



**MINUTES OF THE REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF LA PORTE  
JUNE 10, 2024**

The City Council of the City of La Porte met in a regular meeting on June 10, 2024, at the City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, Texas, at 6:00 p.m.

**Councilpersons Present:** Rick Helton, Brandon Lunsford, Mandi Williams, Chuck Engelken, Bill Bentley, Jay Martin, Robbie McLarrin

**Councilpersons Absent:** Brent McCaulley

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

**1. CALL TO ORDER - Mayor Helton called the meeting to order at 6:04 p.m.**

**2. INVOCATION/PLEDGES**

The invocation was given by Minister Rachel Cotton, Agape Centric Inc., and the pledges were led by Councilperson Brandon Lunsford.

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

**a. Recognition of Gay Collins for 30 years of service [Michael Dolby, Director of Finance]**

**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.*)

Phillip Hoot spoke in opposition to a new City Hall. Joe Borja spoke of concerns about trash in his neighborhood, asking for cameras there and for speed bumps in Little Cedar Bayou Park. Mr. Borja also asked that park lighting be adjusted to day lengths/as needed and said that there was no sidewalk on the west side of Broadway.

**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 May 13, 2024, regular City Council meeting. [Lee Woodward, City Secretary]**

**b. Operation Slow Down - STEP Grant Award - Adopt Resolution 2024-13, authorizing the City Manager to sign the Selective Traffic Enforcement Program (STEP) "Operation Slow Down" grant award and related documents**

in connection with Texas Department of Transportation STEP "Operation Slow Down" Grant Award. [Scott Pullig, Chief of Police]

- c. Monarch Park Restroom - Approve the purchase and installation of a prefabricated restroom for Monarch Park from Restroom Facilities, Ltd. through BuyBoard Contract #679-22 in the amount of \$151,680.00 with a contingency of \$15,168.00, for a total authorization of \$166,848.00. [Matt Daeumer, Assistant City Manager]
- d. Reappointment of David Janda as Tax Increment Reinvestment Zone (TIRZ) Chairman through May 2025. [Rick Helton, Mayor]
- e. PC Refresh Phase 2 - Approve the purchase of computer hardware and associated equipment in the amount of \$35,520.00, with a total authorization of \$197,560.00 for Fiscal Year 2024 from Intech Southwest Services, through DIR Cooperative Contract #DIR-TSO-4159. [Darren Withers, IT Manager]
- f. SETH - Atrium Bay Terrace - Authorize the Mayor to sign a General and No Litigation Certificate with the Southeast Texas Housing Finance Corporation (SETH) for the Atrium Bay Terrace Apartments in Baytown, Texas. [Matt Daeumer, Assistant City Manager]
- g. SETH - Village at Baytown - Authorize the Mayor to sign a General and No Litigation Certificate with the Southeast Texas Housing Finance Corporation (SETH) for the Village at Baytown Apartments in Baytown, Texas. [Matt Daeumer, Assistant City Manager]
- h. CenterPoint Rate Denial - Adopt Ordinance 2024-3991 denying the rate increase request and revised rate schedules proposed by CenterPoint Energy Houston Electric, LLC in its application filed with the Public Utility Commission of Texas on or about March 6, 2024, and maintaining current rates in effect for delivery of electricity. [Matt Daeumer, Assistant City Manager]
- i. Appoint judges and alternate judges for the June 15, 2024, La Porte City Council District 4 runoff election. [Lee Woodward, City Secretary]

Mayor Pro Tem Engelken moved to approve all the Consent Agenda items except item 5.h.; the motion was seconded by Councilperson Martin; the motion was adopted, 7-0.

Mayor Pro Tem Engelken signed a conflict of interest affidavit and did not participate in the consideration of item 5.h. Councilperson Martin moved to approve item 5h, to adopt Ordinance 2024-3991 denying the rate increase request and revised rate schedules proposed by CenterPoint Energy Houston Electric, LLC in its application filed with the Public Utility Commission of Texas on or about March 6, 2024, and maintaining current rates in effect for delivery of electricity; the motion was seconded by Councilperson Williams; the motion was adopted, 6-0.

