

LOUIS RIGBY
Mayor
JOHN ZEMANEK
Councilmember At Large A
DOTTIE KAMINSKI
Councilmember At Large B
DANNY EARP
Councilmember District 1
CHUCK ENGELKEN
Councilmember District 2



DARYL LEONARD
Councilmember District 3
KRISTIN MARTIN
Mayor Pro-Tem
Councilmember District 4
JAY MARTIN
Councilmember District 5
NANCY OJEDA
Councilmember District 6

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LA PORTE
APRIL 9, 2018**

The City Council of the City of La Porte met in a regular meeting on **Monday, April 9, 2018**, at the City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, Texas, at **6:00 p.m.** to consider the following items of business:

1. **CALL TO ORDER** – Mayor Rigby called the meeting to order at 6:00 p.m. Members of Council present: Councilmembers Ojeda, J. Martin, K. Martin, Kaminski, Zemanek, Leonard, Engelken, and Earp. Also present were City Secretary Patrice Fogarty, City Manager Corby Alexander, Assistant City Manager Jason Weeks, and Assistant City Attorney Clark Askins.
2. **INVOCATION** – The invocation was given by Assistant City Attorney, Clark Askins
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by Councilmember Nancy Ojeda.
4. **PRESENTATIONS, PROCLAMATIONS, and RECOGNITIONS**
 - (a) Proclamation – Fair Housing Month in the City of La Porte – Mayor Rigby

Mayor Rigby presented a proclamation to Planning and Development Director Richard Mancilla for Fair Housing Month in the City of La Porte.
 - (b) Proclamation – National Public Safety – Telecommunications Week – Mayor Rigby

Mayor Rigby presented a proclamation to Police Chief Ken Adcox and dispatchers for National Public Safety – Telecommunications Week.
 - (c) Proclamation – National Animal Control Officers Week – Mayor Rigby

Mayor Rigby presented a proclamation for National Animal Control Officers Week to Animal Control Supervisor Clarence Anderson and Police Chief Adcox.
5. **PUBLIC COMMENTS** (Limited to five minutes per person.)

There were no public comments.
6. **CONSENT AGENDA** *(All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.)*
 - (a) Consider approval or other action regarding the minutes of the meeting held on March 26, 2018 – P. Fogarty

- (b) Consider approval or other action regarding an amended Ordinance consenting to petition for creation of Harris County MUD 561 and adoption of utility agreement between the City of La Porte and Beazer Homes Texas, L.P. – C. Alexander
- (c) Consider approval or other action regarding a Resolution designating the City Manager as the authorized grant official for the child identification system and electric vehicle supporting the Neighborhood Storefront & Community Outreach Program, through the Criminal Justice Division, Office of the Governor, State of Texas – K. Adcox

Councilmembers Earp and Zemanek had questions regarding Items (b) and (c). Staff responded to the questions.

Councilmember Earp made a motion to approve Consent Agenda Items (a) and (c) pursuant to staff recommendations. Councilmember Engelken seconded the motion. **MOTION PASSED UNANIMOUSLY 9/0.**

Ayes: Mayor Rigby, Councilmembers Leonard, Engelken, Ojeda, Zemanek, Kaminski, Earp, J. Martin, and K. Martin
 Nays: None
 Absent: None

Councilmember Earp made a motion to postpone Consent Agenda Item (b) until the April 23, 2018, meeting. Councilmember Zemanek seconded the motion. **MOTION PASSED UNANIMOUSLY 9/0.**

Ayes: Mayor Rigby, Councilmembers Leonard, Engelken, Ojeda, Zemanek, Kaminski, Earp, J. Martin, and K. Martin
 Nays: None
 Absent: None

7. PUBLIC HEARING AND ASSOCIATED ORDINANCES

- (a) Public hearing to receive comments regarding recommendation by the Planning and Zoning Commission to approve an Ordinance amending the City’s Future Land Use Map Component of the Comprehensive Plan for a 20-acre tract of land located on the east side of SH 146 north of Wharton Weems Blvd., and legally described as Tract 1L, Abstract 35, J Hunter Survey, by changing from “Mid-High Density Residential,” “Commercial,” and “Mixed Use” to “Mid-High Density Residential”; consider approval or other action regarding an Ordinance amending the City’s Future Land Use Map Component of the Comprehensive Plan for a 20-acre tract of land located on the east side of SH 146 north of Wharton Weems Blvd., legally described as Tract 1L, Abstract 35, J Hunter Survey, from “Mid-High Density Residential,” “Commercial,” and “Mixed Use” to “Mid-High Residential.” – I. Clowes

The public hearing opened at 6:26 p.m.

