



## **LA PORTE COMMUNITY FENCING PROJECT MEETING AGENDA**

Notice is hereby given of a regular meeting of the La Porte Community Fencing Project to be held February 28, 2022 , beginning at 5:15 PM in the City Hall Council Chamber, 604 West Fairmont Parkway, La Porte, Texas, for the purpose of considering the following agenda items. All agenda items are subject to action.

Remote participation is available, also. Attend via a screen using this link:

<https://us02web.zoom.us/j/87338451427?pwd=NHRwSVJuMVBwZkRrRUrUTQ0MHFMZz09>

Join by phone at 888 475 4499 or 877 853 5257. The meeting ID is 873 3845 1427. The passcode is 540673.

1. **CALL TO ORDER**
2. **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.)*
3. **STATUTORY AGENDA**
  - (a) Approve minutes of the regular La Porte Community Fencing Project meeting held on January 24, 2022. [Brent McCaulley, Chair]
  - (b) Presentation, discussion, and possible action regarding potential changes to the City's Community Fence Funding program/policy. [Corby Alexander, City Manager]
4. **COMMITTEE 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 Committee members, City staff, for which no formal action will be discussed or taken.*
5. **ADJOURN**

If, during the course of the meeting and discussion of any items covered by this notice, City Council determines that a Closed or Executive Session of the Council is required, then such closed meeting will be held as authorized by Texas Government Code, Chapter 551, Section 551.071 - consultation with counsel on legal matters; Section 551.072 - deliberation regarding purchase, exchange, lease or value of real property; Section 551.073 - deliberation regarding a prospective gift; Section 551.074 - personnel matters regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; Section 551.076 - implementation of security personnel or devices; Section 551.087 - deliberation regarding economic development negotiation; Section 551.089 - deliberation regarding security devices or security audits, and/or other matters as authorized under the Texas Government Code. If a Closed or Executive Session is held in accordance with the Texas Government Code as set out above, the City Council will reconvene in Open Session in order to take action, if necessary, on the items addressed during Executive Session.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact the City Secretary's office (281-470-5019), two working days prior to the meeting for appropriate arrangements.

Pursuant to Texas Government Code Sec. 551.127, on a regular, non-emergency basis, members may attend and participate in the meeting remotely by video conference. Should that occur, a quorum of the members will be physically present at the location noted above on this agenda.

**CERTIFICATE**

I, Lee Woodward, City Secretary, do hereby certify that a copy of the February 28, 2022 , La Porte Community Fencing Project agenda was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, [www.LaPorteTX.gov](http://www.LaPorteTX.gov), in compliance with Chapter 551, Texas Government Code.

DATE

\_\_\_\_\_

TIME

\_\_\_\_\_

TAKEN DOWN

\_\_\_\_\_

*Lee Woodward*

\_\_\_\_\_  
Lee Woodward, City Secretary



**MINUTES OF THE LA PORTE COMMUNITY FENCING  
AD HOC COMMITTEE MEETING  
JANUARY 24, 2022**

The La Porte Community Fencing Ad Hoc Committee of the City of La Porte met on Monday, January 24, 2022, at the City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, Texas, at 4:30 p.m. to consider the following items of business:

**Committee Members present:** Brent McCaulley, Chuck Engelken, Bill Bentley, Corby Alexander

**Committee Members attending remotely:** None

**Committee Members absent:** None

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

**CALL TO ORDER** – Chair McCaulley called the meeting to order at 4:30 p.m.

2. **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.)*

There were no citizen comments.

3. **STATUTORY AGENDA** The purpose of this meeting is to discuss and formulate City Council and staff plans, operations, policies, and/or future projects, including the following:

- a. **Approve minutes of the regular La Porte Community Fencing Project meeting held on December 13, 2021. [Councilperson McCaulley, Chair]**

Member Engelken moved to approve minutes of the regular La Porte Community Fencing Project meeting held on December 13, 2021; the motion was seconded by Member Bentley; the motion was adopted, 4-0.

- b. **Presentation, discussion, and possible action regarding potential changes to the City's Community Fence Funding program/policy. [Corby Alexander, City Manager]**

Discussion involved considerations such as aesthetics, structural issues, construction materials, and location on primary thoroughfares, as well as a meeting with interested neighborhood representatives. Mr. Alexander agreed to schedule a meeting for February. Mr. Askins recommended that any structure built with City funds be visible from a public right-of-way and strengthening clawback provisions with respect to ongoing maintenance and the use of memoranda of understanding.

4. **COMMITTEE 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, Councilpersons, and City staff, for which no formal action will be discussed or taken.*

Members had no comments.

**ADJOURN** – The meeting was adjourned without objection at 4:55 p.m.

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Lee Woodward, City Secretary



## REQUEST FOR FENCING COMMITTEE AGENDA ITEM

Agenda Date Requested: <u>February 28, 2022</u>
Requested By: <u>Corby Alexander, City Manager</u>
Department: <u>Administration/CMO</u>
<input checked="" type="radio"/> Report <input type="radio"/> Resolution <input type="radio"/> Ordinance

Appropriation	
Source of Funds:	<u>N/A</u>
Account Number:	<u>N/A</u>
Amount Budgeted:	<u>N/A</u>
Amount Requested:	<u>N/A</u>
Budgeted Item:	<input type="radio"/> Yes <input checked="" type="radio"/> No

Exhibits: Policy

### SUMMARY & RECOMMENDATION

At the September 13, 2021, City Council meeting, Council established a committee to review applications for neighborhoods looking to enhance or add fencing around their respective neighborhoods. Staff has prepared applications and distributed those applications to La Porte Homeowner's Associations. The applications were also made available to civic groups and members of the community. In all, three applications were submitted for consideration.

