

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 SEPTEMBER 23, 2019

The City Council of the City of La Porte met in a regular meeting on Monday, September 23, 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, Thomas Garza, Steve Gillett, Danny Earp, Chuck Engelken, Bill Bentley, Brandon Lunsford, Jay Martin, Nancy Ojeda

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** – The invocation was given by Reverend Alan Neel, Life Community Church.
PLEDGES – The pledges of allegiance to the U.S. and Texas flags were led by Councilperson Steve Gillett.
3. **PRESENTATIONS, PROCLAMATIONS, AND RECOGNITIONS**
Recognition - Retirement of Curtis Herrod (City of La Porte Public Works) [Louis R. Rigby, Mayor]
4. **PUBLIC COMMENTS** (Limited to five minutes per person) – Carol Schneider of Grace Church Houston discussed their appreciation of cities month held earlier this year and thanked the Councilpersons for their service. Chuck Rosa spoke against denying zoning applications with prejudice, against limiting the length of public comments, against banning political signs on City property, in support of lowering the property tax rate, and asked for headset microphones. Deborah Arrona spoke about disability mobility accessibility for the MLK Splashpad, thanked the Council for the improvements, and asked for the appropriate striping and signage to be completed.
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 City Council meeting held on September 9, 2019. [Mayor Rigby]
 - (b) Approve the Mayor's nomination of Doug Martin to continue serving as the Chair of the Tax Increment Reinvestment Zone Number One (TIRZ) Board of Directors and of the La Porte Redevelopment Authority through May 2020. [Mayor Rigby]
 - (c) Award Bid #19016 for mowing of various City properties. [Corby Alexander, City Manager]
 - (d) Approve the nominations of Councilperson Engelken as the City's representative and of Councilperson Bentley as the City's alternate to the Houston Galveston Area Council (H-GAC) 2020 General Assembly and Board of Directors. [Mayor Rigby]

Councilperson Garza pulled item b. Councilperson Engelken moved to approve items a, c, and d; the motion was adopted, 9-0. Councilperson Engelken moved to approve the Mayor's nomination of Doug Martin to continue serving as the Chair of the Tax Increment Reinvestment Zone Number One (TIRZ) Board of Directors and of the La Porte Redevelopment Authority through May 2020; the motion was adopted, 8-1, Councilperson Garza voting against.

6. PUBLIC HEARINGS AND ASSOCIATED ORDINANCES

- (a) **The City Council will hold a second public hearing to accept comments on their consideration to accept a maximum property tax rate of \$0.71 per \$100 valuation for the City's 2019-2020 fiscal year. [Corby Alexander, City Manager; Michael Dolby, Finance Director]**

Mayor Rigby opened the public hearing at 6:23 p.m. Bill Scott and Chuck Rosa spoke against the proposed \$0.71 tax rate. The Mayor closed the public hearing at 6:29 p.m.

- (b) **The City Council will hold a public hearing to receive comments regarding a recommendation by the Planning and Zoning Commission to adopt Ordinance 2019-3759 amending the City's Future Land Use Map Component of the Comprehensive Plan for an approximately 12.608-acre tract of land located at the northwest corner of Fairmont Parkway and Canada Road, legally described as Tracts 710A and 711, La Porte Outlots, by changing the land use designation from "Commercial" to "Mid-High Density Residential"; followed by discussion and possible action to adopt Ordinance 2019-3759 amending the City's Future Land Use Map Component of the Comprehensive Plan for an approximately 12.608-acre tract of land located at the northwest corner of Fairmont Parkway and Canada Road, legally described as Tracts 710A and 711, La Porte Outlots, by changing the land use designation from "Commercial" to "Mid-High Density Residential". [Ian Clowes, City Planner]**

Mayor Rigby opened the public hearing at 6:30 p.m. Ian Clowes gave a brief presentation on items 6b, c, and d. Doak Brown, one of the owners of Brownstone, spoke on his proposed development. Chuck Rosa recounted the item's appearance before the Planning and Zoning Commission. The Mayor closed the public hearing at 6:47 p.m. Councilperson Engelken moved to adopt Ordinance 2019-3759 amending the City's Future Land Use Map Component of the Comprehensive Plan for an approximately 12.608-acre tract of land located at the northwest corner of Fairmont Parkway and Canada Road, legally described as Tracts 710A and 711, La Porte Outlots; the motion was adopted, 9-0.

