# CITY COUNCIL SPECIAL MEETING

Monday, June 28, 2021 at 5:30 PM
Council Chambers at City Hall and also Electronically through Zoom

## MINUTES

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

On this the 28th day of June, 2021, the City Council of the City of Port Lavaca, Texas, convened in a special meeting at 5:30 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:

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| Jack Whitlow | Mayor |
| Jerry Smith | 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 |

*Padron arrived 5:57 p.m. during item #3 (Desai Plat).

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 5:40 P.M. and presided.

**II. COMMENTS FROM THE PUBLIC**

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

**III. ACTION ITEMS – (***Council will consider/discuss the following items and take any action deemed necessary)*

**1. <u>Consider recommendation of the Planning Board for approval of a preliminary and final plat located within the Port Lavaca Extra Territorial Jurisdiction (ETJ) for the Louis Neill Subdivision, being a 4.162-acre tract of land situated in the Pascual Guajardo Survey, Abstract No. 20, Calhoun County, Texas. Presenter is Jessica Carpenter</u>**

Development Services Director Carpenter advised Council that the request is for approval of a preliminary and final plat located within the Port Lavaca Extra Territorial Jurisdiction (ETJ) for the Louis Neill Subdivision, being a 4.162-acre tract of land situated in the Pascual Guajardo Survey, Abstract No. 20, Calhoun County, Texas. The proposed ETJ preliminary plat is subdividing 4.162-acres from the 53.64-acre remainder parcel. The Planning Board has reviewed and approved this single-family lot.

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 the Planning Board and staff, Council hereby approves the preliminary and final plat located within the Port Lavaca Extra Territorial Jurisdiction (ETJ) for the Louis Neill Subdivision, being a 4.162-acre tract of land situated in the Pascual Guajardo Survey, Abstract No. 20, Calhoun County, Texas.

Seconded by Councilman District 6 Barr

Voting Yea:
Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilman District 5 Ward, Councilman District 6 Barr.

**2. Consider recommendation of the Planning Board for approval of a replat for the Johnson Subdivision, Block 6, Lots 12-16 and part of Lot 11 of Mariemont Subdivision, Section 3 Volume Z, Page 373 of the C.C.D.R. Samuel Shupe Survey, Abstract No. 0000 of Calhoun County Texas. Presenter is Jessica Carpenter**

Development Services Director Carpenter advised Council that the request is for approval of a replat for the Johnson Subdivision, Block 6, Lots 12-16 and part of Lot 11 of Mariemont Subdivision, Section 3 Volume Z, Page 373 of the C.C.D.R. Samuel Shupe Survey, Abstract No. 0000 of Calhoun County Texas, as presented with recommended conditions as follows:

1) Only driveway access shall be from Larry drive to lot 11.
2) Utility easement shown in the darker line color (same as building lines)
3) Comply with building permit processes upon replat approval and recordation.
4) Adhere to FEMA flood zone regulations.

The Planning Board has reviewed and approved this request with the above conditions.

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 the Planning Board and staff, Council hereby approves the replat for the Johnson Subdivision, Block 6, Lots 12-16 and part of Lot 11 of Mariemont

Subdivision, Section 3 Volume Z, Page 373 of the C.C.D.R. Samuel Shupe Survey, Abstract No. 0000 of Calhoun County Texas, as presented with recommended conditions as follows:

1) Only driveway access shall be from Larry drive to lot 11.
2) Utility easement shown in the darker line color (same as building lines)
3) Comply with building permit processes upon replat approval and recordation.
4) Adhere to FEMA flood zone regulations.

Seconded by Councilman District 2 Dent

Voting Yea:
Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilman District 5 Ward, Councilman District 6 Barr.

