

**MINUTES OF THE CITY OF PORT NECHES
ZONING BOARD OF ADJUSTMENT & APPEALS**

4:00 P.M.

January 28, 2016

MEETING

The special meeting was called to order at 4:00 p.m. by Taylor Shelton at Port Neches City Hall, 1005 Merriman Street, Port Neches, Texas with the following members in attendance:

Matt Vincent
William "B.C." Clemmons
Lee West
Steve Visser, Alternate
Gary Boudoin, Alternate
Donald Ware, Alternate
James Ware, Alternate

Also present:

Andre' Wimer, City Manager
Taylor Shelton, P.E., Public Works Director
Larry Reynolds, Assistant Public Works Director/ Building Official
Cari Reynolds, Public Works Secretary

Absent:

Sam Loyacano

AGENDA ITEM 2 –APPOINTMENT OF CHAIRPERSON

Taylor Shelton asked the Board for nominations to appoint a Chairperson. Alternate Board Member Boudoin nominated Board Member Matt Vincent. There were no other nominations.

Alternate Board Member Boudoin made a motion to appoint Board Member Vincent as Chairperson, seconded by Board Member Clemmons. **MOTION PASSED BY UNANIMOUS VOTE.**

AGENDA ITEM 3 –APPOINTMENT OF VICE CHAIRPERSON

Chairman Vincent asked for nominations to appoint a Vice-Chairperson. City Manager advised the Board that Board Members B.C. Clemmons, Matt Vincent and Lee West were newly appointed regular members and that due to the resignation of Board Member Bales there is another regular member vacancy. City Manager stated that newly

appointed Alternate Board Members were Gary Boudoin and Steve Visser. Chairman Vincent nominated Board Member Clemmons. There were no other nominations.

Chairman Vincent made a motion to appoint Board Member Clemmons as Vice-Chairperson, seconded by Alternate Board Member Visser. **MOTION PASSED BY UNANIMOUS VOTE.**

AGENDA ITEM 4 – EXECUTIVE SESSION

Chairman Vincent recessed the regular meeting to enter into Executive Session at 4:03 p.m. to discuss the following matters:

Litigation – Texas Government Code, Chapter 551.071

Discuss pending and threatened litigation:

Consultation with legal counsel regarding The Mayor and Members of the City Council of the City of Port Neches, Texas v. The Zoning Board of Adjustment of the City of Port Neches and its Members in their Representative Capacities.

Consultation with legal counsel – Texas Government Code, Chapter 551.071

AGENDA ITEM 5 – RECONVENE INTO REGULAR SESSION

Chairman Vincent reconvened the regular meeting of the Zoning Board of Adjustments and Appeals at 5:32 p.m.

AGENDA ITEM 6 – APPROVAL OF MINUTES

Chairman Vincent asked the Public Works Secretary to explain the reason why the minutes from the regular meeting on November 9, 2015 had to be amended.

Mrs. Reynolds stated that the motion made on the original minutes from the regular meeting on November 9, 2015, for Agenda item 5, was to grant a variance to the maximum twelve (12) attached dwelling units under one (1) roof for a Residential-Multi Family (R-MF). At the special meeting on December 8, 2015 Board Member Stretcher requested the minutes be amended to specify the number of units per each apartment building. The amended minutes now specify the number of units in each building.

Alternate Board Member Visser made a motion to approve the amended minutes from the regular meeting held on November 9, 2015, the special meeting held on December 8, 2015, and the regular meeting held on January 11, 2016, seconded by Vice-Chairman Clemmons. **MOTION PASSED BY UNANIMOUS VOTE.**

AGENDA ITEM 6 – ADJOURN

There being no further business, Alternate Board Member Visser made a motion to adjourn, seconded by Vice-Chairman Clemmons. **MOTION PASSED BY UNANIMOUS VOTE.** The meeting was adjourned at 5:34 p.m.

Matt Vincent, Chairman

ATTEST:

Cari Reynolds, Public Works Secretary