



CITY COUNCIL SPECIAL/WORKSHOP MEETING

Monday, February 23, 2026 at 5:30 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.

MEETING PROCEDURE

Public notice is hereby given that the City Council of the City of Port Lavaca, Texas, will hold a special and workshop meeting Monday, February 23, 2026 beginning at 5:30 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:

[After publication, any information in a council packet is subject to change during the meeting]

The meeting will also be available via the video conferencing application "Zoom",

Join Zoom Meeting:

<https://us02web.zoom.us/j/85741341785?pwd=4O7O8WrDLm7xxCBFJHd8fkMKXRz5Qo.1>

Meeting ID: 857 4134 1785

Passcode: 832641

One Tap Mobile

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

Dial by your location

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CITY COUNCIL SPECIAL MEETING

I. ROLL CALL

II. CALL TO ORDER

III. 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 by logging on with your computer and using "Join Zoom Meeting" information on first page of this agenda).

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

- 1. Consider recommendation of the Port Commission to award a construction contract for the Matagorda Bay Mitigation Trust (MBMT) Downtown Public Access improvements project, Phase 2. Presenter is Jody Weaver
- 2. Consider approval of the Justification Letter to Texas Department of Transportation (TxDOT) regarding the transfer of ownership of Main Street from Virginia Street to Commerce Street from TxDOT to the City of Port Lavaca. Presenter is Jody Weaver
- 3. Consider approval of Resolution No. R-022326-1 requesting the transfer of Main Street from Virginia Street to Commerce Street from Texas Department of Transportation (TxDOT) to the City of Port Lavaca. Presenter is Jody Weaver

V. ADJOURN SPECIAL MEETING

CITY COUNCIL WORKSHOP

VI. CALL TO ORDER

VII. 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 by logging on with your computer and using "Join Zoom Meeting" information on first page of this agenda).

VIII. ITEMS FOR DISCUSSION - Council will discuss the following items

- 1. Discuss whether to issue a Notice of Intent (NOI) to issue bonds for the Wastewater Treatment Plant (WWTP) expansion at the March 09, 2026 regular council meeting. Presenter is Jody Weaver
- 2. Discuss proposed amendments to Chapter 8 - Article II. - Amusements Machines of the Code of Ordinances. Presenter is Derrick Smith
- 3. Discuss a proposed ordinance regulating shared living homes. Presenter is Derrick Smith

IX. ADJOURN WORKSHOP

CERTIFICATION OF POSTING NOTICE

This is to certify that the above notice of a Special and Workshop meeting of The City Council of The City of Port Lavaca, scheduled for **Monday, February 23, 2026**, beginning at 5:30 p.m., was posted at city hall, easily accessible to the public, as of **5:00 p.m. Tuesday, February 17, 2026**.

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.

COMMUNICATION

SUBJECT: Consider recommendation of the Port Commission to award a construction contract for the Matagorda Bay Mitigation Trust (MBMT) Downtown Public Access improvements project, Phase 2. Presenter is Jody Weaver

INFORMATION:

CITY OF PORT LAVACA

COUNCIL MEETING: FEBRUARY 23RD, 2026

DATE: 02.18.2026

TO: JODY WEAVER, INTERIM CITY MANAGER

FROM: KATERYNA THOMAS, GRANTS & CIP COORDINATOR

SUBJECT: REVIEW BID TABULATION AND APPROVE THE AWARD OF A CONSTRUCTION CONTRACT FOR THE CITY OF PORT LAVACA DOWNTOWN WATERFRONT PUBLIC ACCESS IMPROVEMENTS, PARKING LOT & SIDEWALK IMPROVEMENTS PHASE 2, MATAGORDA BAY MITIGATION TRUST

Background:

As part of a grant awarded by the Matagorda Bay Mitigation Trust, the City of Port Lavaca is undertaking the Downtown Waterfront Public Access Improvements – Parking Lot & Sidewalk Improvements, Phase 2 project. The project will include improvements to the parking lot and a new 10-ft wide shared use path and adjacent sidewalk to enhance public access to the downtown waterfront area.

On February 12, 2026, at 2:00 p.m., the City publicly opened bids for the project. The City received two (2) bids from responsive bidders:

- Lester Contracting, Inc.
- Sylva Construction, LLC

The project engineers, Urban Engineering, reviewed the bid tabulation and submitted a letter of recommendation identifying Lester Contracting, Inc. as the lowest responsive and responsible bidder.

The Port Commission reviewed the bids and recommendation at their regular meeting on February 17 and voted to recommend to City Council a contract award to Lester Contracting, Inc. in the contract amount of \$238,848.75

Financial:

This recommended project award is within budget, allowing remaining budgeted funds to be used to add plants and possibly other improvements to the green infrastructure drainage components.

Requested Action:

Review the bid tabulation and approve the award of a construction contract for the Downtown Waterfront Public Access Improvements – Parking Lot & Sidewalk Improvements, Phase 2 project to Lester Contracting, Inc. in the Total Base Bid amount of **\$238,848.75**, with **90** calendar days to substantial completion.

