



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

**May 13, 2024, 6:00 p.m., City Hall Council Chamber
604 West Fairmont Parkway, La Porte, Texas, 77571**

Councilpersons Present: Louis Rigby (*for items 1-5*), Brandon Lunsford, Brent McCaulley, Mandi Williams, Chuck Engelken, Bill Bentley, Rick Helton, Jay Martin

Councilpersons Absent: Robbie McLarrin

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 May 13, 2024, at the City Hall Council Chambers,
604 West Fairmont Parkway, La Porte, Texas, at 6:00 p.m.**

1. CALL TO ORDER

Without objection, Mayor Rigby called the meeting to order at 6:00 p.m.

2. INVOCATION/PLEDGES

The invocation was given by Reverend Jackie King of Victory Tabernacle Church and the pledges were led by Councilperson Bill Bentley.

3. PRESENTATIONS, PROCLAMATIONS, AND RECOGNITIONS

- a. **Proclamation in recognition of National Police Week. [Louis R. Rigby, Mayor]**
- b. **Proclamation in recognition of Emergency Medical Services Week. [Louis R. Rigby, Mayor]**
- c. **Proclamation in recognition of National Public Works Week. [Louis R. Rigby, Mayor]**
- d. **Proclamation in recognition of Municipal Clerks Week. [Louis R. Rigby, Mayor]**

- e. **Proclamation in recognition of Assistance League of the Bay Area Day. [Louis R. Rigby, Mayor]**
 - f. **Recognition of the Employee of the 1st Quarter 2024. [Louis R. Rigby, Mayor]**
 - g. **Recognition of employees for years of service. [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.)*

Mark Goodwin, Sharon Van Winkle, Steve Gillett, Virginia Pierson-Turner, Thomas Garza, Mark Follis, Bryan Moore, John Kling, Amanda Gerrish, D. Paul Larson, Daniel Large, and Randall Hayes spoke in opposition to the new city hall project.

5. **ELECTION MATTERS**

- a. **Presentation, discussion, and possible action to adopt Ordinance 2024-3986 canvassing the returns of the May 4, 2024, City of La Porte, Texas, general and special elections. [Louis R. Rigby, Mayor]**

Mayor Pro Tem Engelken moved to adopt Ordinance 2024-3986 canvassing the returns of the May 4, 2024, City of La Porte, Texas, general and special elections; the motion was seconded by Councilperson Williams; the motion was adopted, 8-0. A runoff election will be held on June 15, 2024, for the special election for District 4.

- b. **Swearing in of Councilpersons elected in the May 4, 2024, City of La Porte, Texas, general and special elections. [Louis R. Rigby, Mayor]**

The Honorable Janikka Bratton, City of La Porte Municipal Court Judge, swore in Rick Helton as Mayor, Charles Engelken as Councilperson District 2, and Bill Bentley as Councilperson District 3. Former Mayor Rigby left the meeting after this item.

6. **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 22, 2024, regular City Council meeting. [Lee Woodward, City Secretary]**
- b. **Building Code of Appeals Appointment - Approve appointment of Johnny Guadarrama to an unexpired term on the City of La Porte Building Codes Appeal Board. [Lee Woodward, City Secretary]**
- c. **Chapter 172 Board Appointment - Appoint Charles Montgomery to Citizen Position 2 and reappoint Donna O'Conner to Citizen Position 1 on the Chapter 172 Employee, Retiree Insurance and Benefits Board. [Lee Woodward, City Secretary]**

- d. **Award Bid 24010 - Award Bid 24010 "Annual Requirements for Waste and Drinking Water Lab Testing and Analysis" to Eastex Laboratory, Inc. and authorize the City Manager to execute a services contract for water and wastewater laboratory testing and analytical services, not to exceed annual budgeted amounts. [Andrew Brady, Assistant Director of Public Works]**
- e. **Houston Freightliner - Approve continued expenditures exceeding \$50,000.00 to Houston Freightliner for replacement parts and repairs for Freightliner vehicles in City fleet, not to exceed annual budgeted amounts. [Ray Mayo, Director of Public Works]**

