



**MINUTES OF THE REGULAR MEETING OF THE
CITY COUNCIL OF THE CITY OF LA PORTE**

March 25, 2024, 6:00 p.m.

**City Hall Council Chamber, 604 West Fairmont Parkway, La Porte, Texas,
77571**

Councilpersons Present: Louis Rigby, Brent McCaulley, Chuck Engelken, Bill Bentley,
Rick Helton, Jay Martin, Robbie McLarrin

Councilpersons Absent: Brandon Lunsford, Mandi Williams

Council-appointed Officers Present: Corby Alexander, City Manager; Clark T. Askins, City Attorney;
Lee Woodward, City Secretary

**The City Council of the City of La Porte met in a regular meeting on March 25,
2024, at the City Hall Council Chambers, 604 West Fairmont Parkway, La Porte,
Texas, at 6:00 p.m.**

1. CALL TO ORDER

Mayor Rigby called the meeting to order at 6:00 p.m.

2. INVOCATION/PLEDGES

The invocation was given by Lanier Young, St. John's Episcopal Church and the
pledges were led by Councilperson Robbie McLarrin.

3. PRESENTATIONS, PROCLAMATIONS, AND RECOGNITIONS

a. Recognition of team member years of service

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.)*

Randa Spence of Bayside Terrace expressed concern about construction in the
area and its effect on the elderly in the neighborhood. Nancy Ojeda spoke in
gratitude of the improvements at the recycling center, the Brookglen Recreation

Center, and the increase in public art in La Porte, reminded all of the fact that La Porte has no sexually oriented businesses, and shared her concerns about vape shops.

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 March 11, 2024, regular City Council meeting. [Lee Woodward, City Secretary]**
- b. **Sean McCabe, P and Z appointment - Approve appointment of Sean McCabe to the unexpired District Three Commissioner term on the City of La Porte Planning and Zoning Commission. [Louis R. Rigby, Mayor]**
- c. **321 W. Main Street Development Agreement - Authorize an expenditure of the La Porte Development Corporation in an amount not to exceed \$22,483.00, to fund an economic development incentive agreement between the La Porte Development Corporation and Dimensions Comics, Music, and More for site improvements for building at 321 W. Main St., La Porte, Texas. [Haley Bowers, Economic Development Manager]**
- d. **Texas Parks and Wildlife Local Grant Program - Adopt Resolution 2024-08 authorizing the City Manager to execute all documents for the Texas Parks and Wildlife Local Park Grant Program project to be known as the Little Cedar Bayou (LCB) Nature Trail Rehabilitation Project. [Matt Daeumer, Assistant City Manager]**

Mayor Pro Tem Engelken moved to adopt the consent agenda; the motion was seconded by Councilperson Bentley; the motion was adopted 7-0.

6. **PUBLIC HEARINGS AND ASSOCIATED ORDINANCES**

- a. **Ordinance 24-3981 for SCUP 23-91000006**

The City Council will hold a public hearing to receive comments regarding a recommendation by the Planning and Zoning Commission to adopt Ordinance 2024-3981 amending the Code of Ordinances of the City of La Porte, Chapter 106 “Zoning” by granting Special Conditional Use Permit (SCUP) 23-91000006, an amendment to SCUP No. 19-91000006, to allow less than a five (5) foot side setback for garages and approve building signage for a residential complex on a 12.608-acre tract of land in the Planned Unit Development (PUD) district, located at 8901 W. Fairmont Parkway, La Porte, Texas, and legally described as Tracts 710A and 711, La Porte Outlets, Harris County, Texas; followed by discussion and possible action to consider

adopting Ordinance 2024-3981 amending the Code of Ordinances of the City of La Porte, Chapter 106 “Zoning” by granting Special Conditional Use Permit (SCUP) 23-91000006, an amendment to SCUP No. 19-91000006, to allow less than a five (5) foot side setback for garages and approve building signage for a residential complex on a 12.608-acre tract of land in the Planned Unit Development (PUD) district, located at 8901 W. Fairmont Parkway, La Porte, Texas, and legally described as Tracts 710A and 711, La Porte Outlets, Harris County, Texas. [Teresa Evans, Director of Planning and Development]

Mayor Rigby opened the public hearing at 6:25 p.m. Director Evans provided a presentation on the request. Doak Brown of the Brownstone Group, the developer, spoke in favor of the ordinance, noting no objections to the proposed SCUP provisions. Mayor Rigby closed the public hearing at 6:35 p.m.