Attachments:

- Engineer’s Recommendation for Award
- Bid Tabulation



February 12, 2026

Ms. Jody Weaver, P.E.
City Manager/City Engineer/Community & Economic Development
City of Port Lavaca
202 N. Virginia Street
Port Lavaca, TX 77979

RE: City of Port Lavaca Downtown Waterfront Public Access Improvements
Parking Lot & Sidewalk Improvements
Matagorda Bay Mitigation Trust Grant
Port Lavaca, Texas

Dear Ms. Weaver:

On February 12, 2026 at 2:00 p.m., public bids were opened for the City of Port Lavaca Downtown Waterfront Public Access Improvements Parking Lot & Sidewalk Improvements. The following bids were received:

Bidder	Total Bid	Calendar Days to Substantial Completion
Lester Contracting, Inc.	\$238,848.75	90
Sylva Construction, LLC	\$285,464.25	130

Lester Contracting, Inc. submitted the lowest Bid and stated a completion time of 90 calendar days. I recommend that the contract for the aforementioned project be awarded to Lester Contracting, Inc.

If you have any questions, please do not hesitate to contact me at (361) 578-9836 or by email at mglaze@urbanvictoria.com.

Sincerely,

Matt A. Glaze, P.E.
Senior Engineer

MAG/hmm

BID TABULATION							
CITY OF PORT LAVACA							
DOWNTOWN WATERFRONT PUBLIC ACCESS IMPROVEMENTS - PARKING LOT & SIDEWALK IMPROVEMENTS							
BID OPENING: FEBRUARY 12, 2026							
				LESTER CONTRACTING, INC		SYLVA CONSTRUCTION, LLC	
ITEM NO.	DESCRIPTION	ESTIMATED QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
BASE BID							
GENERAL							
1.	Mobilization, Insurance and Bonds (Maximum 10% of Base Bid)	1	LS	\$ 12,000.00	\$ 12,000.00	\$ 18,800.00	\$ 18,800.00
2.	Devices (Includes Flagmen, Traffic Handling, Traffic Control Plan & Temporary Striping)	1	LS	\$ 750.00	\$ 750.00	\$ 1,500.00	\$ 1,500.00
3.	Construction Staking	1	LS	\$ 3,600.00	\$ 3,600.00	\$ 3,700.00	\$ 3,700.00
TOTAL GENERAL					\$ 16,350.00		\$ 24,000.00
IMPROVEMENTS							
4.	Storm Sewer Main (6") (Dual Solid Wall)	165	LF	\$ 32.00	\$ 5,280.00	\$ 46.60	\$ 7,689.00
5.	Storm Sewer Main (6") (Perforated with Filter Sock)	225	LF	\$ 33.00	\$ 7,425.00	\$ 48.50	\$ 10,912.50
6.	Junction Box (4' x 4')	1	EA	\$ 9,000.00	\$ 9,000.00	\$ 7,200.00	\$ 7,200.00
7.	Reclaim Roadway and Stabilize with Cement (6")	1,280	SY	\$ 5.00	\$ 6,400.00	\$ 10.80	\$ 13,824.00
8.	Cement for Roadway Stabilization	14	TONS	\$ 425.00	\$ 5,950.00	\$ 324.00	\$ 4,536.00
9.	Additional Limestone Base (Type A, Grade 2) for Roadway Crown (As Directed by Engineer)	50	TONS	\$ 70.00	\$ 3,500.00	\$ 53.00	\$ 2,650.00
10.	Moisture Condition & Proof Roll Subgrade	265	SY	\$ 1.00	\$ 265.00	\$ 25.65	\$ 6,797.25
11.	Crushed Limestone Flexible Base (8") (Type A, Grade 1 or 2)	265	SY	\$ 28.00	\$ 7,420.00	\$ 17.00	\$ 4,505.00
12.	Prime Coat (MC-30)	1,545	SY	\$ 3.25	\$ 5,021.25	\$ 2.65	\$ 4,094.25
13.	Two Course Surface Treatment (AC-15P & PB, GR4 & GR3 Pre-Coated Aggregate)	1,545	SY	\$ 17.50	\$ 27,037.50	\$ 14.25	\$ 22,016.25
14.	Construct Permeable Pavement (Includes Truegrid & Crushed Limestone)	3,610	SF	\$ 9.00	\$ 32,490.00	\$ 12.70	\$ 45,847.00
15.	Concrete Curb (6" Curb & Gutter)	330	LF	\$ 52.00	\$ 17,160.00	\$ 42.00	\$ 13,860.00
16.	Concrete Sidewalk	5,920	SF	\$ 9.00	\$ 53,280.00	\$ 8.50	\$ 50,320.00
16A.	Concrete Pavement	360	SF	\$ 16.00	\$ 5,760.00	\$ 10.00	\$ 3,600.00
17.	Precast Concrete Wheel Stop	47	EA	\$ 125.00	\$ 5,875.00	\$ 140.00	\$ 6,580.00
18.	Pavement Markings (Permanent) (4" White) (Sherwin Williams)	600	LF	\$ 1.00	\$ 600.00	\$ 2.70	\$ 1,620.00
19.	Pavement Markings (Permanent) (Handicap Symbol White) (Sherwin Williams)	2	EA	\$ 150.00	\$ 300.00	\$ 80.00	\$ 160.00
20.	Traffic Sign Installation (Permanent) (Measured Per Post)	2	EA	\$ 450.00	\$ 900.00	\$ 600.00	\$ 1,200.00
21.	Rain Garden Wall	160	LF	\$ 100.00	\$ 16,000.00	\$ 98.00	\$ 15,680.00
22.	Ran Garden Fill (Includes Filter Fabric, Crushed Rock & Soil Media)	520	SF	\$ 13.00	\$ 6,760.00	\$ 29.40	\$ 15,288.00
23.	Place Sod and Topsoil	8,100	SF	\$ 0.75	\$ 6,075.00	\$ 2.85	\$ 23,085.00
TOTAL IMPROVEMENTS					\$ 222,498.75		\$ 261,464.25
TOTAL BASE BID					\$ 238,848.75		\$ 285,464.25
CALENDAR DAYS TO SUBSTANTIAL COMPLETION					90		130