**3. <u>Consider recommendation of the Planning Board for approval of a preliminary and final plat of Desai Subdivision, Block 1, Lot 1 and Lot 2, generally located north of Travis Street and south of Tiny Browning Boulevard on SH 35 North. Presenter is Jessica Carpenter</u>**

Development Services Director Carpenter advised Council that the applicant for the proposed Desai Subdivision plat is requesting to subdivide the 3.99-acre parcel currently developed as their La Quinta Inn and Suites property, into two (2) lots. Lot one (1) is 1.28 acres and will be the lot for the current site of the La Quinta Inn and Suites. Lot two (2) is 2.71 acres of undeveloped land adjacent to lot 1. The applicant is preparing to develop lot 2 as a future hotel. Currently the preliminary plat is representing the access for lot 2 through the existing access for the La Quinta hotel. The Planning Board has reviewed and approved this request.

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 the Planning Board and staff, Council hereby approves the preliminary and final plat of Desai Subdivision, Block 1, Lot 1 and Lot 2 (3.99 acres), generally located north of Travis Street and south of Tiny Browning Boulevard on SH 35 North.

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

**4. <u>Consider approval of New Plan Options for the 2021-2022 Fiscal Year, with Texas Municipal League (TML) Multi-State Intergovernmental Employee Benefits Pool, related to the city's group health insurance coverage. Presenter is Jody Weaver</u>**

Interim City Manager Weaver advised Council that staff has received and reviewed the available health insurance plan options available to the City for the fiscal year beginning October 1, 2021. According to the Texas Municipal League (TML) Health Benefits Pool, the City's current provider of coverage, United Health Care, will no longer be an option.

Had the United plan been offered, the cost of renewal would have likely increased by more than 6%. Fortunately, the City's risk pool has partnered with BCBSTX for what it believes to be a 6.9% cost of care savings across the Pool. We are limited in our choices and must respond to TML by June 30, 2021.

Several plan options that closely resemble the City's current plan have been compared. Based upon the City's utilization and experience, the coverage option that provide the best benefit for its employees will only increase the current rates by 2.25%.

Changes to plan coverage are highlighted as follows:

1) The $30 co-pay for office visits will remain the same, but X-rays and laboratory testing will now be included in the co-pay. The previous plan did not include those items in the office visit co- pay.
2) The prescription drug plan will now allow a 2-tiered Dispense as Written (DAW) option where the difference can be paid by the employee if a Generic does not meet the health needs of the employee. The previous plan did not cover the DAW and would only pay for Generic.
3) The Individual Deductible will increase by $200 (all plan choices had the same increase), and the Out-of-Pocket Maximum will increase by $700 in total.

The City is projecting an increase to the annual budget of approximately $21,000 for Fiscal Year 2022, if the City pays the entire amount of the premium increase. There would only be an offset of approximately $4,000 if the City were to equally shift the increase on to its employees. Based upon this de minimis amount, staff is recommending the City budget for the entire increase and maintain the employee portion of premiums the same as last year. As with last year, the city expects to receive a "renewal credit" that may offset the increase in premium contributions. Last year's renewal credit amounted to $5,479.21 per month or $65,751. TML has not made a final decision on this year's credit, but we are hopeful that this will help to offset the increased premiums for fiscal year 2022.

Staff recommends the approval of BCBSTX Option 2 as offered by TML Health Benefits Pool.

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 staff, Council hereby approves the BCBSTX Option 2 Plan as offered by Texas Municipal League (TML) Health Benefits Pool for the 2021-2022 Fiscal Year, related to the city's group health insurance coverage.

BE IT ALSO RESOLVED, That the City will absorb any increase in the cost of this plan.

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. **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 announced that Council would retire into closed session at 6:29 p.m.

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

Mayor Whitlow announced that Council was back in open session at 8:03 p.m. and there would be no action taken with regard to matters in closed session,

## IV. ADJOURN SPECIAL MEETING

Mayor asked for motion to adjourn.

Motion made by Councilman District 6 Barr, Seconded by Councilwoman District 4 (Mayor Pro Tem) Padron

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

Special Meeting adjourned at 8:05 p.m.

These minutes were approved on July 12, 2021.

Jack Whitlow

Jack Whitlow, Mayor

Mandy Grant

Mandy Grant, City Secretary