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

7. PUBLIC HEARINGS AND ASSOCIATED ORDINANCES

- a. **Ordinance 2024-3985 for SCUP 24-91000001 - The City Council will hold a public hearing to receive comments regarding a recommendation to adopt Ordinance 2024-3985 amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning" by granting Special Conditional Use Permit (SCUP) 24-91000001 to allow a Tobacco and Smokers' Supply Store (NAICS 453991) on a 2.3-Acre tract of land located in the General Commercial (GC) zoning district at 112 Hwy. 146 S., and legally described as Lots 1, 2, 3, 4, 29, 30, 31, 32 and Tract B, Block 26 and Lots 9-24 and Tracts D, 8, 25 & 33, Block 47, La Porte, Harris County, Texas; followed by discussion and possible action to consider adopting Ordinance 2024-3985 amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning" by granting Special Conditional Use Permit (SCUP) 24-91000001 to allow a Tobacco and Smokers' Supply Store (NAICS 453991) on a 2.3-Acre tract of land located in the General Commercial (GC) zoning district at 112 Hwy. 146 S., and legally described as Lots 1, 2, 3, 4, 29, 30, 31, 32 and Tract B, Block 26 and Lots 9-24 and Tracts D, 8, 25 & 33, Block 47, La Porte, Harris County, Texas. [Teresa Evans, Director of Planning and Development]**

Mayor Helton opened the public hearing at 7:21 p.m. Director of Planning and Development Teresa Evans provided a presentation. Applicants Gunner Gaines and Helton Tuley spoke in support of the project. Mayor Helton closed the public hearing at 7:31 p.m. Councilperson Martin moved to deny adoption of Ordinance 2024-3985 amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning" by granting Special Conditional Use Permit (SCUP) 24-91000001 to allow a Tobacco and Smokers' Supply Store (NAICS 453991) on a 2.3-Acre tract of land located in the General Commercial (GC) zoning district at 112 Hwy. 146 S., and legally described as Lots 1, 2, 3, 4, 29, 30, 31, 32 and Tract B, Block 26 and Lots 9-24 and Tracts D, 8, 25 & 33, Block 47, La Porte, Harris

County, Texas; the motion was seconded by Mayor Pro Tem Engelken; the motion to deny adoption of the ordinance was adopted, 7-0.

8. STATUTORY AGENDA

- a. Sylvan Beach - Presentation of the Sylvan Beach Master Plan, followed by discussion and possible action to authorize the City Manager to sign a letter of support for the allocation of Fiscal Year 2025 Community Project Funding for the development and enhancement of Sylvan Beach Park in La Porte. [Matt Daeumer, Assistant City Manager]**

George Bustamonte, Senior Planning Manager for Harris County Precinct 2 Commissioner Adrian Garcia, provided a presentation. Councilpersons offered suggestions for understandings to be considered for a letter of support for the project. Byron Acevedo, Senior Director of Transportation for Harris County Precinct 2 Commissioner Adrian Garcia, elaborated on plans for Fairmont Parkway. Without objection, the Council directed the City Manager to prepare a draft letter to Harris County including, but not limited to, the following concerns:

- clarity on plans for land acquisition for the project;
- that the Sylvan Beach Park Project include funding for property purchases;
- that City support be tied to Fairmont Parkway improvements and repairs;
and
- clarity on and citizen feedback as to whether Seabreeze Park will be included or remain a citizen-only park;

the motion was seconded by Councilperson Bentley; the motion was adopted, 7-0.

- b. Planner II Position - Presentation, discussion, and possible action to upgrade the Planning Technician position to a Planner II position in the Planning and Development Services Department during the current fiscal year budget. [Teresa Evans, Director of Planning and Development]**

Mayor Pro Tem Engelken moved to authorize the upgrade of the Planning Technician position to a Planner II position in the Planning and Development Services Department during the current fiscal year budget; the motion was seconded by Councilperson Bentley; the motion was adopted, 7-0.