COMMUNICATION

SUBJECT: Consider approval of the Justification Letter to Texas Department of Transportation (TxDOT) regarding the transfer of ownership of Main Street from Virginia Street to Commerce Street from TxDOT to the City of Port Lavaca. Presenter is Jody Weaver

INFORMATION:



CITY OF
PORT LAVACA

202 N. Virginia, Port Lavaca, Texas 77979 www.portlavaca.org
Main Number: (361)-552-9793 Ext. 222 Main Facsimile: (361)-552-6062



Section IV. Item #2.

February 23, 2026

Texas Department of Transportation
Yoakum District
Jeffery Vinklarek, P.E., District Engineer
403 Huck St.
Yoakum, TX 77995

CC: Wai Tun

Dear Mr. Vinklarek,

The City of Port Lavaca respectfully submits this letter as a strategic justification for transferring the right-of-way of US 87 (Main Street), from FM 1090 (Virginia Street) to SH 238 (Commerce Street). Securing this transfer is an essential step in implementing the City's Downtown Waterfront Master Plan and realizing the full value proposition of a one-way, eastbound corridor that supports the City's long-term mobility, placemaking, and economic competitiveness objectives.

Although currently classified as a state facility, this segment of US 87 functions as a high-value local mobility asset rather than a regional throughput corridor. Regional travel demand is already efficiently absorbed by SH 35 and SH 238, positioning this three-block segment of Main Street as a downtown access spine that directly supports retail vitality, visitor activity, and civic engagement. Re-aligning ownership with actual functional use is therefore both operationally rational and strategically aligned with TxDOT's asset management principles.

Following a robust, multi-channel public engagement process - including a Community Visioning Committee, a public workshop, and a public hearing - the City Council formally adopted the Downtown Waterfront Master Plan in June 2023. The plan outlines a targeted mobility strategy: converting three blocks of US 87 and Railroad Street to coordinated one-way operations to optimize circulation, improve the user experience, and create a more predictable and intuitive transportation network for residents, businesses, and visitors.

Currently, this Main Street segment spans a 55-foot right-of-way with a 38-foot-wide roadway, two-way traffic, parallel parking, and 8-foot-6-inch sidewalks. The corridor hosts a mix of commercial businesses, restaurants, a church, a live theatre, a public pocket park, and several redevelopment-ready parcels. However, the existing geometry generates inefficiencies including higher vehicle speeds, constrained pedestrian zones, and limited sight visibility, that restrict the City's ability to activate the downtown district and fully leverage its economic potential.

Transitioning this corridor to a one-way configuration will reduce conflict points, enhance multimodal safety, and optimize traffic flow within the historic core. More importantly, it creates

the structural flexibility needed to reinvest excess pavement width into value-enhancing placemaking features, including:

- Expanded sidewalks to increase pedestrian capacity and ADA compliance;
- Improved crosswalks and connections that strengthen the Main Street District’s walkability and coherence;
- Strategic landscaping, lighting, and furnishing upgrades that drive foot traffic, extend dwell time, and amplify the district’s market attractiveness.

These improvements directly support the City’s broader economic development strategy. The 2016 Comprehensive Plan identifies the downtown as a high-potential asset with strong upside for reinvestment but also highlights right-of-way constraints as a key barrier to transformation. Local control of this segment of US 87 will unlock new project delivery pathways, enabling Port Lavaca to more efficiently implement capital improvements, pursue place-based economic development, and catalyze private-sector reinvestment.

We value our strong partnership with the Texas Department of Transportation and respectfully request favorable consideration of this right-of-way transfer. The City remains prepared to collaborate as needed to advance a solution that supports regional mobility goals while strengthening the long-term vitality of the downtown district.

Sincerely,

Jack Whitlow, Mayor

COMMUNICATION

SUBJECT: Consider approval of Resolution No. R-022326-1 requesting the transfer of Main Street from Virginia Street to Commerce Street from Texas Department of Transportation (TxDOT) to the City of Port Lavaca. Presenter is Jody Weaver

INFORMATION:

RESOLUTION NO. R-022326-1

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT LAVACA, TEXAS, REQUESTING THE TRANSFER OF THAT CERTAIN PUBLIC ROADWAY DESCRIBED HEREIN ON EXHIBIT “A” FROM THE TEXAS DEPARTMENT OF TRANSPORTATION TO THE CITY OF PORT LAVACA, TEXAS.

