



CITY COUNCIL REGULAR MEETING

Monday, July 12, 2021 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, July 12, 2021 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/86022614837?pwd=UWUyZ3VTdmhCNTRydzJWOXJaUTE0dz09>

Meeting ID: 860 2261 4837

Passcode: 185476

One tap mobile

+13462487799,,86022614837#,,,*185476# US (Houston)

Dial by your location

+1 346 248 7799 US (Houston)

I. CALL TO ORDER

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

IV. PRESENTATION(S)

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.*

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

A. Minutes of June 14, 2021 Regular Meeting

B. Minutes of June 28, 2021 Special Meeting

C. Payment of Invoices Exceeding \$1,500

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

1. 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

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

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

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

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

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

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

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

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

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

VIII. 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, July 12, 2021**, beginning at 6:30 p.m., was posted at city hall, easily accessible to the public, as of **5:00 p.m. Thursday, July 08, 2021**.

/s/ Mandy Grant

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: Minutes of June 14, 2021 Regular Meeting

INFORMATION:

**CITY COUNCIL REGULAR MEETING**

Monday, June 14, 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 14th day of June, 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
Jerry Smith
Tim Dent
Allen Tippit
Jim Ward
Ken Barr

Mayor
Councilman, District 1
Councilman, District 2
Councilman, District 3
Councilman, District 5
Councilman, District 6

And with the following absent:

Rosie G. Padron

Councilwoman, District 4, Mayor Pro Tem

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

- Councilman Ward gave the invocation.

III. PLEDGE OF ALLEGIANCE

- Mayor Whitlow – Pledge of Allegiance.

IV. MAYOR'S PROCLAMATIONS

1. Juneteenth Proclamation

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

- A. **Minutes of May 10, 2021 Regular Meeting**
- B. **Minutes of May 24, 2021 Special and Workshop**
- C. **Payment of Invoices Exceeding \$1,500**
- D. **Receive monthly Financial Highlight Report**

Motion made by Councilman District 1 Smith

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 6 Barr

Voting Yea:

Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, 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. **Call annual corporate meeting to order for Port Lavaca Channel & Dock Company and consider and take any action deemed necessary for adoption of unanimous written consent. Presenter is Mayor Whitlow**

Mayor Whitlow called the annual corporate meeting to order at 6:47 p.m. for Port Lavaca Channel and Dock Company. City Attorney Odefey advised Council that the slate of Corporate Officers and Registered Agent of Port Lavaca Channel and Dock Company, owned by the City of Port Lavaca would remain the same.

Mayor Whitlow adjourned the annual corporate meeting to order at 6:49 p.m.

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 City Attorney, Council hereby accepts all activity taken by the corporation and accepts the slate of Corporate Officers and Registered Agent of Port Lavaca Channel and Dock Company, owned by the City of Port Lavaca as follows:

	President	Jack Whitlow,	Mayor
	Secretary	Mandy Grant,	City Secretary
	Director	Jerry Smith,	Council Member D1
	Director	Tim Dent,	Council Member D2
	Director	Allen Tippit,	Council Member D3
	Director	Rosie Padron,	Council Member D4
	Director	Jim Ward,	Council Member D5
	Director	Ken Barr,	Council Member D6
	Registered Agent	Anne Marie Odefey	City Attorney

Seconded by Councilman District 1 Smith

Voting Yea:

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

2. **Call annual corporate meeting to order for Clement Cove Harbor Company and consider and take any action deemed necessary for adoption of unanimous written consent. Presenter is Mayor Whitlow**

Mayor Whitlow called the annual corporate meeting to order at 6:49 p.m. for Clement Cove Harbor Company. City Attorney Odefey advised Council that the slate of Corporate Officers and Registered Agent of Clement Cove Harbor Company, owned by the City of Port Lavaca would remain the same.

Mayor Whitlow adjourned the annual corporate meeting to order at 6:51 p.m.