## **6. PUBLIC HEARINGS AND ASSOCIATED ORDINANCES**

- a. Alcohol Variance - The City Council will hold a public hearing to receive comments regarding a request by Garden of Eden Floral & Gifts, LLC., to authorize a variance to Section 6-2 of the Code of Ordinances of the City of

La Porte, to allow the sale of alcoholic beverages for on-premise consumption at Garden of Eden Floral and Gifts, LLC., located at 10515 Spencer Highway, La Porte, Texas, within 300 feet of a public school, followed by discussion and possible action to adopt Ordinance 2024-3988 authorizing a variance to Section 6-2 of the Code of Ordinances of the City of La Porte, by allowing the sale of alcoholic beverages for on-premise consumption at Garden of Eden Floral and Gifts, LLC., located at 10515 Spencer Highway, La Porte, Texas, within 300 feet of a public school. [Teresa Evans, Director of Planning and Development]

*Councilperson Lunsford submitted a conflict of interest affidavit and did not participate in the discussion or debate on this item. Mayor Helton opened the public hearing at 6:22 p.m. Director Evans provided background on the item. Darrell Herrin spoke in opposition to the variance. Mayor Helton closed the public hearing at 6:31 p.m.*

Councilperson Bentley moved to adopt Ordinance 2024-3988 authorizing a variance to Section 6-2 of the Code of Ordinances of the City of La Porte, by allowing the sale of alcoholic beverages for on-premise consumption at Garden of Eden Floral and Gifts, LLC., located at 10515 Spencer Highway, La Porte, Texas, within 300 feet of a public school; Mayor Pro Tem Engelken seconded the motion; the motion was adopted, 4-2, Mayor Helton and Councilperson Williams voting against.

- b. Ordinance 2024-3989 for FLUP 24-92000001 - The City Council will hold a public hearing to receive comments regarding a recommendation by the Planning and Zoning Commission to adopt Ordinance 2024-3989 to approve an amendment to the City's Future Land Use Plan Map Component of the Comprehensive Plan for a portion of a 56.7-acre property located at the northeast corner of State Highway 146 and Wharton Weems in the Planned Unit Development zoning district, and legally described as Lots 1-32, Block 1267 & Tract 33, La Porte Subdivision; Tract 1M, Abstract 35, J. Hunter Survey; and Tracts 5 and 5L, Abstract 30, W. P. Harris Survey, Harris County, Texas, by changing the land use designation from "Commercial" to "Low Density Residential", followed by discussion and possible action to adopt Ordinance 2024-3989 to approve an amendment to the City's Future Land Use Plan Map Component of the Comprehensive Plan for a portion of a 56.7-acre property located at the northeast corner of State Highway 146 and Wharton Weems in the Planned Unit Development zoning district, and legally described as Lots 1-32, Block 1267 & Tract 33, La Porte Subdivision; Tract 1M, Abstract 35, J. Hunter Survey; and Tracts 5 and 5L, Abstract 30, W. P. Harris Survey, Harris County, Texas, by changing the land use designation from "Commercial" to "Low Density Residential". [Teresa Evans, Director of Planning and Development]**

Mayor Helton opened the public hearing at 6:34 p.m. Director Evans provided background on the item. Peggy Antone spoke in favor of the ordinance. Mayor Helton closed the public hearing at 6:40 p.m.

Councilperson Martin moved to adopt Ordinance 2024-3989 to approve an amendment to the City's Future Land Use Plan Map Component of the Comprehensive Plan for a portion of a 56.7-acre property located at the northeast corner of State Highway 146 and Wharton Weems in the Planned Unit Development zoning district, and legally described as Lots 1-32, Block 1267 & Tract 33, La Porte Subdivision; Tract 1M, Abstract 35, J. Hunter Survey; and Tracts 5 and 5L, Abstract 30, W. P. Harris Survey, Harris County, Texas, by changing the land use designation from "Commercial" to "Low Density Residential"; Councilperson McLarrin seconded the motion; the motion was adopted, 7-0.