- c. Brookglen Drainage Improvements - streetlight relocation - Presentation, discussion, and possible action to authorize the City Manager to execute agreements with CenterPoint Energy for streetlight relocation for the Brookglen Neighborhood Drainage Project Phases I & II, in the total amount of \$83,686.00. [Jameson Appel, Assistant Director of Public Works]**

Mayor Pro Tem Engelken signed a conflict of interest affidavit and did not participate in the discussion or vote on the item. Councilperson Martin moved to authorize the City Manager to execute agreements with CenterPoint Energy for streetlight relocation for the Brookglen Neighborhood Drainage Project Phases I and II, in the total amount of \$83,686.00; the motion was seconded by Councilperson Williams; the motion was adopted, 6-0.

- d. **Texas Petroleum Group - Presentation, discussion, and possible action to authorize the approval of site plan for proposed gas station at 111 N. Highway 146. [Corby Alexander, City Manager]**

No action was taken. The City Manager will share the Council's concerns with the applicant. Without objection, the Council recessed from 8:16-8:27 p.m.

- e. **New City Hall Presentation - Presentation, discussion, and possible action regarding proposed New City Hall project. [Rick Helton, Mayor-Elect]**

City Manager Corby Alexander provided the presentation. Councilperson Williams moved to stop the City Hall project altogether, to regroup, and allow the citizens to have a say; the motion was seconded by Councilperson Lunsford. Councilperson Lunsford moved to postpone the motion, but the postponement did not receive a second and was not considered.

Councilmember Williams moved to postpone the main motion to stop the City Hall project to the June 24, 2024, City Council meeting; the motion was seconded by Councilperson Lunsford.

Without objection, Mayor Pro Tem Engelken was permitted to amend the motion to postpone the main motion to stop the City Hall project by striking *June 24* and inserting *July 8* and, upon clarification, that the motion to postpone the main motion include provisions to:

- allow a full Council to have been seated;
- allow staff to research legal issues related to ceasing the project;
- calculate the money spent on the project thus far; and
- determine the repairs needed to the current building.

The motion to postpone the main motion to stop the City Hall project until July 8, with the provisions noted above, was adopted unanimously. The vote was taken without objection by a roll call.

- f. **CMAR City Hall - Presentation, discussion, and possible action to award construction contract to Bellows Construction for Construction Manager at Risk Services for City of La Porte City Hall Project and authorize the City Manager to execute such contract, including an award for a \$25,000.00 preconstruction services fee to be used during**

the design phase, and a future cost of \$1,592,039.00 for general conditions and a profit and overhead rate of 4.25% to both be included in the guaranteed maximum price (GMP). [Councilpersons McCaulley, Bentley, and Martin]

Without objection, the item was pulled from consideration. Mr. Alexander agreed to find out if Bellows Construction would extend its bid to be considered at the July 8 meeting.

9. REPORTS

a. Receive a report of the May 13, 2024, La Porte Drainage and Flooding Committee meeting. [Councilperson Martin]

Councilperson Martin said the Committee met, received updates on projects, and set its next meeting for June 10.

10. ADMINISTRATIVE REPORTS

- La Porte Development Corporation Board of Directors budget and strategic planning meeting, May 29
- Drainage and Flooding Committee meeting, June 10
- City Council meeting, June 10

Mr. Alexander and Mayor Pro Tem Engelken noted the Fiscal Affairs Committee met earlier this afternoon, its reports were favorably received, and the next meeting was set for July 22.

11. 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.*

Councilpersons thanked members of the public for attending the meeting and wished for this turnout on a more frequent basis; congratulated Councilpersons Engelken and Bentley and Mayor Helton on their election and thanked Mayor Rigby for his service and wished him well; welcomed the discussion and sharing of opposing views; and congratulated those recognized at the beginning of the meeting.

12. EXECUTIVE SESSION *- The Council will adjourn into executive session without vote unless an objection is raised.*

a. Texas Government Code 551.072 - Deliberation regarding purchase, exchange, lease, or values of real property

The Council convened into executive session at 9:37 p.m.

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

The Council reconvened at 9:59 p.m. Mayor Pro Tem Engelken moved to direct staff to continue on with a possible land acquisition; the motion was seconded by Councilperson McCaulley, 7-0.

14. ADJOURN

Without objection, Mayor Helton adjourned the meeting at 10 p.m.

Lee Woodward, City Secretary