

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



BILL BENTLEY
Councilperson District 3
Mayor Pro-Tem
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 DECEMBER 9, 2019

The City Council of the City of La Porte met in a regular meeting on Monday, December 9, 2019, 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, Jay Martin, Nancy Ojeda

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 Assistant City Attorney Clark Askins.

PLEDGES – The pledges of allegiance to the U.S. and Texas flags were led by Councilperson Nancy Ojeda.

3. **PRESENTATIONS, PROCLAMATIONS, AND RECOGNITIONS**

(a) Recognition – La Porte TIFI Cowboys Senior Football Team. [Mayor Rigby]

4. **PUBLIC COMMENTS** (*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.*)

Chuck Rosa spoke in support of campaign signs and the freedom of municipal Christmas decorations. Justin Bennett addressed concerns about his proposed project on the agenda for this evening as item 5d.

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 session held on November 11, 2019. [Mayor Louis Rigby]

(b) Authorize the City to convey a 16-inch wide permanent easement to HSC Pipeline Partnership, LLC for the construction of a 16" Ethylene Pipeline. [Corby D. Alexander, City Manager]

(c) Authorize the City Manager to enter into a two-year agreement with Sutphen Corporation for the purchase of two new fire trucks at a total cost of \$1,011,329.05, under BuyBoard contract #571-18. [Donald Ladd, Assistant Fire Chief]

(d) Adopt Ordinance 2019-3768, for the purpose of vacating, abandoning, and closing a portion of two separate alleys and two separate road rights-of-way, located in Blocks 1143 and 1144, Town of La Porte. [Ian Clowes, City Planner]

(e) Adopt Resolution 2019-19 to cast the City's ballot for Mike Sullivan for the HCAD Board of Directors representative for cities other than Houston. [Mayor Rigby]

(f) Approve the Mayor's appointment of James Edwards to serve the remainder of the current term for Place 17 on the Harris-Galveston Subsidence District (HGSD) Board of Directors. [Mayor Rigby]

(g) Approve the encumbrance rollover for fiscal year 2019. [Michael Dolby, Finance Director]

(h) Adopt Ordinance 2019-3769 authorizing and ordering the issuance, sale, and delivery of City of La Porte General Obligation Refunding Bonds, Series 2020. [Michael Dolby]

(i) Approve the purchase of HPE Nimble Storage system hardware expansion under DIR contract 176-025-1479-000. [Grady Parker, IT Manager]

- (j) **Award Bid #20001 for the Sylvan and Jefferson Paving and Rehabilitation Project to Tandem Services, LLC, and authorize the City Manager to enter into a construction contract in the amount of \$880,100.00, plus \$50,000.00 contingency, for a total authorization of \$930,100.00. [Ray Mayo, Public Works Director]**
- (k) **Authorize the award of Sealed Bid #20003 for plastic garbage bags. [Ray Mayo, Public Works Director]**

Without objection, Councilperson Earp proposed that the agreement in item b be amended in its item 2 so that burial was at a minimal depth of 36" and nothing lesser permitted. City Manager Alexander reported that on item d, the developer has agreed to the City's appraisal and to abide by the Tier 2 façade requirements per the previously approved SCUP. Councilperson Garza asked to pull items d, e, and j. Councilperson Bentley moved to approve the consent agenda items a, b (with amendment), c, f, g, h, i and k; the motion was adopted, 9-0.

Councilperson Earp moved to approve item d (amended as to the \$4.50 appraisal rate and adherence to the requirements of the SCUP, as noted above) to adopt Ordinance 2019-3768 for street and alley closure request #19-25000006, vacating and abandoning a portion of two (2) separate 15-foot wide alleys and a portion of the 15th Street and 14th Street rights-of-way, adjacent to the property legally described as Lots 1-32, Block 1143 and Lots 1-32, Block 1144, and authorize the City Manager to execute a deed to the adjacent property owner for the subject right-of-way. The motion was adopted, 8-1, Councilperson Garza voting against.

Councilperson Earp moved to approve item e to cast the City's ballot for Mike Sullivan to serve as the HCAD board member in the position representing cities other than the City of Houston and adopt Resolution 2019-19 in support of same; the motion was adopted, 8-1, Councilperson Garza voting against.