Mayor Pro Tem Engelken moved to adopt Ordinance 2024-3981 amending the Code of Ordinances of the City of La Porte, Chapter 106 “Zoning” by granting Special Conditional Use Permit (SCUP) 23-91000006, an amendment to SCUP No. 19-91000006, to allow less than a five (5) foot side setback for garages and approve building signage for a residential complex on a 12.608-acre tract of land in the Planned Unit Development (PUD) district, located at 8901 W. Fairmont Parkway, La Porte, Texas, and legally described as Tracts 710A and 711, La Porte Outlets, Harris County, Texas; the motion was seconded by Councilperson Bentley; the motion was adopted 7-0.

b. Ordinance 2024-3982 for SCUP 23-91000007

The City Council will hold a public hearing to receive comments regarding a recommendation by the Planning and Zoning Commission to deny adoption of Ordinance 2024-3982 amending the Code of Ordinances of the City of La Porte, Chapter 106 “Zoning” by granting Special Conditional Use Permit (SCUP) 23-91000007, to allow a Tobacco and Smokers’ Supply Store (NAICS Code 453991) on a 0.917-acre tract of land within the General Commercial (GC) Zoning District located at 10943 W. Fairmont Parkway, La Porte, Texas, and legally described as Reserve A, Block 1, Singh’s Sunrise C Store, Harris County Texas; followed by discussion and possible action to consider adopting Ordinance 2024-3982 amending the Code of Ordinances of the City of La Porte, Chapter 106 “Zoning” by granting Special Conditional Use Permit (SCUP) 23-91000007, to allow a Tobacco and Smokers’ Supply Store (NAICS Code 453991) on a 0.917-acre tract of land within the General Commercial (GC) Zoning District located at 10943 W. Fairmont Parkway, La Porte, Texas, and legally described as Reserve A, Block 1, Singh’s Sunrise C Store, Harris County Texas. [Teresa Evans, Director of Planning and Development]

Mayor Rigby opened the public hearing at 6:38 p.m. Director Evans provided a presentation on the request. Applicant Zainul Momin and Mr. Arul, the business owner, spoke in support of the ordinance. Shavaree Lacy, Amber Carter of the Bay Area Council on Drugs and Alcohol, Virginia Pierson Turner, Devon Mendoza, Teresa Nowetner, Nancy Ojeda, David Janda, and Donna O'Connor spoke in opposition to the ordinance. Mayor Rigby closed the public hearing at 7:28 p.m.

Mayor Pro Tem Engelken moved to deny Ordinance 2024-3982 amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning" by granting Special Conditional Use Permit (SCUP) 23-91000007, to allow a Tobacco and Smokers' Supply Store (NAICS Code 453991) on a 0.917-acre tract of land within the General Commercial (GC) Zoning District located at 10943 W. Fairmont Parkway, La Porte, Texas, and legally described as Reserve A, Block 1, Singh's Sunrise C Store, Harris County Texas, and to direct staff to look into what other cities have done to regulate and/or prohibit these types of businesses in their jurisdictions; the motion was seconded by Councilperson Bentley; the motion was adopted, 7-0.

Councilpersons asked Mr. Alexander to look into closing other existing businesses of this type and/or restricting the sale of vaping and similar products.

c. 114 S. Iowa St. - Delinquent taxes, possible squatters

The City Council will hold a public hearing to receive comment on the recommendation of the Dangerous Buildings Inspections Board for condemnation of a dangerous/substandard structure located at 114 S. Iowa St., La Porte, Texas; followed by discussion and possible action to adopt Ordinance 2024-3972 ordering condemnation of dangerous/substandard structure located at 114 S. Iowa St., La Porte, Texas. [Richard Glass, Chief Building Official]

Mayor Rigby opened the public hearing at 7:38 p.m. Mr. Glass provided a presentation on the property. Karen Hinds and her husband, of Houston, the property owners, requested a six-month extension. Mayor Rigby closed the public hearing at 7:43 p.m.

Councilperson McCaulley moved to postpone action on adopting Ordinance 2024-3972 ordering condemnation of dangerous/substandard structure located at 114 S. Iowa St., La Porte, Texas, for six months; the motion was seconded by Mayor Pro Tem Engelken; the motion was adopted, 7-0.

d. 119 S. 1st St. - Unoccupied

The City Council will hold a public hearing to receive comment on the recommendation of the Dangerous Buildings Inspections Board for condemnation of a dangerous/substandard structure located at 119 S. 1st St., La Porte, Texas; followed by discussion and possible action to adopt Ordinance 2024-3973 ordering condemnation of

dangerous/substandard structure located at 119 S. 1st St., La Porte, Texas. [Richard Glass, Chief Building Official]

Mayor Rigby opened the public hearing at 7:44 p.m. Mr. Glass provided a presentation on the ordinance. Jennifer Barger, neighbor, asked procedural questions on the purchase of condemned properties. Mayor Rigby closed the public hearing at 7:47 p.m.

