



REQUEST FOR CITY COUNCIL AGENDA ITEM

Agenda Date Requested: <u>July 8, 2024</u>
Requested By: <u>Lee Woodward, City Secretary</u>
Department: <u>City Secretary's Office</u>
<input type="radio"/> Report <input type="radio"/> Resolution <input checked="" type="radio"/> Ordinance

Appropriation	
Source of Funds:	_____
Account Number:	_____
Amount Budgeted:	_____
Amount Requested:	_____
Budgeted Item:	<input checked="" type="radio"/> Yes <input type="radio"/> No

Exhibits: Proposed Ord. 2024-3996

SUMMARY & RECOMMENDATION

June 10, 2024 distance variance - At its meeting on June 10, 2024, the City Council approved Ordinance 2024-3988 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. Section 109.33(e) of the Texas Alcohol Beverage Code generally permits the Council discretion to grant variances to the distance regulations if the Council determines that a variance is in the best interest of the community.

City Code current prohibition on intent to consume on City property - The variance approved on June 10 was separate from and could not address the City of La Porte prohibition on the consumption or possession with intent to consume alcoholic beverages on City property. Sec. 6-3 of the City Code of Ordinances includes provisions for alcohol sales and consumption on some other City facilities and at the golf course.

Municipal regulation permitted by state law – Texas statute permits local governments to waive distance variances for the sale or consumption within 300 feet of a public or private school, public hospital, or church (and sometimes to a day-care center or a child-care facility for permit or license holders who do not hold a food and beverage certificate; TABC §109.331), in addition to other possible prohibitions.

Consideration tonight – Staff recommends adoption of Ordinance 2024-3996, permitting the sale of alcoholic beverages for on-premises and/or off-premises consumption for property located within the boundaries of the La Porte Municipal Airport upon prior issuance to the vendor of all applicable state and local permits, as well as variances necessary due to proximity to schools or churches. This change, an addition to Sec. 6-3. - *Consumption or possession with intent to*

consume alcoholic beverages on city property. 4. *Exceptions.* to the City Code, will increase opportunities for future uses and potential economic development on this property.

STRATEGIC PLAN STRATEGY AND GOAL

The proposed ordinance meets each of the Council’s adopted Strategic Plan initiatives by extending the opportunities afforded nearly all places of business in the community to those located at the airport, increasing the appeal of commercial activity at the airport to both residents and visitors, and doing so transparently and with the future in mind.

Governance: The City of La Porte is governed in a transparent, efficient, accountable and responsive manner on behalf of its citizens that actively promotes citizen involvement.

Communications: The City of La Porte will build relationships and showcase our community through communication, technology, training, and branding.

Infrastructure and Utilities: The City of La Porte will have and maintain a strong infrastructure and up to date facilities to continue to provide superior services for our citizens.

Economic Development: The City of La Porte will promote a strong and diverse economy that strengthens the local sales tax and property tax base while also contributing to a high quality of life.

Organizational Excellence: The City of La Porte will operate in a transparent, efficient, accountable, and responsive manner by preparing the organization and the staff for the future, focusing on core services, attracting and retaining the best employees and wise stewardship of financial resources.

ACTION REQUIRED BY CITY COUNCIL

Adopt Ordinance 2024-3996, amending the City of La Porte’s Code of Ordinances Section 6-3 to permit the sale and consumption of alcoholic beverages on the La Porte Municipal Airport property.

Approved for the City Council meeting agenda

Corby D. Alexander, City Manager

Date