Councilperson Bentley moved to approve item j to award Bid #20001 for the Sylvan and Jefferson Paving and Rehabilitation Project to Tandem Services, LLC and authorize the City Manager to enter into a construction contract for base bid items at \$744,265 and use of additive bid items totaling \$135,835.00, and approval of construction contingency of \$50,000, for a total authorization of \$930,100.00. The motion was adopted, 9-0.

6. STATUTORY AGENDA

- (a) **Presentation, discussion, and possible action regarding the Parks, Recreation, and Open Space Master Plan from Halff Associates, Inc. [Rosalyn Epting, Director, Parks and Recreation]**

Aaron Tuley of Halff Associates, Inc. provided an update on the Master Plan.

- (b) **Presentation and discussion on adoption of Ordinance 2019-3758, to amend the Council Rules of Procedure and Ethics Policy. [Mayor Rigby]**

Mayor Rigby moved to appoint a subcommittee to review the Rules of Procedure and Ethics Policy composed of Councilmember Earp as the chair, and Councilpersons Bentley and Garza, to include the City Manager, City Secretary, and Assistant City Attorney, to meet on its own schedule, and expected to report back to the Council in January; the motion was adopted, 9-0.

- (c) **Presentation, discussion, and possible action regarding the Council Drainage Committee's recommendation to proceed with proposed drainage projects using City funds in lieu of waiting for grant funding award determinations and to provide staff direction on how to proceed with the utilization of the funds. [Lorenzo Wingate, City Engineer]**

Councilperson Earp moved to approve the Drainage and Flooding Committee's recommendation to proceed with engineering and design work for drainage projects for Bayside Terrace and Little Cedar Bayou, using City funds in lieu of waiting for grant funding award determinations; the motion was adopted, 9-0.

7. REPORTS

- (a) **Receive a report on the Drainage and Flooding Committee meeting. [Councilperson Martin]**

Councilperson Martin reported on the Drainage and Flooding Committee meeting (primarily during the consideration of item 6c), relaying that, due to the experience of the last twenty years, the Committee concluded it was appropriate to move forward with engineering and design for Bayside Terrace and Little Cedar Bayou, and put a hard deadline of the end of March for Brookglen and F101-06-00, as was approved tonight.

- (b) **Receive a report on the Fiscal Affairs Committee meeting. [Councilperson Engelken]**

Councilperson Engelken reported on the Fiscal Affairs meeting, saying the Committee received the purchasing card expenditure and fourth quarter investment reports of the Finance Department.

8. ADMINISTRATIVE REPORTS

- Planning and Zoning Commission meeting, Thursday, December 19, 2019
- City Council Meeting, Monday, January 13, 2020
- La Porte Development Corporation Board meeting, Monday, January 27, 2020

City Manager Corby Alexander invited the Council to the City Hall brunch on Thursday at 10 a.m.

9. COUNCIL COMMENTS regarding matters appearing on the agenda; recognition of community members, city employees, and upcoming events; inquiry of staff regarding specific factual information or existing policies.

Councilmembers thanked the Drainage and Flooding Committee members for their important work; urged all to spread care and good cheer; shared the success of *Christmas on Main Street* and acknowledged the Chamber for their participation in it; asked everyone to be safe over the holidays; voiced concern over the length of the stoplight by the post office; congratulated the La Porte TIFI Cowboys Senior Football Team; thanked the Parks Department for *Breakfast with Santa*; advised caution on City expenditures; articulated distress over the social media attacks regarding the Rules of Procedure and Ethics Policy review; shared anticipation for the Parks Master Plan; recalled Thanksgiving and the time of year to reflect on the blessings of the work of the City staff; recognized the Fire Department for the Santa Claus visits around town; noted that the community was divided on sidewalks and trails; discussed last month's *La Porte Half Marathon* and thanked all the departments and volunteers involved; congratulated EMS for their recent award as the best in the state; congratulated the City Secretary on being named as a Trustee for the Texas Municipal Clerks Association for 2020; and wished all a Merry Christmas and a Happy New Year.

ADJOURN – Without objection, Mayor Rigby adjourned the meeting at 8:16 p.m.

Lee Woodward, City Secretary