Mayor Pro Tem Engelken moved to adopt Ordinance 2024-3973 ordering condemnation of dangerous/substandard structure located at 119 S. 1st St., La Porte, Texas; the motion was seconded by Councilperson Bentley; the motion was adopted, 7-0.

e. 209 N. 2nd St. - Liens Owed, Unoccupied

The City Council will hold a public hearing to receive comment on the recommendation of the Dangerous Buildings Inspections Board for condemnation of a dangerous/substandard structure located at 209 N. 2nd St., La Porte, Texas; followed by discussion and possible action to adopt Ordinance 2024-3974 ordering condemnation of dangerous/substandard structure located at 209 N. 2nd St., La Porte, Texas. [Richard Glass, Chief Building Official]

Mayor Rigby opened the public hearing at 7:48 p.m. Mr. Glass provided a presentation on the ordinance and said the owners had received a demolition ordinance today. There were no speakers. Mayor Rigby closed the public hearing at 7:49 p.m.

Mayor Pro Tem Engelken moved to adopt Ordinance 2024-3974 ordering condemnation of dangerous/substandard structure located at 209 N. 2nd St., La Porte, Texas; the motion was seconded by Councilperson Bentley; the motion was adopted, 7-0.

f. 209 S. Carroll St. - Liens Owed, Unoccupied

The City Council will hold a public hearing to receive comment on the recommendation of the Dangerous Buildings Inspections Board for condemnation of a dangerous/substandard structure located at 209 S. Carroll St., La Porte, Texas; followed by discussion and possible action to adopt Ordinance 2024-3975 ordering condemnation of dangerous/substandard structure located at 209 S. Carroll St., La Porte, Texas. [Richard Glass, Chief Building Official]

Mayor Rigby opened the public hearing at 7:50 p.m. Mr. Glass provided a presentation on the ordinance. Jeannie Bertram Shipp, descendant of a former owner, asked for an extension. Mayor Rigby closed the public hearing at 7:54 p.m.

Mayor Pro Tem Engelken moved to postpone adopting Ordinance 2024-3975 ordering condemnation of dangerous/substandard structure located at 209 S. Carroll St., La Porte, Texas, for six months with a 90-day update

provided to the City Council; the motion was seconded by Councilperson McCaulley; the motion was adopted, 7-0.

g. 210 S. Iowa St. - Unoccupied

The City Council will hold a public hearing to receive comment on the recommendation of the Dangerous Buildings Inspections Board for condemnation of a dangerous/substandard structure located at 210 S. Iowa St., La Porte, Texas; followed by discussion and possible action to adopt Ordinance 2024-3976 ordering condemnation of dangerous/substandard structure located at 210 S. Iowa St., La Porte, Texas. [Richard Glass, Chief Building Official]

Mayor Rigby opened the public hearing at 7:55 p.m. Mr. Glass provided a presentation on the ordinance and noted a remodeling permit had been issued. There were no speakers. Mayor Rigby closed the public hearing at 7:55 p.m.

Mayor Pro Tem Engelken moved to adopt Ordinance 2024-3976 ordering condemnation of dangerous/substandard structure located at 210 S. Iowa St., La Porte, Texas; the motion was seconded by Councilperson Bentley. A motion by Mayor Pro Tem Engelken to substitute a motion to postpone action on the ordinance for 90 days, with an update to the City Council to be provided at 45 days was adopted without objection and the substituted motion was then adopted, 7-0.

h. 601 S. Carroll St. - Occupied

The City Council will hold a public hearing to receive comment on the recommendation of the Dangerous Buildings Inspections Board for condemnation of a dangerous/substandard structure located at 601 S. Carroll St., La Porte, Texas; followed by discussion and possible action to adopt Ordinance 2024-3977 ordering condemnation of dangerous/substandard structure located at 601 S. Carroll St., La Porte, Texas. [Richard Glass, Chief Building Official]

Mayor Rigby opened the public hearing at 8:03 p.m. Mr. Glass provided a presentation on the ordinance. Annette Engolio, the property owner, requested an extension. Mayor Rigby closed the public hearing at 8:05 p.m.

Mayor Pro Tem Engelken moved to postpone action on Ordinance 2024-3977 ordering condemnation of dangerous/substandard structure located at 601 S. Carroll St., La Porte, Texas, for 90 days, with an update after 45 days; the motion was seconded by Councilperson McCaulley; the motion was adopted, 7-0.

i. 821 S. Virginia St. - Occupied

The City Council will hold a public hearing to receive comment on the recommendation of the Dangerous Buildings Inspections Board for condemnation of a dangerous/substandard structure located at 821 S.