- c. **Ordinance 2024-3990 for SCUP 24-9100002 - The City Council will hold a public hearing to receive comments regarding a recommendation by the Planning and Zoning Commission to adopt Ordinance 2024-3990 amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning" by granting Special Conditional Use Permit (SCUP) 24-9100002, to allow for single-family residential development on a 56.7-acre tract of land located in a Planned Unit Development (PUD) zoning district and legally described as Lots 1-33, Block 1267, La Porte Subdivision; Tract 1M, Abstract 35, J Hunter Survey; and Tracts 5 & 5L, Abstract 30, W.P. Harris Survey; Harris County, Texas; followed by discussion and possible action to consider adopting Ordinance 2024-3990 amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning" by granting Special Conditional Use Permit (SCUP) 24-9100002, to allow for single-family residential development on a 56.7-acre tract of land located in a Planned Unit Development (PUD) zoning district and legally described as Lots 1-33, Block 1267, La Porte Subdivision; Tract 1M, Abstract 35, J Hunter Survey; and Tracts 5 & 5L, Abstract 30, W.P. Harris Survey; Harris County, Texas. [Teresa Evans, Director of Planning and Development]**

Mayor Helton opened the public hearing at 6:43 p.m. Director Evans provided background on the item. The property buyer, Sofia Filfil, of GardenBure Development, LLC, and her civil engineer for the proposal, Mario Lanza, answered questions from the Council. Peggy Antone and Mercy Estrada spoke in opposition to the ordinance. Mark Follis spoke about the prior proposals to the Planning and Zoning Commission. Phillip Hoot spoke in support of the proposal. Joe Borja offered comment on swimming pool variances and traffic concerns. Mayor Helton closed the public hearing at 7:38 p.m.

Mayor Pro Tem Engelken moved to deny Ordinance 2024-3990 amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning" by granting Special Conditional Use Permit (SCUP) 24-9100002, to allow for single-family residential development on a 56.7-acre tract of land located in a Planned Unit Development (PUD) zoning district and legally described as Lots 1-33, Block 1267, La Porte Subdivision; Tract 1M, Abstract 35, J Hunter Survey; and Tracts 5 & 5L, Abstract 30, W.P. Harris Survey; Harris County, Texas; Councilperson Bentley seconded the motion; the motion was adopted, 7-0.

- d. **Ordinance 2024-3987 for SCUP 24-9100003 - The City Council will hold a public hearing to receive comments regarding a recommendation by the Planning and Zoning Commission to adopt Ordinance 2024-3987 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. 24-9100003 to allow for the development of a hotel (NAICS Code 721110) on a 2.4-acre tract of land located west of S. 13th St., and south of K St. (Undeveloped Right-of-Way), and legally described as RES A, Block 1, Home Porte, Harris County, Texas, followed by discussion and possible action to consider adopting Ordinance 2024-3987, amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning" by granting Special Conditional Use Permit (SCUP) 24-9100003 to allow for the development of a hotel (NAICS Code 721110) on a 2.4-acre tract of land located west of S. 13th St., and south of K St. (Undeveloped Right-of-Way) and legally described as RES A, Block 1, Home Porte, Harris County, Texas. [Johnna Matthews, Planning Manager]**

Mayor Helton opened the public hearing at 7:41 p.m. Planning Manager Matthews provided background on the item. There were no speakers for the public hearing. Mayor Helton closed the public hearing at 7:49 p.m.

