CITY COUNCIL REGULAR MEETING

Monday, July 12, 2021 at 6:30 PM

City Council Chambers | 202 N. Virginia Street, Port Lavaca TX 77979

MINUTES

STATE OF TEXAS §
COUNTY OF CALHOUN §
CITY OF PORT LAVACA §

On this the 12th day of July, 2021, the City Council of the City of Port Lavaca, Texas, convened in a regular session at 6:30 p.m. at the regular meeting place in Council Chambers at City Hall, 202 North Virginia Street, Port Lavaca, Texas, with the following members in attendance:

Jack Whitlow	Mayor
Jerry Smith (via Zoom)	Councilman, District 1
Tim Dent	Councilman, District 2
Allen Tippit	Councilman, District 3
Rosie G. Padron	Councilwoman, District 4, Mayor Pro Tem
Jim Ward	Councilman, District 5
Ken Barr	Councilman, District 6

And with the following absent:

None

Constituting a quorum for the transaction of business, at which time the following business was transacted:

I. CALL TO ORDER
- Mayor Whitlow called the meeting to order at 6:38 p.m. and presided.

II. INVOCATION
- Former Councilman Floyd Felder gave the invocation.

III. PLEDGE OF ALLEGIANCE
- Mayor Whitlow – Pledge of Allegiance.

IV. PRESENTATION(S)
- None

V. 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.*

- Mayor asked for comments from the public and there were none:

VI. <u>CONSENT AGENDA</u> - *Council will consider/discuss the following items and take any action deemed necessary*

A. <u>Minutes of June 14, 2021 Regular Meeting</u>

B. <u>Minutes of June 28, 2021 Special Meeting</u>

C. <u>Payment of Invoices Exceeding $1,500</u>

Motion made by Councilman District 6 Barr

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT LAVACA, TEXAS:

THAT, in accordance with recommendation of staff, Council hereby approves all consent agenda items as listed:

Seconded by Councilman District 5 Ward

Voting Yea:
Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Barr

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

1. **<u>Consider nomination to the Golden Crescent Regional Planning Commission (GCRPC) Regional Economic Development Advisory Committee (REDAC) and nomination to the Regional Health and Human Services Advisory Committee (RHHSAC) for 2022 FY. Presenter is Jody Weaver</u>**

Interim City Manager Weaver advised Council that there was a vacancy to the Golden Crescent Regional Planning Commission (GCRPC) Regional Economic Development Advisory Committee (REDAC) and Councilman Tippit had previously expressed a desire to serve on it. She advised that Councilman Tippit was currently serving on the Regional Health and Human Services Advisory Committee (RHHSAC) and this would create a vacancy should he be moved to the REDAC for the 2022 fiscal year.

Motion made by Councilman District 2 Dent

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT LAVACA, TEXAS:

THAT, in accordance with recommendation of staff, Council hereby nominates Councilman Allen Tippit to the Golden Crescent Regional Planning Commission (GCRPC) Regional Economic Development Advisory Committee (REDAC) and also nominates Development Services Director Jessica Carpenter to the Regional Health and Human Services Advisory Committee (RHHSAC) for 2022 FY.

BE IT ALSO RESOLVED THAT, other city representatives will remain on current committees as listed, a copy which is on file in the office of the City Secretary.

Seconded by Councilman District 5 Ward

Voting Yea:
Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Barr

2. **Consider ratification of City Manager's approval of purchase order #01-10616 in the amount of $27,416.30 issued to Victoria Pool Service and Supply for materials and labor necessary to replace sand filter at city pool. Presenter Jody Weaver**

Interim City Manager Weaver advised Council she was asking them to approve ratification of City Manager's approval of purchase order #01-10616 in the amount of $27,416.30 issued to Victoria Pool Service and Supply for materials and labor necessary to replace sand filter at city pool. She advised this was an unexpected expense that would need to be covered through a budget amendment.

Motion made by Councilman District 5 Ward

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT LAVACA, TEXAS:

THAT, in accordance with recommendation of staff, Council hereby approves ratification of City Manager's approval of purchase order #01-10616 in the amount of $27,416.30 issued to Victoria Pool Service and Supply for materials and labor necessary to replace sand filter at city pool.

Seconded by Councilman District 2 Dent

Voting Yea:
Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Barr

3. **Consider approval of Urban Engineering Task Order #26 to prepare the design, bidding and contract administration for the Bauer Community Center Parking Lot Rehabilitation project. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council the city has $250,000 budgeted to renovate the parking lot at the Bauer Community Center. She reached out to Matt Glaze with Urban Engineering for a conceptual cost estimate to renovate the pavement. She said Urban is estimating to reclaim, stabilize with cement and pave with a 2-course asphalt surface treatment, for approximately $275,000 - $300,000 which is somewhat higher than budgeted but in the "ballpark".