WHEREAS, the City of Port Lavaca wishes to undertake full jurisdiction, control, and maintenance of the property, for public road purposes, which property is situated within the Downtown of the City of Port Lavaca and more particularly described in Exhibit “A” attached hereto; and

WHEREAS, following a thorough process of public engagement, the City of Port Lavaca adopted a Downtown Waterfront Masterplan on July 10, 2023; and

WHEREAS, the right-of-way width of the public roadway described in Exhibit “A” is insufficient to provide adequate space for landscaping and other amenities necessary to enhance walkability within this downtown area; and

WHEREAS, the adopted City of Port Lavaca Downtown Waterfront Masterplan recommends modifying the traffic pattern of the subject property to a single lane of one-way traffic with parallel parking on one side only, thereby providing sufficient width for the improvements needed to enhance the walkability of this downtown area; and

WHEREAS, the City of Port Lavaca affirms its commitment to maintain and improve the subject property in perpetuity for public access purposes.

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

THAT, the City Council of the City of Port Lavaca, Texas hereby:

- 1) requests transfer of the property more particularly described in Exhibit “A” attached hereto from the State of Texas, by and through the Texas Transportation Commission, to the City of Port Lavaca, and
- 2) agrees to **undertake full jurisdiction, control, and maintenance of the property for public road purposes**, with the understanding that if the property ceases to be used for such public road purposes, it shall immediately and automatically revert to the State of Texas.

APPROVED AND ADOPTED this 23rd day of February, 2026.

Jack Whitlow, Mayor

ATTEST:

Mandy Grant, City Secretary

EXHIBIT A

County: Calhoun
 Highway: US HWY 87 – Main ST.
 Project Limits: US 87
 CSJ:

Page 1 of 4
 Date: February 13, 2026
 Revised: February 18, 2026

Line Description for 1 and 2

Line Description 1

Description of a line situated in the Maximo Sanchez Survey, Abstract 35, Calhoun County, Texas, it being the intent of this line description to remove the land northeast of this line from the State Highway System and the land southwest of this line to be retained by the State of Texas, said line being across US Hwy 87 – Main St. (55 foot width right-of-way) (no record information found), said line more particularly described as follows:

COMMENCING at a 5/8 inch diameter iron rod with yellow plastic cap stamped “Urban Surveying” found for the South corner of Block 24 of the Port Lavaca Townsite, as recorded in Volume 395, Page 883 of the Deed Records of Calhoun County, Texas (D.R.C.C.T.), and on the existing northeast right-of-way line of FM 1090 – Virginia St. (55 foot wide right-of-way) (no record information found) **THENCE** as follows:

North 39 deg. 18 min. 41 sec. West, with the southwest line of said Block 24 and said existing northeast right-of-way line of FM 1090, a distance of 312.00 feet to an “X” in concrete found for the intersection of said existing southeast right-of-way line of US Hwy 87 and said northeast right-of-way line of FM 1090, for the southeast terminating point of said line, said “X” having Surface Coordinates of N=13,415,228.07, E=2,730,116.24, and being the **POINT OF BEGINNING**;

- 1) **THENCE**, North 39 deg. 18 min. 41 sec. West, crossing said US Hwy 87, a distance of 55.00 feet to an “X” in concrete found for the South corner of Block 5 of the Georgetown Addition, as recorded in Volume R, Page 507, D.R.C.C.T. and being the intersection of said northeast right-of-way line of FM 1090 and said existing northeast right-of-way line of FM 1090, said monument also being the northwest terminating point of said line.

EXHIBIT A

County: Calhoun
Highway: US HWY 87 – Main ST.
Project Limits: US 87
CSJ:

Page 2 of 4
Date: February 13, 2026
Revised: February 18, 2026

Line Description for 1 and 2

Line Description 2

Description of a line situated in the Maximo Sanchez Survey, Abstract 35, Calhoun County, Texas, it being the intent of this line description to remove the land southwest of this line from the State Highway System and the land northeast of this line to be retained by the State of Texas, said line being across US Hwy 87 – Main St. (55 foot width right-of-way) (no record information found), said line more particularly described as follows:

COMMENCING at a 5/8 inch diameter iron rod with yellow plastic cap stamped “Urban Surveying” found for the West corner of Block 8 of the Port Lavaca Townsite, as recorded in Volume 395, Page 883 of the Deed Records of Calhoun County, Texas (D.R.C.C.T.), and on the existing southwest right-of-way line of SH 238 – Commerce St. (80 foot wide right-of-way) (no record information found) **THENCE** as follows:

North 39 deg. 18 min. 41 sec. West, with the northeast line of said Block 8 and said existing southwest right-of-way line of SH 238, a distance of 312.00 feet to an “X” in concrete set in the intersection of the existing southeast right-of-way of said US Hwy 87 and said southwest right-of-way line of SH 238, for the southeast terminating point of said line, said monument having Surface Coordinates of N=13,415,753.91, E=2,730,758.42, and being the **POINT OF BEGINNING**;

- 2) **THENCE**, North 39 deg. 18 min. 41 sec. West, crossing said US Hwy 87, a distance of 55.00 feet to an “X” in concrete set for the East corner of Block 3 of the Georgetown Addition, as recorded in Volume R, Page 507, D.R.C.C.T. being the intersection of said northwest right-of-way line of US Hwy 87 and said southwest right-of-way line of SH 238, said monument also being the northwest terminating point of said line.