Councilperson Martin moved to adopt Ordinance 2024-3987, amending the Code of Ordinances of the City of La Porte, Chapter 106 "Zoning" by granting Special Conditional Use Permit (SCUP) 24-9100003 to allow for the development of a hotel (NAICS Code 721110) on a 2.4-acre tract of land located west of S. 13th St., and south of K St. (Undeveloped Right-of-Way) and legally described as RES A, Block 1, Home Porte, Harris County, Texas; Councilperson McLarrin seconded the motion; the motion was adopted, 7-0.

## **7. STATUTORY AGENDA**

- a. **APB Properties, LLC - 908 W. Main Street - Presentation, discussion, and possible action to authorize an expenditure in an amount not to exceed \$36,383.10, under the terms of an enhancement grant incentive agreement between the La Porte Development Corporation and APB Properties, LLC, for façade enhancements to building located at 908 W. Main Street, La Porte, Texas. [Haley Bowers, Economic Development Manager]**

Mayor Pro Tem Engelken moved to authorize an expenditure in an amount not to exceed \$36,383.10, under the terms of an enhancement grant incentive agreement between the La Porte Development Corporation and APB Properties, LLC, for façade enhancements to building located at 908 W. Main Street, La Porte, Texas; Councilperson Bentley seconded the motion; the motion was adopted, 7-0.

## **8. REPORTS**

- a. **Receive report of the May 29, 2024, La Porte Development Corporation Board of Directors budget and strategic planning meeting. [Mayor Pro Tem Engelken]**

Mayor Pro Tem Engelken said the Board met and received several reports, authorized funding for ZoomProspector and RESimplifi software, approved the recommendation to the Council for the facade enhancement grant for APB Properties, LLC, and received an update on the Main Street Master Plan. He said the Board then conducted a budget and strategic planning sessions, heard proposals to amend the Enhancement Grant Policy, and set its next meeting for June 24.

**b. Receive report of the June 10, 2024, La Porte Drainage and Flooding Committee meeting. [Councilperson Martin]**

Councilperson Martin reported that the Committee met, received updates on drainage and flooding projects, and set its next meeting for July 8.

**9. ADMINISTRATIVE REPORTS**

- Planning and Zoning Commission meeting, June 20
- La Porte Development Corporation Board of Directors meeting, June 24
- City Council meeting, June 24

**a. City Hall Update - Update on the status of the environmental issues at City Hall, the progress of a plan for developing an opinion of probable cost to renovate the current City Hall, along with any other actions being taken to gather information for the City Hall item to be presented at the July 8, 2024, City Council meeting. [Councilpersons Martin, McCaulley, and Bentley]**

Assistant City Manager Daeumer provided an update on the status of the environmental issues at City Hall, the progress of a plan for developing an opinion of probable cost to renovate the current City Hall, along with any other actions being taken to gather information for the City Hall item to be presented at the July 8, 2024, City Council meeting.

**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.**

Councilpersons praised Gay Collins on her tenure with and contributions to the City; congratulated Johnna Matthews on her presentation; acknowledged the cleanup and recovery efforts by Public Works after the recent storms; thanked the public for sharing their perspectives; recognized Parks and Recreation, EMS, Police, and Fire Departments for their participation in the Sylvan Beach Triathlon on Sunday, enabling a safe and successful event; and commended Christina Mason, a paramedic with the City, who sang the National Anthem at the Sylvan Beach Triathlon.

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

- a. **Texas Government Code Sec. 551.071(1)(A)-Pending or Contemplated Litigation. The City Council will meet in closed session with the City Attorney and City Manager to discuss Texas Petroleum Group vs. City of La Porte, Texas.**

The Council convened in an executive session at 8:21 p.m.

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

The Council convened in open session at 8:52 p.m. Mayor Pro Tem Engelken moved to direct staff to continue negotiations for the proposed development at Highway 146 and Spencer Highway; the motion was seconded by Councilperson Bentley; the motion was adopted, 7-0.

- 13. ADJOURN**

Mayor Helton adjourned the meeting at 8:52 p.m.

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Lee Woodward, City Secretary