Virginia St., La Porte, Texas; followed by discussion and possible action to adopt Ordinance 2024-3978 ordering condemnation of dangerous/substandard structure located at 821 S. Virginia St., La Porte, Texas. [Richard Glass, Chief Building Official]

Mayor Rigby opened the public hearing at 8:06 p.m. Mr. Glass provided a presentation on the ordinance. There were no speakers. Mayor Rigby closed the public hearing at 8:06 p.m. No action was taken.

j. 9404 Carlow Ln. - Delinquent Taxes, Liens Owed, Unoccupied

The City Council will hold a public hearing to receive comment on the recommendation of the Dangerous Buildings Inspections Board for condemnation of a dangerous/substandard structure located at 9404 Carlow Ln., La Porte, Texas; followed by discussion and possible action to adopt Ordinance 2024-3979 ordering condemnation of dangerous/substandard structure located at 9404 Carlow Ln., La Porte, Texas. [Richard Glass, Chief Building Official]

Mayor Rigby opened the public hearing at 8:07 p.m. Mr. Glass provided a presentation on the ordinance. Both Mr. Mohammed, Jay Pedro Garcia, Alfonso Serrano each spoke in hopes of purchasing the property. Mayor Rigby closed the public hearing at 8:12.

Councilperson McCaulley moved to postpone action on Ordinance 2024-3979 ordering condemnation of dangerous/substandard structure located at 9404 Carlow Ln., La Porte, Texas, for 90 days, with an update at 45 days; the motion was seconded by Councilperson McLarrin; the motion was adopted, 7-0.

k. 9406 Carlow Ln. - Delinquent Taxes, Unoccupied

The City Council will hold a public hearing to receive comment on the recommendation of the Dangerous Buildings Inspections Board for condemnation of a dangerous/substandard structure located at 9406 Carlow Ln., La Porte, Texas; followed by discussion and possible action to adopt Ordinance 2024-3980 ordering condemnation of dangerous/substandard structure located at 9406 Carlow Ln., La Porte, Texas. [Richard Glass, Chief Building Official]

Mayor Rigby opened the public hearing at 8:15 p.m. Mr. Glass provided a presentation on the ordinance. The same three individuals in 9404 Carlow indicated they were also interested in this property. Mayor Rigby closed the public hearing at 8:16 p.m.

Councilperson McCaulley moved to postpone action on Ordinance 2024-3980 ordering condemnation of dangerous/substandard structure located at 9406 Carlow Ln., La Porte, Texas, for 90 days; the motion was seconded by Councilperson Helton; the motion was adopted, 7-0.

7. STATUTORY AGENDA

a. City of La Porte 2023 ACFR

Presentation, discussion, and possible action to accept the Annual Comprehensive Financial Report for the City of La Porte Fiscal Year ended September 30, 2023. [Michael Dolby, Finance Director]

Mayor Pro Tem Engelken moved to accept the Annual Comprehensive Financial Report for the City of La Porte Fiscal Year ended September 30, 2023; the motion was seconded by Councilperson McLarrin; the motion was adopted, 6-0 (Councilperson Bentley had stepped away from the dais for a moment).

8. REPORTS

a. La Porte Development Corporation Board of Directors meeting report - Receive report of the March 25, 2024, La Porte Development Corporation Board of Directors meeting. [Mayor Pro Tem Engelken]

Mayor Pro Tem Engelken said the Board met and approved an enhancement grant agreement between the La Porte Development Corporation and Girard Equipment, Inc., in an amount not to exceed \$2,056.75, for improvements to building sign located on real property at 531 N. 10th Street.

b. Fiscal Affairs Committee meeting report - Receive report of the March 25, 2024, Fiscal Affairs Committee meeting. [Mayor Pro Tem Engelken]

Mayor Pro Tem Engelken said the Board met and accepted the City's Annual Comprehensive Financial Report for the City of La Porte Fiscal Year ended September 30, 2023. He congratulated City staff on the report.

9. ADMINISTRATIVE REPORTS

- City Council annual budget retreat, April 6, 2024
- City Council meeting, April 8, 2024
- La Porte Development Corporation Board of Directors budget planning meeting, April 11, 2024

Mr. Alexander said there were no reports.

10. 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, Councilpersons, and City staff, for which no formal action will be discussed.

Members thanked all the citizens who came out to express their opinions; offered appreciation for the employees recognized for years of service; thanked the City staff for their work that resulted in the very good audit; lauded the success of the

remodeled Brookglen Recreation Center; and mentioned the success of the livestock show and rodeo.

11. EXECUTIVE SESSION

The Council will adjourn into executive session without vote unless an objection is raised.

There was no executive session.

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

There was no executive session.

13. ADJOURN

Without objection, Mayor Rigby adjourned the meeting at 8:23 p.m.

Lee Woodward, City Secretary