EXHIBIT A

County: Calhoun
Highway: US HWY 87 – Main ST.
Project Limits: US 87
CSJ:

Page 3 of 4
Date: February 13, 2026
Revised: February 18, 2026

Line Description for 1 and 2

All bearings and coordinates are based on the Texas Coordinate System, South Central Zone (4204), NAD 1983 (2011 ADJ.,; EPOCH 2010.00) GEOID 18, and NAVD 88. All distances and coordinates shown are surface and may be converted to grid by dividing by a combined adjustment factor of 1.00000.

All measurements are U.S. Survey Feet.

Revised: February 18, 2026 – Updated set monument

A parcel plat of even date was prepared in conjunction with this property description.

This survey was performed on the ground under my supervision in January, 2026.



Brandon Absher 2026.02.18
16:15:17 -06'00'

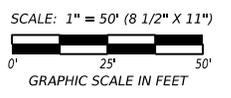
Brandon M. Absher
Registered Professional Land Surveyor
License No. 6654, State of Texas
ESP Associates, INC. – 4611 E. Airline Suite #300,
Victoria Texas 77904 Tel: 361-570-7500
TXSURV Firm # 10194036

METADATA:

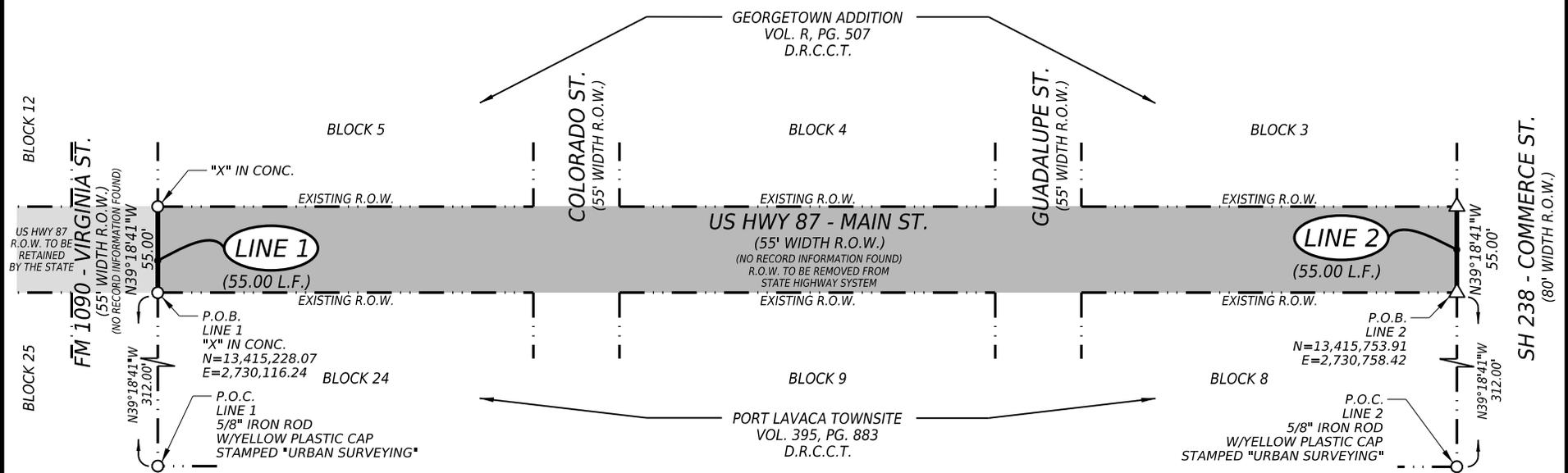
1. ALL BEARINGS AND COORDINATES ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983 TEXAS SOUTH CENTRAL ZONE (4204), NAD 83 (2011 AD); EPOCH 2010.00) GEOID 18, AND NAVD 88. ALL DISTANCES AND COORDINATES ARE SURFACE VALUES AND MAY BE CONVERTED TO GRID BY DIVIDING BY A SURFACE ADJUSTMENT FACTOR OF 1.00000.
2. **THE MONUMENT DESCRIBED AND SET MAY BE REPLACED WITH A TXDOT TYPE II RIGHT-OF-WAY MARKER UPON COMPLETION OF THE CONSTRUCTION PROJECT UNDER THE SUPERVISION OF A RPLS, EITHER EMPLOYED OR RETAINED BY TXDOT.
3. ALL MEASUREMENTS ARE IN U.S. SURVEY FEET.
4. DATE OF SURVEY: JANUARY 12, 2026.

NOTES:

1. A PROPERTY DESCRIPTION OF EVEN DATE WAS PREPARED IN CONJUNCTION WITH THIS PARCEL PLAT.
2. THIS LEGAL DESCRIPTION AND PLAT WILL BE USED AS AN EASEMENT ONLY, AND WILL NOT BE USED AS A CONVEYANCE OF REAL PROPERTY.



**MAXIMO SANCHEZ SURVEY
ABSTRACT 35**



LEGEND

- N PARCEL
- FOUND MONUMENT (AS NOTED)
- SET "X" SCRIBED IN CONCRETE
- EXISTING RIGHT OF WAY
- PROPOSED LINE
- US 87 R.O.W. TO BE REMOVED FROM STATE HIGHWAY SYSTEM
- US 87 R.O.W. TO BE RETAINED BY STATE



ESP ASSOCIATES, INC.
 TXSURV FIRM #10194036
 TXENG FIRM #17252
 4611 E. AIRLINE RD., SUITE 300
 VICTORIA, TEXAS 77904
 TEL: 361.570.7500

I HEREBY CERTIFY THIS SURVEY WAS PERFORMED ON THE GROUND AND THIS PLAT CORRECTLY REPRESENTS THE FACTS FOUND AT THE TIME OF THE SURVEY, JANUARY 2026.

