

LOUIS R. RIGBY
Mayor
BRANDON LUNSFORD
Councilperson At Large A
BRENT McCaulley
Councilperson At Large B
MANDI WILLIAMS
Councilperson District 1
CHUCK ENGELKEN
Councilperson District 2



BILL BENTLEY
Councilperson District 3
THOMAS GARZA
Councilperson District 4
JAY MARTIN
Mayor Pro Tem
Councilperson District 5
ROBBIE McLARRIN
Councilperson District 6

**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LA PORTE
JANUARY 24, 2022**

The City Council of the City of La Porte met in a regular meeting on Monday, January 24, 2022, 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, Brent McCaulley, Mandi Williams, Chuck Engelken, Bill Bentley, Thomas Garza, Robbie McLarrin

Councilpersons attending remotely: Jay Martin

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 Reverend Brian Christen, La Porte Community Church, and pledges were led by Councilperson Robbie McLarrin.

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

- a. **Recognition of City employees for years of service. [Louis R. Rigby, Mayor]**
- b. **Recognition of the Employee of the Fourth Quarter, Lindsey Campuzano - [Louis R. Rigby, Mayor]**

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.)*

Griselda Hernandez spoke of a need for increased foot traffic near her business and requested consideration of City funding for directional signage, street lighting, marketing for local business, and additional draws such as public art and events, while maintaining the community's small town feeling.

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 City Council meeting held on January 10, 2022. [Louis R. Rigby, Mayor]**
- b. **Authorize the City Manager to execute a three-year agreement with the Bay Area Houston Economic Partnership for economic development services. [Corby Alexander, City Manager]**
- c. **Approve Community Fence Funding Award to Baypoint Townhomes HOA in an amount not to exceed \$25,000.00. [Corby Alexander, City Manager]**

- d. **Approve proposed amendments to the La Porte Sponsorship Policy. [Corby Alexander, City Manager]**
- e. **Award Bid #22007 - Bay Forest Golf Course-Cart Path and Bulkhead Repair to Greenscapes 6, LLC for bulkhead and cart path repair at Bay Forest Golf Course in the amount of \$149,705.00, plus \$15,000.00 contingency, for total authorization of \$164,705.00. [Billy Stoker, Golf Course Manager]**

Councilperson Engelken moved to approve items a and e; the motion was seconded by Councilperson Bentley; the motion was adopted, 9-0.

Councilperson Engelken moved to authorize the City Manager to execute a three-year agreement with the Bay Area Houston Economic Partnership for economic development services; the motion was seconded by Councilperson Bentley; the motion was adopted, 8-1, Councilperson Garza voting against.

Councilperson Bentley moved to approve a Community Fence Funding Award to Baypoint Townhomes HOA in an amount not to exceed \$25,000.00; the motion was seconded by Mayor Pro Tem Martin; the motion was adopted, 8-1, Councilperson Garza voting against.

Councilperson Engelken moved to approve a proposed amendments to the La Porte Sponsorship Policy; the motion was seconded by Councilperson Bentley.

Councilperson Garza moved to amend the last bullet point of the policy by striking *regardless of the cumulative amount donated by the City* and inserting *not to exceed \$4,000.00 per event*; the motion was seconded by Councilperson Williams; the motion to amend failed, 3-6, Councilpersons Garza, Williams, and McLarrin voting in support.

The main motion was adopted, 8-1, Councilperson Garza voting against.

6. STATUTORY AGENDA

- a. **Presentation, discussion, and possible action to approve a sponsorship award to the Houston Yacht Club for The A Class Catamaran World Championship and the ICLA 6 World Championship Regattas. [Corby Alexander, City Manager]**

Mayor Pro Tem Martin moved to approve a \$30,000.00 sponsorship award to the Houston Yacht Club for the A Class Catamaran Work Championship and the ICLA 6 World Championship Regattas; the motion was seconded by Councilperson McCaulley; the motion was adopted, 9-0. Mr. Askins noted he would work with Mr. Alexander to draft an agreement for this that will come back before the Council.

- b. **Presentation, discussion, and possible action regarding the history, facts, and additional considerations surrounding the use of real property at 3337 Canada Road. [Teresa Evans, Planning and Development Director]**

Director Evans provided a full presentation for items 7.a.-c. to introduce this item.

