

LOUIS R. RIGBY
Mayor
BRANDON LUNSFORD
Councilmember At Large A
STEVE GILLETT
Councilmember At Large B
DANNY EARP
Councilmember District 1



CHUCK ENGELKEN
Councilmember District 2
BILL BENTLEY
Mayor Pro-Tem
Councilmember District 3
THOMAS GARZA
Councilmember District 4
JAY MARTIN
Councilmember District 5
NANCY OJEDA
Councilmember District 6

CITY COUNCIL MEETING AGENDA

Notice is hereby given of a Regular Meeting of the La Porte City Council to be held April 27, 2020 , beginning at 6:00 PM in the City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, Texas

, for the purpose of considering the following agenda items. All agenda items are subject to action.

To attend the meeting remotely, via the Zoom meeting app, use the link <https://zoom.us/j/99429047834>. with Meeting ID 994 2904 7834. To attend by phone only, dial 877-853-5257 or 888-475-4499, both are toll-free in the U.S.

- 1. CALL TO ORDER**
- 2. INVOCATION** – The invocation will be given by Minister Thomas Green, Pleasant Hill Church of Deliverance.
PLEDGES – Will be led by Councilperson Jay Martin.
U.S. Flag
Texas Flag: Honor the Texas Flag. I pledge allegiance to thee, Texas, one state, under God, one, and indivisible.
- 3. PRESENTATIONS, PROCLAMATIONS, AND RECOGNITIONS**
 - (a)** Proclamation in recognition of April as Parliamentary Law Month. [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.)*
- 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 April 13, 2020, Council meeting. [Mayor Rigby]
 - (b)** Approve the appointments of James Walter to Position 3 on the La Porte Planning and Zoning Commission and John Blakemore to an open position on the La Porte Zoning Board of Adjustment. [Mayor Rigby and Mayor Pro Tem Bill Bentley]
 - (c)** Approve the purchase of a Hino 338 Trash Truck with Heavy Brush Dump Bed from Rush Truck Center under BuyBoard Contract 601-19, in the amount of \$99,345.00. [Ray Mayo, Director of Public Works]
- 6. STATUTORY AGENDA**
 - (a)** Presentation, discussion, and possible action to provide staff direction on how to move forward with live-streaming City Council meetings via Facebook for the short-term. [Corby Alexander, City Manager]
 - (b)** Presentation, discussion, and possible action to reschedule or cancel the May 25, 2020, City Council meeting due to the Memorial Day holiday. [Mayor Rigby]
- 7. REPORTS**

Receive report on the La Porte Development Corporation Board meeting. [Councilperson

(a) Ojeda]

8. ADMINISTRATIVE REPORTS

- City Council meeting, May 11

9. COUNCIL 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, Councilmembers, and City staff, for which no formal action will be discussed or taken.*

10. 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.

CERTIFICATE

I, Lee Woodward, City Secretary, do hereby certify that a copy of the April 27, 2020, City Council 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, in compliance with Chapter 551, Texas Government Code.

DATE OF POSTING _____

TIME OF POSTING _____

TAKEN DOWN _____

Lee Woodward

Lee Woodward, City Secretary



Proclamation

Office of the Mayor

WHEREAS, April is the birth month of Thomas Jefferson, who wrote the first American manual of parliamentary procedure in 1801, it is an appropriate time to celebrate the use of parliamentary procedure; and

WHEREAS, it is fitting to honor Henry Martyn Robert, author of Pocket Manual of Rules of Order for Deliberative Assemblies, now known as Robert's Rules of Order; and

WHEREAS, Robert's Rules of Order, Newly Revised is the most widely recognized and used parliamentary authority in public and private organizations; and

WHEREAS, it is timely to reflect upon the importance of parliamentary procedure in providing for civil discourse, protecting individual rights, ensuring fairness, and in maintaining order in meetings.

NOW, THEREFORE, I, Louis R. Rigby, Mayor, do hereby proclaim April 2020, as

Parliamentary Law Month

In Witness Whereof: I have hereto set my hand and caused the Seal of the City to be affixed hereto, this, the 27th day of April, 2020.

City of La Porte

Louis R. Rigby, Mayor

LOUIS RIGBY
Mayor
BRANDON LUNSFORD
Councilperson At Large A
STEVE GILLETT
Councilperson At Large B
DANNY EARP
Councilperson District 1
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Councilperson District 6

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LA PORTE
APRIL 13, 2020**

The City Council of the City of La Porte met in a regular meeting on Monday, April 13, 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, Bill Bentley, Steve Gillett, Thomas Garza
Councilpersons attending remotely: Danny Earp, Chuck Engelken, Nancy Ojeda, Jay Martin
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.
2. **INVOCATION AND PLEDGES** – The invocation was given remotely by Pastor Christen of La Porte Community Church, and the pledges of allegiance to the U.S. and Texas flags were led by Councilperson Nancy Ojeda.
3. **PRESENTATIONS, PROCLAMATIONS, AND RECOGNITIONS**
 - (a) Proclamation in recognition of National Public Safety Telecommunicators Week. [Mayor Rigby]
 - (b) Proclamation in recognition of National Volunteer Week. [Mayor Rigby]
 - (c) Proclamation in recognition of National Animal Control Officers Appreciation Week. [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.*)

Chuck Rosa asked that the Council meetings be held in person as he said is done in Allen, Texas.