Brandon Absher

2026.02.18 16:15:01
-06'00"

BRANDON M. ABSHER
RPLS#6654

Texas Department of Transportation®

DISTRICT: YKM	PARCEL PLAT SHOWING LINE 1 AND LINE 2	COUNTY CALHOUN
	DATED: 02/18/2026	HWY. NO. US87

PAGE

COMMUNICATION

SUBJECT: Discuss whether to issue a Notice of Intent (NOI) to issue bonds for the Wastewater Treatment Plant (WWTP) expansion at the March 09, 2026 regular council meeting. Presenter is Jody Weaver

INFORMATION:

COMMUNICATION

SUBJECT: Discuss proposed amendments to Chapter 8 - Article II. - Amusements Machines of the Code of Ordinances. Presenter is Derrick Smith

INFORMATION:

CITY OF PORT LAVACA

MEETING: February 23, 2026

DATE: 02.18.2026

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: Discuss and consider proposed amendments to Chapter 8 - Article II. - Amusements Machines of the Code of Ordinances.

As previously discussed with council, city staff has received numerous inquiries regarding the opening of amusement redemption machine centers in city limits. Our current ordinance limits businesses to no more than six (6) machines at any location that is for profit. Our ordinance does not regulate nonprofit businesses. Therefore, interested individuals are trying to obtain a nonprofit status in order to operate more than 6 machines within a facility.

If we don't regulate nonprofit amusement redemption machines, then it may result in an influx of these centers. It is staff's concern that may result in a negative impact on our community. To date, there are atleast four new operators looking for or in the process of renting a building for such use. There have been several more that have come to our office asking for our regulations. We currently have three in operation and one that will be opening soon.

In accordance with Section 2153. 452 (b) of the Texas Occupations Code, a political subdivision may restrict the exhibition of a coin-operated amusement machine within 300 feet of any church, school, or hospital. It is staff's recommendation to increase the distance to 500 feet. Staff is also recommending that our ordinance does not specify whether the business is for profit or nonprofit. Furthermore, staff does not recommend a maximum number of machines. Currently, our ordinance requires an annual license fee of \$150 per machine.

It is staff's recommendation to amend **Section 8-22. – Location and number of machines allowed within city limits** to state the following:

Sec. 8-22. - Location ~~and number~~ of machines allowed within city limits.

Within each place of business in which machines are regulated under this section, the machines will be so situated that they will be in full, open public view. Further, no owner shall operate an amusement center within 1,500 feet of another business operating under a license issued under this article.

Below are regulations found in surrounding municipalities:

City	Fee/Cost per Machine	Machine Limits	Distance/Location Restrictions	Other Key Rules
Victoria, TX	~\$100 per machine permit (plus possible license fee)	Game rooms defined if ≥5 machines	Not within 300 ft of church/school/daycare/hospital	Building codes & hours apply
Edna, TX	Annual license (No Fee Found); occupation tax tag on each machine (1/2 the amount levied by the state)	Max 6 machines per location	Full open public view; minors restricted by time	Hours restrictions; inspections required
Cuero, TX	Annual license of \$250 plus permit for each machine.	Max 50 machines per establishment	≥ 500 ft from church/school/daycare/hospital/residence	Zoning & occupancy apply; operator age 18+. Any game that is beyond the ability of a player to predict or control the outcome is prohibited.
Portland, TX	Annual (calendar year) permit of \$300 per machine	N/A	(State rules still apply)	Does not include skilled-based machines that provide non-cash merchandise.
Yoakum, TX	N/A	N/A	N/A	N/A
Palacios, TX	N/A	N/A	N/A	N/A
Beeville, TX	N/A	N/A	N/A	N/A

Staff is prepared to bring this before Council for a first reading as soon as March 9, if Council is receptive to the language of the ordinance at this workshop.

COMMUNICATION

SUBJECT: Discuss a proposed ordinance regulating shared living homes. Presenter is Derrick Smith

INFORMATION:

CITY OF PORT LAVACA

MEETING: February 23, 2026

DATE: 02.17.2026

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: Discuss and consider a proposed ordinance regulating shared living homes.

As previously discussed with council, city staff has received numerous complaints regarding residential property owners converting single-family dwellings into shared living facilities. Rooms are being rented out on a weekly or monthly basis. I have even found single-family homes built solely for this purpose. We have found that some owners are also receiving income for individuals sleeping in dining rooms and living rooms as well. Our adopted codes do not currently address occupancy loads in single-family dwellings.

Other cities have had similar issues and have adopted more stringent ordinances to control the overcrowding and unsafe conditions to protect the public. It is this reason that legislation had recently passed SB 1567 prohibiting maximum occupancy loads (among other things) in home-rule municipalities with a population of less than 250,000 and have a campus of an institution of higher education with a student enrollment of more than 20,000. This was to prevent cities from prohibiting “frat houses”.