7. PUBLIC HEARINGS AND ASSOCIATED ORDINANCES

- a. **The City Council will hold a public hearing to receive comments regarding a recommendation by the Planning and Zoning Commission in connection with Ordinance 2022-3863 amending the City's Future Land Use Map Component of the Comprehensive Plan for an approximately 6.264-acre tract of land located at 3337 Canada Rd., legally described as Tracts 692 & 693, La Porte Outlots, by changing the land use designation from "Mid-High Density Residential" to "Light Industrial"; followed by discussion and possible action to consider adopting Ordinance 2022-3863 amending the City's Future Land Use Map Component of the Comprehensive Plan for an approximately 6.264-acre tract of land located at 3337 Canada Rd., legally described as Tracts 692 & 693, La Porte Outlots, by changing**

the land use designation from “Mid-High Density Residential” to “Light Industrial”. [Teresa Evans, Planning and Development Director]

Mayor Rigby opened the public hearing at 7:56 p.m. John Blakemore spoke on behalf of the Pecan Crossing Homeowner’s Association in opposition to the noise and odor when the property was in operation and its effect on the quality of life in the neighborhood. Paul Pittman, the property owner, spoke in support of his business. Mayor Rigby closed the public hearing at 8:27 p.m. Councilperson Garza moved to adopt Ordinance 2022-3863 amending the City’s Future Land Use Map Component of the Comprehensive Plan for an approximately 6.264-acre tract of land located at 3337 Canada Rd., legally described as Tracts 692 and 693, La Porte Outlots, by changing the land use designation from “Mid-High Density Residential” to “Light Industrial”; the motion was seconded by Councilperson Williams; the motion failed, 5-4, Councilperson Engelken, Bentley, Lunsford, and Mayor Rigby voting against (a motion to overrule the recommendation of the Planning and Zoning Commission by adoption of Ordinance 2022-3863 requires adoption by at least 3/4 of the full membership of City Council), The Council recessed from 8:48-8:58 p.m. MOTION WAS RECONSIDERED BELOW.

- b. The City Council will hold a public hearing to receive comments regarding a recommendation by the Planning and Zoning Commission in connection with Ordinance 2022-3864 amending the Code of Ordinances of the City of La Porte, Chapter 106 “Zoning” by granting Zone Change #21-92000005, a change from Mid Density Residential (R-2) to Planned Unit Development (PUD) for a 6.264-acre tract of land located at 3337 Canada Rd. and legally described as Tracts 692 & 693, La Porte Outlots; followed by discussion and possible action to consider adopting Ordinance 2022-3864 amending the Code of Ordinances of the City of La Porte, Chapter 106 “Zoning” by granting Zone Change #21-92000005, a change from Mid Density Residential (R-2) to Planned Unit Development (PUD) for a 6.264-acre tract of land located at 3337 Canada Rd. and legally described as Tracts 692 & 693, La Porte Outlots. [Teresa Evans, Planning and Development Director]**

Mayor Rigby opened the public hearing at 8:59 p.m. Mr. Pittman spoke in support of the ordinance, requesting parameters to meet. Mr. Blakemore spoke to clarify the differences in the surrounding properties when the Pecan Crossing neighborhood was built. Mayor Rigby closed the public hearing at 9:01 p.m.

Councilperson Garza moved to adopt Ordinance 2022-3864 amending the Code of Ordinances of the City of La Porte, Chapter 106 “Zoning” by granting Zone Change #21-92000005, a change from Mid Density Residential (R-2) to Planned Unit Development (PUD) for a 6.264-acre tract of land located at 3337 Canada Road and legally described as Tracts 692 and 693, La Porte Outlots; the motion was seconded by Councilperson Williams; the motion was adopted, 7-2, Councilpersons Engelken and Bentley voting against.

- c. The City Council will hold a public hearing to receive comments regarding a recommendation by the Planning and Zoning Commission in connection with Ordinance 2022-3865 amending the Code of Ordinances of the City of La Porte, Chapter 106 “Zoning” by granting Special Conditional Use Permit #21-91000009, to allow for Light Industrial (LI) uses on a 6.264-acre tract of land, legally described as Tracts 692 and 693, La Porte Outlots; followed by discussion and possible action to consider adopting Ordinance 2022-3865 amending the Code of Ordinances of the City of La Porte, Chapter 106 “Zoning” by granting Special Conditional Use Permit #21-91000009, to allow for Light Industrial (LI) uses on a 6.264-acre tract of land, legally described as Tracts 692 and 693, La Porte Outlots. [Teresa Evans, Planning and Development Director]**

Mayor Rigby opened the public hearing at 9:23 p.m. There were no speakers. Mayor Rigby closed the public hearing at 9:24 p.m.

Councilperson Lunsford moved to reconsider item 7a; the motion was seconded by Councilperson Garza; the motion was adopted, 8-1, Councilperson Engelken voting against.

ITEM 7A WAS RECONSIDERED HERE. Councilperson Garza moved to adopt Ordinance 2022-3863 amending the City's Future Land Use Map Component of the Comprehensive Plan for an approximately 6.264-acre tract of land located at 3337 Canada Road, legally described as Tracts 692 and 693, La Porte Outlots, by changing the land use designation from "Mid-High Density Residential" to "Light Industrial"; the motion was seconded by Councilperson Williams; the motion was adopted, 8-1, Councilperson Engelken voting against.

