



CITY COUNCIL REGULAR MEETING

Monday, December 12, 2022 at 6:30 PM
City Council Chambers | 202 N. Virginia Street, Port Lavaca TX 77979

PUBLIC NOTICE OF MEETING

The following item will be addressed at this or any other meeting of the city council upon the request of the mayor, any member(s) of council and/or the city attorney:

Announcement by the mayor that council will retire into closed session for consultation with city attorney on matters in which the duty of the attorney to the city council under the Texas disciplinary rules of professional conduct of the state bar of Texas clearly conflicts with the open meetings act (title 5, chapter 551, section 551.071(2) of the Texas government code).

(All matters listed under the consent agenda item are routine by the city council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.)

AGENDA

Council will consider/discuss the following items and take any action deemed necessary.

COVID-19 MEETING PROCEDURE

Public notice is hereby given that the City Council of the City of Port Lavaca, Texas, will hold a regular meeting MONDAY, DECEMBER 12, 2022 beginning at 6:30 p.m., at the regular meeting place in Council Chambers at City Hall, 202 North Virginia Street, Port Lavaca, Texas to consider the following items of business:

Due to COVID-19 concerns, social distancing guidelines will be encouraged for in-person attendance. The meeting will also be available via the video conferencing application "ZOOM".

Join Zoom Meeting:

<https://us02web.zoom.us/j/82163439447?pwd=UFFTbHNzRE10Y2s3UmtaTU9hY3pqUT09>

Meeting ID: 821 6343 9447

Passcode: 634453

One Tap Mobile

+13462487799,,82182482989#,,, *912619# US (Houston)

Dial by your location

+1 346 248 7799 US (Houston)

I. ROLL CALL**II. CALL TO ORDER****III. INVOCATION****IV. PLEDGE OF ALLEGIANCE****V. PRESENTATION(S)****VI. COMMENTS FROM THE PUBLIC** - *Limited to 3 minutes per individual unless permission to speak longer is received in advance. You may make public comments as you would at a meeting on Zoom by logging on with your computer and/or smart phone as described in the zoom invitation below or on Facebook Live through the comment section, which will be monitored and answered. As appropriate.***VII. CONSENT AGENDA** - *Council will consider/discuss the following items and take any action deemed necessary*

- A. Minutes of November 14, 2022 Regular Meeting
- B. Review of the Credit Card Statement
- C. Receive monthly Financial Highlight Report
- D. Ratify GLO Contract #20-065-071-C198 CDBG-DR Amendment No. 1 for Phase 2 Construction contract to Lester Contracting, Inc.
- E. Ratify Agreement between City and Chamber of Commerce for Event Management and Marketing Services for FY 2021 through FY 2023 that was discussed at the June 20, 2020 Council Workshop.

VIII. ACTION ITEMS - *Council will consider/discuss the following items and take any action deemed necessary*

- 1. City of Port Lavaca will hold a Public Hearing regarding the submission of an application to the Texas Department of Agriculture for one or more Texas Community Development Block Grant Program (TxCDBG) grants for Program Year 2023. Presenter is GrantWorks Rep
- 2. Review results of Cyber Security assessment from VC3, Inc. Presenter is Susan Lang
- 3. Consider award of a Professional Services Agreement between the City of Port Lavaca and VC3, Inc. for Information Technology (IT) Manage Services; associated Budget Amendment to fund additional services for FY 2023 and authorize Interim City Manager to electronically execute. Presenter is Susan Lang
- 4. Consider termination of Fiscal Year-End (FYE) 2021-2023 Chamber of Commerce Events/Marketing Agreement and approve a new Fiscal Year (FY) 2022-2023 Chamber of Commerce Events/Marketing Agreement, which adds a Communications Services Clause. Presenter is Jody Weaver
- 5. Consider cost savings to provide a chain-link fence instead of a 3-rail aluminum fence at the Skate Park. Presenter is Jody Weaver
- 6. Consider award of Buyboard Contract No. 581-19 to Brown and Root for the City of Port Lavaca Animal Shelter. Presenter is Jody Weaver

