion was adopted, 9-0. Councilperson Garza left the meeting at 8:40 p.m.

8. REPORTS

- a. **Receive FY 2020-2021 third quarter Capital Improvement Plan program update. [Jason Weeks, Assistant City Manager]**

The Council had no questions regarding the report.

- b. **Receive report regarding the September 13, 2021, meeting of the La Porte Drainage and Flooding Committee. [Mayor Pro Tem Martin, Chair]**

Chair Martin reported that the Committee received updates on FEMA's CRS plan and how it might impact residents. The next meeting was set for October 11.

9. ADMINISTRATIVE REPORTS

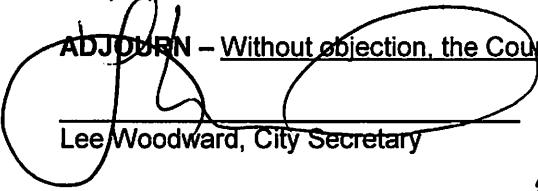
- Planning and Zoning Commission meeting, September 16
- Zoning Board of Adjustment meeting, September 23
- La Porte Development Corporation, September 27
- City Council meeting, September 27

City Manager Alexander said the EOC had been partially activated and non-essential employees had been asked to stay home on Tuesday.

10. **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 said housing was necessary to attract other amenities to La Porte; expressed appreciation for the Emergency Management division and other City staff working on storm preparations; and addressed comments made during the meeting concerning Council conduct.

~~ADJOURN – Without objection, the Council adjourned at 8:45 p.m.~~



Lee Woodward, City Secretary