Councilperson Garza moved to adopt Ordinance 2022-3865 amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning" by granting Special Conditional Use Permit #21-9100009, to allow for Light Industrial (LI) uses on a 6.264-acre tract of land, legally described as Tracts 692 and 693, La Porte Outlots, and amending SCUP item 5 to provide for an 8-foot high fence on three sides and a 10-foot high fence on the side of Pecan Crossing; in SCUP item 7, to strike 7 p.m. and insert 5 p.m. and add Monday through Friday, and to add an item 12 that total daily truck traffic will be limited to ten trucks per day; the motion was seconded by Councilperson McCaulley; the motion was adopted, 8-1, Councilperson Engelken voting against.

8. ELECTION MATTERS

- a. Presentation, discussion, and possible action to adopt Ordinance 2022-3861, calling the May 7, 2022, general election for the City of La Porte, Texas, for the purpose of electing members to La Porte City Council positions: 1) Councilperson At-Large Position A; 2) Councilperson-District 4, and 3) Councilperson-District 5. [Lee Woodward, City Secretary]**

Councilperson Garza moved to adopt Ordinance 2022-3861, calling the May 7, 2022, general election for the City of La Porte, Texas, for the purpose of electing members to La Porte City Council positions: 1) Councilperson At-Large Position A; 2) Councilperson-District 4, and 3) Councilperson-District 5; the motion was seconded by Councilperson Bentley; the motion was adopted, 9-0.

- b. Presentation, discussion, and possible action to adopt Ordinance 2022-3862, calling the May 7, 2022, special election for the City of La Porte, for the purpose of approving or denying a proposition reading: "The reauthorization of the local sales and use tax in the City of La Porte, Texas, at the rate of one-fourth of one percent to continue providing revenue for maintenance and repair of municipal streets. The tax expires on the fourth anniversary of the date of this election unless the imposition of the tax is reauthorized. [Lee Woodward, City Secretary]**

Mayor Rigby moved to adopt Ordinance 2022-3862, calling the May 7, 2022, special election for the City of La Porte, for the purpose of approving or denying a proposition reading: "The reauthorization of the local sales and use tax in the City of La Porte, Texas, at the rate of one-fourth of one percent to continue providing revenue for maintenance and repair of municipal streets. The tax expires on the fourth anniversary of the date of this election unless the imposition of the tax is reauthorized; the motion was seconded by Councilperson McLarrin; the motion was adopted, 8-1, Councilperson Garza voting against.

9. REPORTS

- a. Receive report on the La Porte Community Fencing Project Ad Hoc Committee meeting. [Brent McCaulley, Chair]**

Councilperson McCaulley reported the Committee decided to meet in February to consider further amendment to the fencing funding guidelines.

- b. Receive the report of the La Porte Development Corporation Board of Directors meeting. [Councilperson Engelken]**

Councilperson Engelken reported the Board approved an economic incentive agreement with Mark Rosado and authorized the City Manager to look into contracting for economic development services.

10. ADMINISTRATIVE REPORTS

- Drainage and Flooding Committee meeting, February 14, 2022
- City Council meeting, February 14, 2022
- Planning and Zoning Commission meeting, February 17, 2022
- Fiscal Affairs Committee meeting, February 28, 2022
- City Council meeting, February 28, 2022

City Manager Corby Alexander said there were no reports.

11. COUNCIL COMMENTS 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.

Councilpersons congratulated and thanked the employees who were recognized; congratulated Mr. Pittman for the resulting adopted ordinances and his approach to the Council, and acknowledged the difficult positions of Councilpersons; commended the owners of Goodies for their community participation; agreed to visit with staff to consider increased signage and downtown improvements; and expressed hope that City administration and the Council would remember the value of employees at the upcoming annual budget retreat.

12. EXECUTIVE SESSION

- Texas Government Code Sec. 551.071 (1)(A) - Pending or Contemplated Litigation: The City Council will meet in closed session with the City Manager and legal counsel to discuss SV Sons HWY. 146, LLC vs. City of La Porte, Texas. [George Vie, Counsel for City; Clark Askins, Asst. City Attorney; Corby Alexander, City Manager]**
- Texas Government Code Sec. 551.071 (1)(A) - Pending or Contemplated Litigation: The City Council will meet in closed session with the City Manager and Assistant City Attorney to discuss legal options to address zoning violations at 704 West Main Street. [Clark Askins, Asst. City Attorney; Corby Alexander, City Manager]**

The Council convened in executive session at 10:04 p.m.

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

The Council reconvened into open session at 10:48 p.m. Mayor Rigby noted the Council had received information on item 12.a. and would revisit the issue at the next meeting. Regarding item 12. b., Councilperson McCaulley moved to direct staff to proceed with legal action; the motion was seconded by Councilperson Bentley; the motion was adopted, 9-0.

ADJOURN – Without objection, the Council adjourned at 10:50 p.m.

Lee Woodward, City Secretary