Our currently adopted 2021 International Property Maintenance Code states that dwelling units, hotel units, housekeeping units, rooming units and dormitory units shall be arranged to provide privacy and be separate from other adjoining spaces. Every bedroom shall provide a minimum floor space of 50 square feet per occupant. Kitchens, dining rooms and living rooms may not be designated as sleeping areas.

These minimum standards have resulted in the over-crowding of dwellings that were originally designed for one- and two-family dwellings. Some issues do arise for the following reasons:

1. It does cause major life-safety concerns. For example, if our fire department is called out for an emergency at one of these locations, they may not be fully prepared for having to assist and/or rescue possibly more occupants than are normally residing in the unit(s).
2. Most of these dwellings do not provide adequate off-street parking for the increased occupancy load. This results in vehicles parking on unimproved surfaces and/or congestion on the streets.
3. This has also resulted in a severe strain on the city’s wastewater system.

In January of this year, the City of Humble had adopted an ordinance regulating shared living homes. The proposed ordinance mimics these regulations.

Some of the key recommendations of the proposed ordinance include:

1. An annual permit to operate the facility with a fee of \$100 each year.
2. The maximum number of proposed tenants.
3. An initial inspection by the Building and Fire Departments and periodic inspections thereafter.
4. A maximum of four (4) unrelated occupants per unit.
5. A maximum of two (2) occupants per bedroom.
6. A minimum of 150 sf. of floor area per occupant.
7. A minimum of one (1) off-street parking space per bedroom. And no parking on unimproved surfaces.

Staff is prepared to bring this before Council for a first reading as soon as March 9, if Council is receptive to the language of the ordinance at this workshop.

Attachment(s):

- Proposed Chapter 12, Article VII – CONGREGATE LIVING FACILITY

ARTICLE VII – CONGREGATE LIVING FACILITY

Sec. 12-400.- Purpose and policy.

The purpose of this section is to protect public health, safety, and welfare; prevent unsafe residential overcrowding; preserve the residential character of neighborhoods lacking deed restrictions; and establish clear, uniform standards with regards to congregate living arrangements that are otherwise not regulated by State statutes, or the Code of Ordinances of the City of Port Lavaca as amended. This Article shall be administered to carry out this purpose. This Article is use- and safety-based, not tenant-based, and shall be enforced uniformly. Nothing in this Article shall be applied to living facilities contrary to the regulations established by Federal Law or State Laws.

Sec. 12-401. – Definitions.

Unless the context clearly indicates otherwise, in this Article:

Congregate Living Facility shall mean a building or structure in which three (3) or more sleeping rooms are rented or offered for rent separately, or where occupants do not function as a single house unit, including properties with separate leases, individual room locks, and shared kitchen or bath facilities. Congregate Living Facility shall also mean the use of a building or structure, or a portion thereof, for sleeping purposes when not classified as an Institutional Group I or when not regulated by the International Residential Code in accordance with Section 101.2 of the International Building Code and be a Residential Group R-1 occupancy containing sleeping units where the occupants are primarily transient in nature with more than 10 occupants or as otherwise defined in Chapter 2 of the 2021 International Fire Code or any subsequent International Fire Code adopted by the City of Port Lavaca.

Dwelling Unit shall mean a structure or part of a structure containing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation as defined by chapter 2, section 202 of the International Building Code.

Sec. 12-402. – Change of use.

Any existing properties, whether residential or commercial that are modified or remodeled to increase the number of sleeping rooms, and/or the number of occupants, or otherwise modified or remodeled in such a way for the purposes of leasing individual rooms under separate rental agreements shall constitute a change of use to a commercial property, thus requiring all relevant building, electrical, plumbing, mechanical permits and inspections,

fire inspections and permits, compliance with all commercial property standards and codes, and a reissuance of the property's certificate of occupancy.

Sec. 12-403. – Permit required.

No property shall be used or occupied as a congregate living facility without a Congregate Living Facility Permit issued by the City of Port Lavaca.

Sec. 12-404. – Permit application.

To obtain a permit to operate a congregate living facility, a person must submit an application to the Building Department on a form provided for that purpose. The applicant must be the owner or operator of the congregate living facility. If the owner or operator is not an individual, an authorized officer or agent of the owner or operator must file the form. The application must contain the following information before it is complete:

- (1) The name, street address, mailing address, e-mail address, telephone number, a legible copy of the driver's license or other official state or federal identification card, and date of birth of the applicant or authorized officer or agent filing the form on behalf of the applicant. The street address may not be the address of the congregate living facility unless the applicant actually resides full-time at the congregate living facility.
- (2) The form of business of the applicant; if the owner or operator is a legal entity, such as a corporation or association, a copy of the documents establishing it as such;
- (3) The street address and telephone number of the congregate living facility;
- (4) Documentary evidence of payment of ad valorem taxes, fees, fines, and penalties owed to the city in connection with the congregate living facility;
- (5) The maximum number of tenants that may occupy the congregate living facility at any singular point in time;
- (6) A statement that, by filing the application, the applicant swears or affirms under penalty of perjury that, to the best of the applicant's knowledge, all information contained in the application is true and correct and that the application is complete and includes all information required to be disclosed under this section;
- (7) Such additional information as the applicant desires to include or that the city manager or the city manager's designee deems necessary to aid in the determination of whether the requested permit should be granted.

Sec. 12-405. - Fees.

