

**LOUIS RIGBY**  
Mayor  
**JOHN ZEMANEK**  
Councilmember At Large A  
**DOTTIE KAMINSKI**  
Councilmember At Large B  
**DANNY EARP**  
Mayor Pro-Tem  
Councilmember District 1



**CHUCK ENGELKEN**  
Councilmember District 2  
**DARYL LEONARD**  
Councilmember District 3  
**KRISTIN MARTIN**  
Councilmember District 4  
**JAY MARTIN**  
Councilmember District 5  
**MIKE CLAUSEN**  
Councilmember District 6

**MINUTES OF THE REGULAR MEETING OF THE  
CITY COUNCIL OF THE CITY OF LA PORTE  
AUGUST 8, 2016**

The City Council of the City of La Porte met in a regular meeting on **Monday, August 8, 2016**, at the City Hall Council Chambers, 604 West Fairmont Parkway, La Porte, Texas, at **6:00 p.m.** to consider the following items of business:

1. **CALL TO ORDER** – Mayor Rigby called the meeting to order at 6:00 p.m. Members of Council present: Councilmembers Engelken, Zemanek, Clausen, Earp, K. Martin, J. Martin, Leonard, and Kaminski. Also present were City Secretary Patrice Fogarty, City Manager Corby Alexander, and Assistant City Attorney Clark Askins.
2. **INVOCATION** – The invocation was given by Joshua Ojeda, Fairmont Park Church.
3. **PLEDGE OF ALLEGIANCE** – The Pledge of Allegiance was led by Councilmember John Zemanek.
4. **PRESENTATIONS, PROCLAMATIONS, and RECOGNITIONS**
  - a) Proclamation – 811 Safe Digging Day – Mayor Rigby  
  
Mayor Rigby presented a proclamation for 811 Safe Digging Day.
5. **PUBLIC COMMENTS** (Limited to five minutes per person.)  
  
Amy Titus, 1314 Golden St, addressed Council regarding an incident at a City pool that resulted in her son being dismissed as a lifeguard.
6. **CONSENT AGENDA** (*All consent agenda items are considered routine by City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember requests an item be removed and considered separately.*)
  - a) Consider approval or other action regarding minutes of the meeting held on June 25, 2016 – P. Fogarty
  - b) Consider approval or other action regarding the purchase of Coban Echo Body Worn Camera Systems under Texas Buy Board Contract – K. Adcox
  - c) Consider approval or other action regarding a Resolution authorizing the public resale of property acquired through tax foreclosure by the Constable of Harris County – K. Powell
  - d) Consider approval or other action regarding a Resolution authorizing the sale of Lots 18-23, Block 411, Town of La Porte; Lots 13 & 14, Block 98, Town of La Porte; Lots 35-37, Block 11, Bayfront to La Porte; Lots 1-3, Block 11, Bayfront to La Porte; Lot 12, Block 25, Town of La Porte; Lots 22 & 23, Block 59, Bayfront to La Porte; Lots 24 & 25, Block 59, Bayfront to

La Porte; Lots 14-17, Block 411, Town of La Porte and Lots 15 & 16, Block 98, Town of La Porte – K. Powell

- e) Consider approval or other action regarding a Resolution naming the City Manager as the authorizing agent for contracts and agreements associated with the Automated Weather Observing System (AWOS) project for the La Porte Municipal Airport and authorizing the City Manager and City Attorney to execute the Certification of Project Funds; Designation of Sponsor's Authorized Representative and Entitlement Transfer Agreement forms – S. Valiante

Councilmember Engelken motioned to approve the Consent Agenda items pursuant to staff recommendations. Councilmember Zemanek seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

At 6:14 p.m., Mayor Rigby stated if there are no objections from council, the Executive Session will be taken out of order at this time. There was no council objection to taking this item out of order. See Executive Session item below in these minutes.

## 7. DISCUSSION AND POSSIBLE ACTION

- (a) Discussion and possible action regarding report on Dangerous Buildings in the City of La Porte – R. Davidson

Deputy Building Official R. J. Davidson presented a summary.

There were no questions from Council.

Councilmember Engelken moved to go forward with the process and for Staff to provide notice of a public hearing date. Councilmember Kaminski seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

## 8. REPORTS

- (a) Receive report of the Fiscal Affairs Committee – Councilmember Engelken

Councilmember Engelken provided a report of the Fiscal Affairs Committee meeting held prior to the City Council Meeting.

## 9. ADMINISTRATIVE REPORTS

City Manager Corby Alexander thanked Planning and Development Director Tim Tietjens and the R. J. Davidson, Deputy Building Official, for the presentation on the Dangerous Buildings and reminded everyone of the “A Community Coming Together, United Stand for Peace” event hosted by the La Porte Civic Club on Thursday at 7:00 p.m.

- 10. **COUNCIL COMMENTS** regarding matters appearing on the agenda; recognition of community members, city employees, and upcoming events; inquiry of staff regarding specific factual information.

Councilmembers Engelken and Clausen requested staff investigate the comments and incident provided by Ms. Titus in public comments. There were no other council comments.

- 10(a). **EXECUTIVE SESSION** – The City reserves the right to meet in closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code, including, but not limited to, the following:

**Texas Government Code, Section 551.071 (2)** – Consultations with Attorney: Pending or Contemplated Litigation – Meet with City Attorney to discuss USOR Site Group PRP v. A&M Contractors, et al, Case No. 4:14-cv-02441, in the U.S. District Court-Houston.

City Council recessed the regular Council meeting to convene an executive session at 6:14 p.m. regarding the item listed above.

**10(b). RECONVENE** into regular session and consider action, if any on item(s) discussed in executive session.

City Council reconvened into the regular Council meeting at 6:49 p.m.

Regarding the discussion of USOR Site Group PRP v. A&M Contractors, et al, Case No. 4:14-cv-02441, in the U.S. District Court-Houston, Councilmember Engelken made a motion to continue the negotiation as advised by the City's Attorney. Councilmember Zemanek seconded. **MOTION PASSED 9/0.**

**11. ADJOURN** - There being no further business, Councilmember Engelken made a motion to adjourn the meeting at 7:26 p.m. Councilmember Leonard seconded. **MOTION PASSED UNANIMOUSLY 9/0.**

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Patrice Fogarty, City Secretary

Passed and approved on August 22, 2016.

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Mayor Louis R. Rigby