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 special meetings on March 20 and March 30, 2020, and the regular meeting on March 23, 2020. [Mayor Rigby]
 - b. Approve Ordinance 2020-3788 to adopt proposed updates to the City of La Porte Water Conservation Plan. [Ray Mayo, Director of Public Works]
 - c. Adopt Resolution 2020-07 authorizing the resale of tax delinquent property described at Tract 1, Lot 38, Block 10 of Battleground Estates, Section 2, a Subdivision of Harris County, Texas. [Shelley Wolny, Treasurer]
 - d. Adopt Resolution 2020-08 authorizing the resale of tax delinquent property described as Tract 1, Lots 20 & 21, Block 1 of Pinegrove Valley, a Subdivision of Harris County, Texas. [Shelley Wolny, Treasurer]

- e. **Adopt Resolution 2020-09 authorizing the resale of tax delinquent property described as Tract 1, Lots 24, 25 & 26, Block 88 of Bay Front Addition to the Town of La Porte. [Shelley Wolny, Treasurer]**
- f. **Approve the issuance of a pipeline permit to Baymark Pipeline LLC for the construction of a 12" ethylene pipeline within the City of La Porte. [Lorenzo Wingate, Assistant Director of Public Works]**

Without objection, Councilperson Gillett amended the minutes of March 23 to include the City Secretary's PowerPoint presentation for the election item. Without objection, Councilperson Earp asked that the Baymark Pipeline LLC pipeline permit be amended to include the wording for the 4' minimum depth.

Councilperson Engelken moved to approve the consent agenda as amended; the motion was adopted, 9-0.

6. STATUTORY AGENDA

- a. **Presentation, discussion, and possible action to approve a temporary water service agreement with Enterprise Products, LLC. [Ray Mayo, Director of Public Works]**

Councilperson Ojeda moved to deny the execution of a temporary water supply agreement with Enterprise Products; the motion was adopted, 9-0.

- b. **Presentation, discussion, and possible action to provide direction concerning the recently passed Families First Coronavirus Response Act (FFCRA). [Matt Hartleib, HR Manager]**

Councilperson Garza moved to direct staff to implement the Families First Corona Response Act (FFCRA) according to option 1, which excludes no employees from either Extended Sick Leave or expanded provisions of the FMLA, with the ability for the Council to come back and revisit the decision; the motion was adopted, 9-0.

- c. **Presentation, discussion, and possible action to adopt Ordinance 2020-3783, for the purpose of vacating, abandoning, and closing a portion of the N. 8th Street right-of-way situated in Block 12, Nebraska Syndicate, and reserving an easement for City utilities. [Corby Alexander, City Manager]**

Councilperson Bentley moved that the Council adopt Ordinance 2020-3783 for street and alley closure request #19-25000007, vacating and abandoning a portion of the N 8th St. right-of way, adjacent to the property legally described as Tracts 12, 12B, 12C, and 12D, Block12, Nebraska Syndicate, and authorize the City Manager to execute a deed to the adjacent property owner for the subject right of way.

Councilperson Earp moved to require language in the deed to require the developer to pay for removal and replacement of any improvements, even if built with a City permit, should the City need to make any repairs or access the lines; the motion to amend was adopted, 9-0.

The main motion, as amended, was adopted, 7-2, Councilpersons Earp and Gillett voting against.

7. ADMINISTRATIVE REPORTS

- City Council meeting, April 27
- City Council meeting, May 11
- City Council meeting, May 25

City Manager Alexander noted Harris County Precinct 2 began today a study phase on the widening and improvements of Fairmont Parkway to a six-lane roadway.

8. 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.

Councilpersons shared their pleasure over the work on the Spencer Highway fencing; thanked Public Works for reopening the Recycling Center this week and for additional heavy trash pick-up; noted the reopening of parks following the Easter weekend and requested the golf course be considered for reopening; acknowledged recipients of tonight's proclamations; thanked City volunteers and those who volunteer across the community; expressed pleasure over the closure of the golf course; recognized Animal Control for clearing the shelter; offered sympathy over the continued social distancing restrictions; thanked the Mayor for his communication and updates that went out to the public on social media and by mass phone call; offered kudos to Emergency Management Coordinator Kristin Gauthier and the Emergency Operations Center staff; requested weekly updates from the Mayor to the community; reminded everyone to stick together and remember that there are untruths on social media.

9. EXECUTIVE SESSION

(a) City Council will meet in a closed session pursuant to Texas Government Code Section 551.074 – personnel matters – for deliberation related to the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, unless the officer requests a public hearing: Denise Mitrano, Municipal Court Judge.

The Council adjourned into executive session at 8:00 p.m.

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

The Council reconvened into open session at 8:41 p.m. Councilperson Gillett moved to approve a 4.5% increase for Judge Mitrano. The motion was adopted, 9-0.

