



CITY COUNCIL REGULAR MEETING

Monday, April 12, 2021 at 6:30 PM
Electronically through Zoom

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 due to covid-19 concerns and in accordance with the governor's orders and recommendations, the city of Port Lavaca, Texas, city council meeting is closed to the public. Instead, the city council will be utilizing "Zoom Meeting and Facebook live transmission" on The City of Port Lavaca's Facebook page beginning at the time listed above.

VIRTUAL MEETING INFORMATION

Click to Join Meeting:

<https://us02web.zoom.us/j/84203308401?pwd=TXF3aFFZNkhhYitJbmNlcG5TRjlrZz09>

Meeting ID: 842 0330 8401

Passcode: 301622

Dial by your location: +1 346 248 7799 US (Houston)

I. CALL TO ORDER

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. 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.*

V. CONSENT AGENDA - Council will consider/discuss the following items and take any action deemed necessary

- A. Minutes of March 08, 2021 Regular Meeting. Presenter is Mandy Grant
- B. Minutes of March 22, 2021 Special and Workshop. Presenter is Mandy Grant
- C. Payment of Invoices Exceeding \$1,500

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

- 1. Consider request from the Fire Department to declare City property as Surplus (the old washer extractor) and authorize donation of same to Texas A&M Forest Service Helping Hands Program, who in turn will donate it to the Magnolia Beach Volunteer Fire Department. Presenter is Joe Reyes
- 2. Consider First Reading of an Ordinance (G-4-21) of the City of Port Lavaca abandoning a portion of street Right-of-Ways within Port Lavaca Cemetery; and providing for an effective date. Presenter is Anne Marie Odefey
- 3. Consider Resolution No. R-041221-1 by the City of Port Lavaca, Texas suspending the May 3, 2021 effective date of the proposal by CenterPoint Energy Resources Corp., D/B/A CenterPoint Energy Entex and CenterPoint Energy Texas Gas – South Texas Division to Implement Interim Grip Rate Adjustments for Gas Utility Investment in 2020 and requiring delivery of this resolution to the Company and Legal Counsel. Presenter is Anne Marie Odefey
- 4. Consider Second and Final Reading of an Ordinance (G-2-21) of the City of Port Lavaca amending the ordinance codified and described in the City of Port Lavaca Code of Ordinances as Chapter 12, Buildings and Building Regulations, Article II, Building Trade Codes, Section 12.20, Building Trade Codes-Adopted; Providing for Severability; Providing a Repealing Clause; and Providing an Effective Date. Presenter is Jessica Carpenter
- 5. Consider Ratifying approval of Invoice from Diamond K Services, Inc. of Cuero, Texas for emergency repairs rendered to the rail spur at Harbor of Refuge on behalf of Port Commission. Presenter is Jody Weaver
- 6. Consider Resolution No. R-041221-2 to award an Administration Contract for the Texas Department of Housing and Community Affairs (TDHCA) 2021 HOME Program implementation. Presenter is Jessica Carpenter
- 7. Consider a Citizen Participation Plan for the City of Port Lavaca in connection with the Texas Community Development Block Grant Program (TxCDBG). Presenter is Jessica Carpenter
- 8. Consider award of construction contract for the Dredging of Smith Harbor. Presenter is Jim Rudellat
- 9. Consider First Reading of an Ordinance (G-3-21) amending the ordinance codified and described in the City of Port Lavaca Code of Ordinances as Part II, Appendix A – Fees, Rates and Charges (Chapter 32 - Parks and Recreation, Chapter 38 - Solid Waste, CH 54 – Waterways); and providing an effective date. Presenter is Jody Weaver
- 10. Consider Tariff Rates for Helena Chemicals Harbor of Refuge Lease. Presenter is Jerry Smith

11. Consider selection of engineering consultant for upgrades to the Wastewater Treatment Plant (WWTP) and Water Supply Master Plan. Presenter is Wayne Shaffer
12. Consider recommendation of the Planning Board for approval of a conceptual plan from Mr. Tony Magana for a medium-density residential triplex development with a potential variance request for zero side yard setbacks. Presenter is Jessica Carpenter
13. Consider recommendation of the Planning Board for approval of a conceptual plan for Mr. Jimmy Shelton for a proposed medium-density residential townhome development with a variance request for zero side yard setbacks. Presenter is Jessica Carpenter
14. Consider recommendation of the Port Commission regarding proposal from CRG Texas to conduct a Limit Phase II Environmental Site Assessment at Tracts 16, 17 and 17A (26.66 Acres) at the Harbor of Refuge. Presenter is Jody Weaver
15. Receive update on city-wide brush cleanup operations and consideration of purchase of a S220 Air Burner. Presenter is Jody Weaver
16. Consider Resolution R-041221-3 to extend condolences to Taiwan for the loss of people in the Taroko Express Railroad crash incident. Presenter is Mayor Whitlow
17. 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
18. Return to Open Session and take any action deemed necessary with regard to matters in closed session. Presenter is Mayor Whitlow

VII. 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, April 12, 2021**, beginning at 6:30 p.m., was posted at city hall, easily accessible to the public, as of **5:00 p.m. Friday, April 09, 2021**.

/s/ **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.