On December 13, 2021, the La Porte Community Fencing Ad Hoc Committee met and moved to recommend City Council to approve one application. The committee agreed that they would come together on a later date to consider possible changes to the policy to encourage more applications. La Porte HOA's have been invited to discuss and provide input on policy revisions. This agenda item is primarily to identify ways to improve upon program guidelines.

### ACTION REQUIRED BY CITY COUNCIL

**Discuss potential changes to the City's Community Fence Funding program/policy.**

Approved for the City Council meeting agenda

\_\_\_\_\_  
Corby D. Alexander, City Manager

\_\_\_\_\_  
Date

# City of La Porte Community Fencing Policy & Procedures

## **Oversight:**

City Council will establish a committee comprised of three (3) councilmembers who shall consult with City staff (City Manager or designee, Public Works Director or designee, and Parks and Recreation Director or designee).

## **Application Period:**

The City of La Porte will open a period of 30-days to receive applications from the community. Application period will occur October 1 and end on November 1 of each year that funding is made available.

## **Community Fencing Projects:**

The community fence project should benefit the entire neighborhood. Each project will be evaluated by an oversight committee. Any funding awarded to the applicant for the community fence project will be based on an evaluation point system, with greater points being awarded for projects that demonstrate need and cost share capabilities. The City has allocated limited funding for the community fence projects; therefore, those applicants that demonstrate a greater need due conditions of their current fencing along with cost sharing capabilities will receive higher favoritism. Additionally, applicants that have failed to adequately maintain their community fencing will receive less points.

## **Applicant Responsibility:**

- Applicant shall provide City with initial scope and idea for community fence project.
- Applicants should be prepared to cost share in the community fence project.
- Applicants will be required to receive three (3) quotes for the proposed work.
- Applicants may apply for funding in subsequent years regardless of prior applications. However, the applicant must be noted as adequately maintaining all previous City funded fence projects.
- Applicants should be prepared to assume on-going maintenance responsibilities for the community fence improvements.
- If the applicant is within a HOA or group, the applicant must provide proof of signatory authority for the association or group. Typically, this is satisfied with a copy of the articles of incorporation filed with the State for official HOAs. Additionally, the City will need a letter from the HOA president confirming Board approval of the application of the community fencing project.
- If the applicant is not within a HOA or group, the applicant must provide written documents from all the homeowners affected by the community fencing project that they consent to the project and understand their respective responsibilities.

## **City Responsibilities:**

- The City will assist the applicants developing scope for projects.
- City will prepare projects for presentation to the committee and City Council.
- Projects may not proceed forward until a Memorandum of Agreement is approved by the City Council and fully executed by both parties. Should the

applicant not be within a HOA or group association, the Memorandum of Agreement will include all affected property owners of the community fence project.

- The City will reimburse applicant based on the award amount upon proof that all bills related to the project have been paid.

### **Evaluation Point System:**

- Oversight committee will evaluate the applications based on the following evaluation point system and provide results to be presented to the full City Council for action.
- Each project will be evaluated based on a 100 point scale.
- Each project will be evaluated on the following criteria:
  - Need Based (25 points max)
    - What is the current state of the community fencing?
    - Are there any safety concerns that would be addressed by the project?
    - Other need based concerns as identified by the oversight committee.
  - Ability to Maintain the project (25 points max)
    - What are the available resources of the applicant?
    - If project is a replacement, has the current fencing been maintained properly?
    - Does the applicant have an active board to manage ongoing maintenance?
  - Cost Share (0 points max)
    - What the financial commitment of the applicant?
    - Maximum points in this category to be granted to applicants committing 50% or more.
  - Cost Benefit Analysis (25 points max)
    - Total cost of the project divided by number of homes represented by the applicant.
    - Committee will need to determine point allocation based comparing applications.
  - Prior Year Funding (15 points max)
    - Maximum points to be given to applicants that have not received an award with last 5 years.
    - Suggestion: 2 point deduction for each prior year of funding.
  - Other (10 points max)
    - This category will be awarded points based on factors not previous identified but deemed important by the oversight committee.
    - Examples: fencing design, material to used, location in the community, etc.

### **Application Process:**

- Determine Eligibility: Discuss the project plans with the City Manager, Assistant City Manager or Public Works Director.

- Complete the application and sign the agreement form. If the applicant is not a homeowners association or group, then each of the property owners requesting the community fence project would be required to sign the application.
- A drawing (by an architect, design professional, or applicants) that adequately depicts the scope of the work to be completed.
- Photos of current fencing as well as photos that depicts the primary reason for the fencing.
- Description of current fence materials and what materials would be funded for this project.
- Maintenance summary and records of current fencing.
- Insurance claims and damage assessments (to include summary of how fence was damaged and timelines).
- Three (3) itemized work estimates on the fence project from contractors, or if the applicant will be installing, the cost of materials and any other out-of-pocket expenses.