- (c) **The City Council will hold a public hearing to receive comments regarding a recommendation by the Planning and Zoning Commission to adopt Ordinance 2019-3760 amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning" by granting Zone Change #19-92000004, a change from General Commercial (GC) to Planned Unit Development (PUD) for a 12.608-acre tract of land located at the northwest corner of Fairmont Parkway and Canada Road, legally described as Tracts 710 A and 711, La Porte Outlots; followed by discussion and possible action to adopt Ordinance 2019-3760 amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning" by granting Zone Change #19-92000004, a change from General Commercial (GC) to Planned Unit Development (PUD) for a 12.608-acre tract of land located at the northwest corner of Fairmont Parkway and Canada Road, legally described as Tracts 710 A and 711, La Porte Outlots. [Ian Clowes, City Planner]**

Mayor Rigby opened the public hearing at 6:49 p.m. There were no comments. The Mayor closed the public hearing at 6:49 p.m. Councilperson Engelken moved to adopt Ordinance 2019-3760 amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning" by granting Zone Change #19-92000004, for a 12.608-acre tract of land located at the northwest corner of Fairmont Parkway and Canada Road; the motion was 9-0.

- (d) **The City Council will hold a public hearing to receive comments regarding a recommendation by the Planning and Zoning Commission to adopt Ordinance 2019-3761 amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning" by granting Special Conditional Use Permit #19-91000006 to allow for a multi-family use on a 12.608-acre tract of land, legally described as Tracts 710A and 711, La Porte Outlots in the Planned Unit Development (PUD) zoning district; followed by discussion and possible action to adopt Ordinance 2019-3761 amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning" by granting Special Conditional Use Permit #19-91000006 to allow for multi-family on a 12.608-acre tract of land, legally described as Tracts 710A and 711, La Porte Outlots in the Planned Unit Development (PUD) zoning district. [Ian Clowes, City Planner]**

Mayor Rigby opened the public hearing at 6:51 p.m. No comments were offered. The Mayor closed the public hearing at 6:51 p.m. Councilperson Gillett moved to adopt Ordinance 2019-3761 amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning" by granting Special Conditional Use Permit #19-91000006 for a 12.608-acre tract of land, legally described as Tracts 710A and 711, La Porte Outlots; the motion was adopted, 9-0.

- (e) **The City Council will hold a public hearing to receive comments regarding the recommendation by the Planning and Zoning Commission to adopting Ordinance 2019-3762 amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning" by amending regulations related to the reconsideration of**

previously denied zone change and special conditional use permit requests; followed by discussion and possible action to adopt Ordinance 2019-3762 amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning" by amending regulations related to the reconsideration of previously denied zone change and special conditional use permit requests. [Ian Clowes, City Planner]

Mayor Rigby opened the public hearing at 6:54 p.m. Ian Clowes presented a presentation. Chuck Rosa spoke against the ordinance. The Mayor closed the public hearing at 7:16 p.m.

Councilperson Bentley moved to adopt Ordinance 2019-3762 amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning"; the motion was adopted, 8-1, Councilperson Garza voting against.

7. STATUTORY AGENDA

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

Councilpersons worked from the beginning through Section 4.

8. REPORTS

(a) Receive a report of the La Porte Development Corporation Board Meeting. [Councilperson Nancy Ojeda]

Councilperson Ojeda reported on the La Porte Development Corporation Board meeting, relaying that the Board voted to approve enhancement grants for Coastal Exterminating's project at 812 South 8th Street for \$21,505.00 and for Frank Nance State Farm's project at 812 South 8th Street for \$6,998.73.

9. ADMINISTRATIVE REPORTS

- City Council Special Meeting, Monday, September 30, 2019
- Drainage and Flooding Committee Meeting, Monday, October 14, 2019
- City Council Meeting, Monday, October 14, 2019
- Planning and Zoning Commission Meeting, Thursday, October 17, 2019
- Zoning Board of Adjustment Meeting, Thursday, October 24, 2019
- City Council Meeting, Monday, October 28, 2019

City Manager Corby Alexander said Public Works would look into the MLK Splashpad parking issue tomorrow.

10. 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 congratulated and offered gratitude to Curtis Herrod for his many years of service; noted attendance at the First Responders' Breakfast and Fire Department Awards Dinner; shared the success of the weekend's Regatta at the Houston Yacht Club; wished Martha Gillett a happy birthday; thanked Mr. Mayo, Mr. Wingate, and others for helping residents in last week's heavy rains; shared their good impressions of Mr. Brown's projects; addressed a citizen's comment of the upkeep of City facilities, including the roof at the fitness center; noted those in the audience from four separate churches and thanked them for their prayers; requested an update on the airport study; thanked Mr. Mayo and his staff for new asphalt at Bayside Terrace; acknowledged a local student who attended the meeting for class credit; expressed appreciation for the new sidewalk; commended the City's first responders, especially Fire, after experiencing the issues of relatives in the Crosby area and realizing the work done during emergency and disaster; offered an apology to the Mayor for speaking without being recognized; spoke in support and in concern about the tax rate's constancy over the last thirty years; noted the loss of Keith Walker in Fire, who passed last week; shared the good attendance at Saturday's *Health and Safety Fair*; and asked the City Manager for data over the last thirty years concerning population, employees, and commodity costs.

ADJOURN – Without objection, Mayor Rigby adjourned the meeting at 8:14 p.m.

Lee Woodward, City Secretary