The fee for a permit to operate a congregate living facility shall be \$100.00 and shall be paid on an annual basis after the permit is approved. No refund of a permit fee will be made.

Sec. 12-406. – Issuance and denial of a permit.

Upon payment of all required fees and the submission of a complete application, the Building Department shall issue a permit to operate a congregate living facility once the department determines that:

- (1) The applicant has complied with all requirements for issuance of the permit;
- (2) The applicant, owners, or operators of the congregate living facility do not own or operate another permitted congregate living facility in the city for which the permit is currently suspended or has been revoked;
- (3) The applicant has not made false statement as to a material matter in the application for a permit;
- (4) The condition and use of the congregate living facility comply with the minimum standards of all applicable city codes and the standards in this article that are applicable to the property;
- (5) The applicant, owners, and operators do not owe the city any ad valorem taxes, fees, fines, or penalties. If the Building Department determines that the above requirements have not been satisfied, the department shall deny the license. The applicant shall be notified in writing that the application is denied and include in the notice the reason for the denial and a statement.

Sec. 12.407. – Permit renewal.

A permit for congregate living facilities shall be valid through the 31st of December and shall be renewed on or before the 31st of January. A permit can be renewed following the prescribed application process and payment of fees provided by this article.

Sec. 12-408. – Revocation of permit.

A permit for congregate living facilities may be revoked if it is determined that:

- (1) The permittee intentionally made a false statement as to a material matter in the application or in a hearing concerning the permit;
- (2) The permittee failed to pay a fee required by this article at the time it was due;
- (3) The permittee violates any provision of this Article.

Before revoking a permit, the Building Department shall notify the permittee in writing by certified mail, return receipt requested, that the permit is being considered for revocation. The notice must include the reason for the proposed revocation, action the permittee must take to prevent the revocation, and a statement that the permittee has ten (10) days to comply with the notice. If after ten (10) days from the date the notice required in by this section was sent or delivered, the permittee has not complied with the required actions listed in the notice, the department shall revoke the permit and notify the permittee of the revocation. The notice must include the reason for the revocation. If a permit has been revoked, the permittee has ten (10) days to relocate the tenants of the facility and cease operations.

Sec. 12-409. – Inspections; fees.

The following inspections shall be required to be in compliance with this Article:

(1) A congregate living facility must pass all required inspections, including but not limited to electrical, plumbing, mechanical, fire and life safety, permit/permit renewal, kitchen inspections, a gas pipe pressure test performed once every three years by the local gas company or a licensed plumber for a facility that receives natural gas service, annual inspection of liquefied or natural gas systems performed by an inspector certified by the state railroad commission for a facility with a liquified natural gas system.

(2) The permittee shall keep a current file of reports and other documentation on site that is needed to demonstrate compliance with applicable ordinances, laws, and regulations. Inspection records must be signed and dated by the appropriate authority and there must be no pending corrective actions.

(3) The Building Department or Fire Marshal's Office may inspect any congregate living facility for the purpose of ascertaining whether violations of this article or any other city ordinances exist. The department is authorized at a reasonable time to inspect:

a. The exterior of a structure and the surrounding premises; and

b. The interior of a structure if the permission of the owner, occupant, or person in control is given or a search warrant is obtained.

(4) If the owner, occupant or person in control denies permission to search any part of the interior or exterior of the structure or the surrounding premises, the department may suspend the permit to operate the congregate living facility.

(5) Whenever a congregate living facility is inspected by the department and a violation of this code is found, the building or premises will, after the expiration of any time limit for compliance given in the notice or order issued because of the violation, be reinspected by the department to determine that violation has been eliminated.

(6) The permittee shall pay \$40.00 to the city for each reinspection after the first reinspection by the department that must be conducted before the violation is determined to be eliminated.

Sec. 12-410. – Occupancy.

(a) A maximum of four (4) unrelated persons shall be permitted per dwelling unit.

(b) A maximum of two (2) persons shall be permitted per bedroom.

(c) A minimum of 150 sq. ft. in total floor area of the structure shall be required per occupant.

Sec. 12-411. – Parking.

There shall be a minimum of one (1) off-street parking space per bedroom; no parking on an unimproved surface shall be allowed.

Sec. 12.412. – Violations; penalty.

(a) A person who violates any provision of this article, or who fails to perform a duty required by this article, commits an offense.

(b) A permittee, employee, or other person in control of a congregate living facility commits an offense if the person knowingly operates an unsafe facility that represents an immediate threat to the health or safety of a tenant, including a situation that has caused, or is likely to cause, serious injury, harm, impairment, or death to a tenant.

(c) An offense under this article is punishable by a fine not to exceed:

(1) \$2,000.00 if the provision violated governs fire safety, public health, or sanitation; or

(2) \$500.00 for all other offenses.

(d) A separate offense occurs each day or part of a day that the violation is committed, continued or permitted.

(e) The city attorney may petition a district court or a county court of law for civil penalties and for injunctive relief to restrain a continuing violation of the standards or licensing requirements for a congregate living facility under this article if the violation creates an immediate threat to the health or safety of the facility tenants.

(f) The remedies and procedures in this section and in other laws are cumulative law, and the use of any particular remedy or procedure does not prevent the enforcement of any other law.

Sec. 12.413. 12-450 – Reserved.”