ADJOURN – Without objection, Mayor Rigby adjourned the meeting at 8:42 p.m.

Lee Woodward, City Secretary

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Lee Woodward, City Secretary



REQUEST FOR CITY COUNCIL AGENDA ITEM

| |
|---|
| Agenda Date Requested: <u>April 27, 2020</u> |
| Requested By: <u>Mayor Rigby</u> |
| Department: <u>City Council</u> |
| <input type="radio"/> Report <input type="radio"/> Resolution <input type="radio"/> Ordinance |

Exhibits: N/A

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

SUMMARY

Following the resignation of Board member Joanne Pitzer from the Planning and Zoning Commission position appointed by the District 3 Councilperson, and the resignation of Chester Pool from the ZBOA and TIRZ boards in non-District-specific positions, there are open positions to be appointed. District 3 Councilperson Bentley has nominated James Walter for the Planning and Zoning Commission in Position 3 and Mayor Rigby has nominated John Blakemore for the open position on the Zoning Board of Adjustment. No appointment for the open TIRZ seat is being offered this evening. The Council received both applications previously for review.

RECOMMENDED MOTION

I move the appointment of James Walter to Position 3 on the La Porte Planning and Zoning Commission and John Blakemore to an open position on the Zoning Board of Adjustment. [This motion does not require a second. These motions may be made separately, if preferred.]



REQUEST FOR CITY COUNCIL AGENDA ITEM

| |
|--|
| Agenda Date Requested: <u>April 27, 2020</u> |
| Requested By: <u>Ray Mayo, Director</u> |
| Department: <u>Public Works</u> |
| <input checked="" type="radio"/> Report <input type="radio"/> Resolution <input type="radio"/> Ordinance |

| Appropriation | |
|-------------------|---|
| Source of Funds: | <u>009 - Motor Pool Fund</u> |
| Account Number: | <u>009-7072-532-8050</u> |
| Amount Budgeted: | <u>\$0</u> |
| Amount Requested: | <u>\$99,345</u> |
| Budgeted Item: | <input type="radio"/> Yes <input checked="" type="radio"/> No |

Exhibits: BuyBoard Quote for Heavy Trash Truck Replacement

SUMMARY

The City of La Porte's trash truck (unit 72-56) was involved in a roll-over accident while dumping a load at the Green Shadow landfill in September 2019. Inspection by TML adjusters showed major frame damage resulting in a total loss. Staff is requesting to have this piece of equipment replaced. This equipment was not programmed in the FY 2019-20 budget to be replaced. However, the Finance Department will come forward at the next City Council meeting, May 11, 2020 with a budget amendment to allow replacement.

Following the incident, our staff performed in-depth research to determine available truck and body options to prevent a recurrence of this type of accident. The replacement equipment is quoted with those options that include: extra heavy-duty frame with overweight front axle, oversized rear helper springs and a rear suspension stabilizer package. Since insurance issued a total-loss claim, the truck has been taken by the insurance and TML has issued an insurance claim check in the amount of \$48,873.65. The balance of the replacement cost (\$50,471.35) will be funded in the Motor Pool Fund for replacement trash truck. Staff is requesting approval for the purchase of a Hino 338 Trash Truck with Heavy Brush Dump Bed from Rush Truck Center, which is under the BuyBoard Contract #601-19 in the amount of \$99,345.

RECOMMENDED MOTION

I move to approve the purchase of a Hino 338 Trash Truck with Heavy Brush Dump Bed from Rush Truck Center under BuyBoard Contract 601-19 for \$99,345.00

Approved for the City Council meeting agenda

Corby D. Alexander, City Manager

Date



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: April 27, 2020
Requested By: Corby Alexander, City Mgr.
Department: Administration/CMO
 Report Resolution 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:

SUMMARY

For the up-coming Pre-Budget Retreat, Councilmember Thomas Garza asked for a discussion about the possibility of live-streaming video City Council meetings. Staff has been working on options for the upcoming budget retreat.

However, the request was made that on an interim basis, could we live-stream via Facebook? Apparently, this could be accomplished by activating a function in the Zoom application. Obviously this is not something that staff would initiate without City Council review and approval.

RECOMMENDED MOTION

Provide staff direction on how to move forward with live-streaming City Council meetings via Facebook for the short-term.

Approved for the City Council meeting agenda

Corby D. Alexander, City Manager

Date



REQUEST FOR CITY COUNCIL AGENDA ITEM

| |
|---|
| Agenda Date Requested: <u>April 27, 2020</u> |
| Requested By: <u>Mayor Rigby</u> |
| Department: <u>City Council</u> |
| <input type="radio"/> Report <input type="radio"/> Resolution <input type="radio"/> Ordinance |

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

Exhibits: N/A

SUMMARY

May 25, 2020, is the date of the second meeting in May and is also Memorial Day, a national holiday and a City holiday. Annually, Council determines whether to cancel or reschedule this meeting.

RECOMMENDED MOTION

Motion determined by option selected.