Weaver's recommendation is to award a Task Order to Urban Engineering to prepare bid documents and bid the project out. She said the city can plan to add funds to this project in the coming fiscal year capital improvement plan, as needed depending upon the bids received. She said Task Order # 26 is in the amount of $30,500 including survey, Geotech investigation, design and preparation of the bid documents and contract administration.

Motion made by Councilman District 5 Ward

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT LAVACA, TEXAS:

THAT, in accordance with recommendation of staff, Council hereby approves Task Order No. 26 to Urban Engineering to prepare the design, bidding and contract administration for the Bauer Community Center Parking Lot Rehabilitation project, for a fee of $30,500.00.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute all instruments necessary to effect such agreement.

Seconded by Councilman District 3 Tippit

Voting Yea:
Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Barr

4. **Consider recommendation of Port Commission to approve a new 2-year ground lease agreement with Miller's Seafood for Tracts 3, 4, 4, 6 and 12 at City Harbor. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council that Miller's Seafood lease of Tracts 3, 4, 5, 6, and 12 at City Harbor expires on July 31, 2021. She said this was discussed at the Port Commission meeting on Tuesday and they unanimously voted to recommend option 3 for a New lease with Miller's Seafood which is as follows:

Option 3**:** The City places a freeze on all seafood tariffs; and

- Miller agrees to a 2-year lease; $2,400/month for Years 1 and 2.
- Miller places an approved half-page ad in the Fall and Summer Calhoun County Visitor's Guide each year during the term of the lease (approx. $1,000/year).
- w/2 ea. Two-way 1-year options, each with an increase equal to the MCI of the prior October, with a minimum percentage of 2.5% and a maximum percentage of 5%. (* With a 60-day notification, Miller can exercise a one-year option to extend the current lease document with the applicable increase or with 60 days' notice, the City may give notice that the lease will be terminated at the end of the current term).

Motion made by Councilman District 3 Tippit

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT LAVACA, TEXAS:

THAT, in accordance with recommendation of Port Commission and staff, Council hereby approves Lease Option 3 described above, for a new 2-year ground lease agreement with Miller's Seafood for Tracts 3, 4, 4, 6 and 12 at City Harbor, for $2,400/month for Years 1 and 2, a copy which is on file, in its entirety, in the office of the City Secretary.

Seconded by Councilman District 5 Ward

Voting Yea:
Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Barr

5. **Receive monthly Financial Highlight Report. Presenter is Susan Lang**

Finance Director Lang presented Council monthly a Financial Highlight Report as of June 30, 2021.

No action necessary and none taken.

6. **Consider approval of Quarterly Investment Reports for Quarters ending December 31, 2020, March 31, 2021 and June 30, 2021. Presenter is Susan Lang**

Finance Director Lang presented Council with Quarterly Investment Reports for Quarters ending December 31, 2020, March 31, 2021 and June 30, 2021.

Motion made by Councilman District 5 Ward

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT LAVACA, TEXAS:

THAT, in accordance with recommendation of staff, Council hereby approves Quarterly Investment Reports for Quarters ending December 31, 2020, March 31, 2021 and June 30, 2021.

Seconded by Councilman District 6 Barr

Voting Yea:
Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Barr

7. **Receive report from Public Works Director on status of water transmission line leak. Presenter is Wayne Shaffer**

Public Works Director Shaffer presented Council a report on status of water transmission line leak.

No action necessary and none taken.

8. **Receive report from City Manager regarding excessive rainfall events. Presenter is Jody Weaver**

Interim City Manager Weaver presented Council a report regarding excessive rainfall events.

No action necessary and none taken.

9. **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**

Mayor Whitlow advised there would not be a closed session.

No action necessary and none taken.

10. **Return to Open Session and take any action deemed necessary with regard to matters in closed session. Presenter is Mayor Whitlow**

No action necessary and none taken.

VIII. ADJOURNMENT

Mayor asked for motion to adjourn.

Motion made by Councilman District 6 Barr, Seconded by Councilman District 5 Ward.

Voting Yea:
Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Barr

Meeting adjourned at 7:58 p.m.

These minutes were approved on August 09, 2021.

ATTEST:

Mandy Grant

Mandy Grant, City Secretary

Jack Whitlow

Jack Whitlow, Mayor