7. Consider approval of AECOM Task Order No. 5 for the following Scope of Work: City of Port Lavaca Lynn's Bayou Wastewater Treatment Plant Expansion; Basic Services Items 1, 2, 3, in the total amount of \$494,588.00; authorize Budget Amendment for loan to Public Utility Fund from General Fund in the same amount and authorize a Notice to Proceed on December 13, 2022. Presenter is Wayne Shaffer
8. Consider approval of AECOM Task Order No. 6 for Bid and Construction Phase Services for the Lynn's Bayou Wastewater Treatment Plant Improvement project, in the amount of \$127,317.00. Presenter is Wayne Shaffer
9. Consider Second and Final Reading of an Ordinance (G-9-22) of the City of Port Lavaca amending the Code of Ordinances, Chapter 12 Buildings and Building Regulations, Sec. 12-21, to provide a Temporary Housing Permit to allow placement of a Recreational Vehicle (RV) on site of an active residential permit for up to 180 days; providing for severability; providing a repealing clause; and providing an effective date. Presenter is Derrick Smith
10. Consider Second and Final Reading of an Ordinance (G-10-22) of the City of Port Lavaca repealing Chapter 26 of the City of Port Lavaca Code of Ordinances and adopting a New Chapter 26 of the City of Port Lavaca, Texas Code of Ordinances, Regulating Manufactured Housing and Recreational Vehicles (RV), Manufactured Housing Subdivisions, Manufactured Housing Parks, Recreational Vehicle Parks; Providing for Permits; Setting Fees; Establishing an Appeals Process; Setting Penalties for Violations; Providing a Repealing Clause; Providing a Severability Clause; and Setting an effective date. Presenter Is Derrick Smith
11. Consider First Reading of an Ordinance (G-11-22) of the City of Port Lavaca amending the Code of Ordinances, Part II, Appendix A – Fees, Rates and Charges (Chapter 12 – Buildings and Building Regulations, Sec. 12-1 Construction Code Services: Fee Table 3 – Construction or Improvement of a Residential Dwelling) and providing an effective date. Presenter is Derrick Smith
12. Receive Budget Report from Undine for the Treatment of Raw Water within City of Port Lavaca jurisdiction for the 2023 Fiscal Year. Presenter is Jody Weaver
13. Consider First Reading of an Ordinance (G-12-22) of the City of Port Lavaca amending the Code of Ordinances, Part II, Appendix A – Fees, Rates and Charges (Chapter 50 – Utilities, Sec. 50-67 Water User Rates) and providing an effective date. Presenter is Susan Lang
14. Consider request of Martin Perez of 1317 Burkedale Dr. for a variance request to City Code of Ordinance Chapter 12 Building and Building Regulation, Article II Building Trade Codes, Section 12-24 Building Setbacks. Presenter is Derrick Smith
15. Receive notification in accordance with Item 2 of the Fourth Amendment to the Municipal Contract between BFI Waste Services of Texas, LP d/b/a Republic Services of Corpus Christi and the City of Port Lavaca, submission of annual letter reflecting a 4.00% increase in the Base Rate for commercial services only to become effective February 1, 2023. Presenter is Jody Weaver

16. Announcement by Mayor that City Council will retire into closed session:
 - For consultation with City Attorney on matters in which the duty of the Attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act (Title 5, Chapter 551, Section 551.071(2) of the Texas Government Code). Presenter is Mayor Whitlow
17. Return to Open Session and take any action deemed necessary with regard to matters in closed session. Presenter is Mayor Whitlow

IX. ADJOURNMENT

CERTIFICATION OF POSTING NOTICE

This is to certify that the above notice of a regular meeting of The City Council of The City of Port Lavaca, scheduled for **Monday, December 12, 2022**, beginning at 6:30 p.m., was posted at city hall, easily accessible to the public, as of **5:00 p.m. Friday, December 9, 2022**.

Mandy Grant, *City Secretary*

ADA NOTICE

The Port Lavaca City Hall and Council Chambers are wheelchair accessible. Access to the building is available at the primary north entrance facing Mahan Street. Special parking spaces are located in the Mahan Street parking area. In compliance with the Americans with Disabilities Act, the City of Port Lavaca will provide for reasonable accommodations for persons attending meetings. To better serve you, requests should be received 24 hours prior to the meetings. Please contact City Secretary Mandy Grant at (361) 552-9793 Ext. 230 for assistance.