Planning and Development Director Richard Mancilla presented a combined summary for Items 7(a) and 7(b).

There being no public comments, the public hearing closed at 6:29 p.m.

Councilmember J. Martin made a motion to accept the recommendation by the Planning and Zoning Commission. Councilmember Leonard seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

Ayes: Mayor Rigby, Councilmembers Leonard, Engelken, Ojeda, Zemanek, Kaminski, Earp, J. Martin, and K. Martin
 Nays: None
 Absent: None

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2018-3700**: AN ORDINANCE ADOPTING AN UPDATE TO THE FUTURE LAND USE MAP COMPONENT OF THE COMPREHENSIVE PLAN OF THE CITY OF LA PORTE, TEXAS UPON RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION OF THE CITY OF LA PORTE, TEXAS; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

- (b) Public hearing to receive comments regarding recommendation by the Planning and Zoning Commission to approve Special Conditional Use Permit #18-91000002 to allow for a multi-family apartment complex, to be located on a 20-acre tract of land described as Tract 1L, Abstract 35, J Hunter Survey in a PUD zone; consider approval or other action regarding an Ordinance amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning," by granting Special Conditional Use Permit #18-9100000-02, to allow for the development of a multi-family apartment complex to be located on a 20-acre tract of land described as Tract 1L, Abstract 35, J Hunter Survey in a PUD zone – I. Clowes

The public hearing opened at 6:30 p.m.

There being no public comments, the public hearing closed at 6:30 p.m.

Councilmember J. Martin made a motion to accept the Planning and Zoning Commission's recommendation to approve an Ordinance amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning," by granting Special Conditional Use Permit #18-9100000-02, to allow for the development of a multi-family apartment complex to be located on a 20-acre tract of land described as Tract 1L, Abstract 35, J Hunter Survey in a PUD zone. Councilmember Leonard seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

Ayes:	Mayor Rigby, Councilmembers Leonard, Engelken, Ojeda, Zemanek, Kaminski, Earp, J. Martin, and K. Martin
Nays:	None
Absent:	None

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2018-3701**: AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LA PORTE, CHAPTER 106, MORE COMMONLY REFERRED TO AS THE ZONING ORDINANCE OF THE CITY OF LA PORTE, BY GRANTING SPECIAL CONDITIONAL USE PERMIT NO. 18-91000002, TO ALLOW FOR THE DEVELOPMENT OF A MULTI-FAMILY APARTMENT COMPLEX IN A PLANNED UNIT DEVELOPMENT (PUD) ZONING DISTRICT, ON A 20-ACRE TRACT OF LAND AND BEING LEGALLY DESCRIBED AS TRACT 1L, ABSTRACT 35, J HUNTER SURVEY, LA PORTE HARRIS COUNTY, TEXAS; MAKING CERTAIN FINDINGS OF FACT RELATED TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.

- (c) Public hearing to receive comments regarding recommendation by the Planning and Zoning Commission to approve an Ordinance amending the City's Future Land Use Map Component of the Comprehensive Plan for a 19.17-acre tract of land located on the east side of SH 146 south of Baypoint Townhomes, and legally described as Tract 1, Abstract 35, J Hunter Survey, by changing from "Mid-High Density Residential," "Commercial," and "Mixed Use" to "Mid-High Density Residential"; consider approval or other action regarding an Ordinance amending the City's Future Land Use Map Component of the Comprehensive Plan for a 19.17-acre tract of land located on the east side of SH 146 south of Baypoint Townhomes, and legally described as Tract 1, Abstract 35, J Hunter Survey, by changing from "Mid-High Density Residential," "Commercial," and "Mixed Use" to "Mid-High Density Residential" – I. Clowes

The public hearing opened at 6:31 p.m.

Planning and Development Director Richard Mancilla presented a combined summary for Items 7(c) and 7(d).

There being no public comments, the public hearing closed at 6:32 p.m.

