

**SPECIAL MEETING OF THE
ZONING BOARD OF ADJUSTMENT
OF THE CITY OF PORT NECHES**

3:00 P.M.

November 24, 2015

MEETING

The special meeting was called to order at 3:00 p.m. by Chairman Belanger at Port Neches City Hall, 1005 Merriman Street, Port Neches, Texas with the following members in attendance to wit:

Chairman Corey Belanger
Sam Loyacano
Gary Stretcher
Charles Bales
Donald Ware, Alternate
James Ware, Alternate (Did not participate)
Trent Cobb, Alternate (Did not participate)
Chris Swanson, Alternate (Did not participate)

Also present:
Andre' Wimer, City Manager
Taylor Shelton, P.E., Public Works Director
Cari Reynolds, Public Works Secretary

AGENDA ITEM 2 – AUTHORIZING THE APPROVAL OF APPOINTMENT OF LEGAL COUNSEL TO REPRESENT THE ZONING BOARD OF ADJUSTMENT

Chairman Belanger informed the Board Members that this agenda item was placed on the agenda in the event the Board wants to appoint legal counsel to represent the Zoning Board of Adjustment. Chairman Belanger stated that if the Board does not have legal counsel that it wishes to appoint at this time that the next agenda item would allow for the Board to have additional time to seek legal counsel.

Board Member Stretcher made a motion to appoint Jane Leger of Clay Dugas and Associates as legal counsel to represent the Zoning Board of Adjustment with the provision that if the law suit continues and it becomes necessary for individual Board Members to have their own legal counsel that the Zoning Board of Adjustment would be able to approve that at a later date, seconded by Board Member Loyacano. **MOTION PASSED BY UNANIMOUS VOTE.**

The City Manager informed the Board Members that the Petition that was filed is based upon the Zoning Board of Adjustment in their Representative Capacities and is not based upon the Board Members individually.

AGENDA ITEM 3 – AUTHORIZING THE ZONING BOARD OF ADJUSTMENT TO SEEK LEGAL COUNSEL TO REPRESENT THE ZONING BOARD OF ADJUSTMENT

Chairman Belanger requested that this item be postponed at this time.

Board Member Bales made a motion to postpone this item, seconded by Board Member Stretcher. **MOTION PASSED BY UNANIMOUS VOTE.**

AGENDA ITEM 4 – EXECUTIVE SESSION

Chairman Belanger recessed the regular meeting to enter into Executive Session at 3:04 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 Belanger reconvened the regular meeting of the Zoning Board of Adjustments and Appeals at 3:52 p.m.

AGENDA ITEM 6 – ADJOURN

There being no further business Board Member Loyacano made a motion to adjourn, seconded by Board Member Bales. **MOTION PASSED BY UNANIMOUS VOTE.** The meeting was adjourned at 3:52 p.m.

Corey Belanger, Chairman

ATTEST:

Cari Reynolds, Public Works Secretary