Councilmember J. Martin made a motion to accept the recommendation by the Planning and Zoning Commission. Councilmember Leonard seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

Ayes:	Mayor Rigby, Councilmembers Leonard, Engelken, Ojeda, Zemanek, Kaminski, Earp, J. Martin, and K. Martin
Nays:	None
Absent:	None

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2018-3702: AN ORDINANCE ADOPTING AN UPDATE TO THE FUTURE LAND USE MAP COMPONENT OF THE COMPREHENSIVE PLAN OF THE CITY OF LA PORTE, TEXAS UPON RECOMMENDATION OF THE PLANNING AND ZONING COMMISSION ON THE CITY OF LA PORTE, TEXAS; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.**

- (d) Public hearing to receive comments regarding recommendation by the Planning and Zoning Commission to approve Special Conditional Use Permit # 18-91000003 to allow for a patio home development, to be located on a 19.17-acre tract of land described as Tract 1, Abstract 35, J Hunter Survey, in a PUD zone; consider approval or other action regarding an Ordinance amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning," by granting Special Conditional Use Permit #18-91000003, to allow for the development of a patio development, to be located on a 19.17-acre tract of land described as Tract 1, Abstract 35, J Hunter Survey, in a PUD zone – I. Clowes

The public hearing opened at 6:33 p.m.

There being no public comments, the public hearing closed at 6:33 p.m.

Councilmember J. Martin made a motion to accept the Planning and Zoning Commission's recommendation to approve an Ordinance amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning," by granting Special Conditional Use Permit #18-9100000-03, to allow for the development of a patio development, to be located on a 19.17-acre tract of land described as Tract 1, Abstract 35, J Hunter Survey, in a PUD zone. Councilmember K. Martin seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

Ayes:	Mayor Rigby, Councilmembers Leonard, Engelken, Ojeda, Zemanek, Kaminski, Earp, J. Martin, and K. Martin
Nays:	None
Absent:	None

Prior to council action, Assistant City Attorney Clark Askins read the caption of **Ordinance 2018-3703: AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF LA PORTE, CHAPTER 106, MORE COMMONLY REFERRED TO AS THE ZONING ORDINANCE OF THE CITY OF LA PORTE, BY GRANTING SPECIAL CONDITIONAL USE PERMIT NO. 18-91000003, TO ALLOW FOR THE DEVELOPMENT OF A PATIO HOME DEVELOPMENT IN A PLANNED UNIT DEVELOPMENT (PUD) ZONING DISTRICT, ON A 19.17-ACRE TRACT OF LAND AND BEING LEGALLY DESCRIBED AS TRACT 1, ABSTRACT 35, J HUNTER SURVEY, LA PORTE HARRIS COUNTY, TEXAS; MAKING CERTAIN FINDINGS OF FACT RELATED TO THE SUBJECT; FINDING COMPLIANCE WITH THE OPEN MEETINGS LAW; AND PROVIDING AN EFFECTIVE DATE HEREOF.**

8. AUTHORIZATIONS

- (a) Consider approval or other action to reschedule or cancel the May 28, 2018, Council meeting due to the Memorial Day holiday – P. Fogarty

Councilmember Engelken made a motion to cancel the May 28, 2018, Council meeting. Councilmember Leonard seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

Ayes: Mayor Rigby, Councilmembers Leonard, Engelken, Ojeda, Zemanek, Kaminski, Earp, J. Martin, and K. Martin
Nays: None
Absent: None

9. ADMINISTRATIVE REPORTS

There were no administrative reports.

- 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.

Councilmember Ojeda thanked Police Chief Ken Adcox and Staff for applying for grants; thanked Planning and Development Director Richard Mancilla for presented a Special Workshop Meeting and commented she is looking forward to the patio home development; Councilmember J. Martin congratulated recipients of the proclamations; commented the patio home development will be a nice addition to the community; asked that the issue be resolved for the creation of Harris County MUD 561 and adoption of utility agreement for the April 23, 2018, meeting, and advised of a delayed traffic signal on Fairmont Parkway at Bay Park and requested Staff contact the appropriate authorities to check the operation of the light; Councilmember Zemanek recognized the recipients of the proclamations and shared the great news that his wife Stephanie Zemanek completed cancer treatments at M.D. Anderson hospital; Councilmembers Leonard and Engelken congratulated Councilmember Zemanek and his family on their great news; and Mayor Rigby thanked everyone for attending the meeting and advised he attended Easter Sunrise Services, that it was well attended, and congratulated Councilmember Zemanek and Stephanie on their great news.

- 11. ADJOURN** - There being no further business, Councilmember Engelken made a motion to adjourn the meeting at 6:39 p.m. Councilmember Leonard seconded the motion. **MOTION PASSED UNANIMOUSLY 9/0.**

Patrice Fogarty, City Secretary

Passed and approved on April 23, 2018.

Mayor Louis R. Rigby