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 City Attorney, Council hereby accepts all activity taken by the corporation and accepts the slate of Corporate Officers and Registered Agent of Clement Cove Harbor Company, owned by the City of Port Lavaca as follows:

	President	Jack Whitlow,	Mayor
	Secretary	Mandy Grant,	City Secretary
	Director	Jerry Smith,	Council Member D1
	Director	Tim Dent,	Council Member D2

	Director	Allen Tippit,	Council Member D3
	Director	Rosie Padron,	Council Member D4
	Director	Jim Ward,	Council Member D5
	Director	Ken Barr,	Council Member D6
	Registered Agent	Anne Marie Odefey	City Attorney

Seconded by Councilman District 3 Tippit

Voting Yea:

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

3. **Receive 2022 proposed Budget from the Calhoun County Appraisal District (CCAD) as required by Sec. 6.06 (A) of the Texas Property Tax Code to the Governing bodies of the Taxing Units within. Presenter is Jesse W. Hubbell**

Council Members received a 2022 proposed budget report of the Calhoun County Appraisal District (CCAD) from Jesse Hubbell, Chief Appraiser.

No action necessary and none taken.

4. **Receive updated activity report from Allied Waste Services of Texas/Republic Service of Corpus Christi (AW) regarding solid waste collection and disposal services performed within the city. Presenter is Mike Reeves**

City Council received a PowerPoint presentation from Mike Reeves of Allied Waste Services of Texas/Republic Service of Corpus Christi (AW) regarding solid waste collection and disposal services performed within the city.

No action necessary and none taken.

5. **Receive activity report on the Golden Crescent Regional Planning Commission (GCRPC) Regional Environmental Resources Advisory Committee (RERAC). Presenter is Tim Dent**

City Council received an activity report from Councilman Dent on the Golden Crescent Regional Planning Commission (GCRPC) Regional Environmental Resources Advisory Committee (RERAC).

No action necessary and none taken.

6. **Consider request to close Railroad Street between Virginia Street. and Colorado Street from 8:00 a.m. to 6:00 p.m. the third Saturday of the month beginning Saturday, July 19, 2021 for a Port Lavaca Market Days event. Presenter is Tania French**

Tania French, with the Port Lavaca Events Committee made request to City Council to close Railroad Street between Virginia Street and Colorado Street from 8:00 a.m. to 6:00 p.m. on the third Saturday of the month beginning Saturday, July 19, 2021 for a Port Lavaca Market Days event. She said this event was budgeted and the first time would not charge any fees.

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 approves the closure of Railroad Street between Virginia Street and Colorado Street from 8:00 a.m. to 6:00 p.m. on the third Saturday of the month beginning Saturday, July 19, 2021 for a Port Lavaca Market Days event.

Seconded by Councilman District 1 Smith

Voting Yea:

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

7. Consider award of construction bid for two (2) portable generators for the lift stations by a FEMA Hazard Mitigation Grant. Presenter is Jody Weaver

Interim City Manager Weaver reminded Council that the City had been awarded a Hazard Mitigation Grant after Hurricane Harvey to install back-up generators at the Wastewater Treatment Plant (WWTP) and a few lift stations. She said the Federal dollars awarded are \$640,867.50, requiring a 25% match or \$213,622.50. G&W Engineers was awarded an engineering contract for \$64,500.00. At the February 8th Council meeting, Dausin Electric Company was awarded a contract for the generators at the Wastewater treatment plant and Main Lift Station for \$265,484.00. Last month Council awarded a contract in the amount of \$404,361.95 for back-up power for 4 lift stations and the George Street Public Works Building.

Weaver said that on May 27 staff received bids for the final portion of the project, which is the purchase of 2 portable generators that can be moved between the smaller lift stations to pump down as needed. She said two (2) bids were received and bid tabulation is as follows:

- | | | |
|----|-------------------------|--------------|
| 1. | Romco Equipment Company | \$ 89,000.00 |
| 2. | I. J. Power, Inc. | \$117,348.00 |

Engineering and Construction Contracts	Expenses	Grant and Match	
G&W Engineers	\$ 64,500.00	\$ 640,867.50	Grant
Dausin Electric Company	\$ 265,484.00	\$ 213,622.50	25% Match
Material Producer Construction Svs	\$ 404,361.95		
Romco Equipment Company	\$ 89,000.00		
Total Expenses and Grant/Match	<u>\$ 823,345.95</u>	<u>\$ 854,490.00</u>	OK!

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 awards the Construction Contract for two (2) “portable generators for the lift stations by a FEMA Hazard Mitigation Grant” project to Romco Equipment Company in the amount of \$89,000.00.

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

Seconded by Councilman District 6 Barr.

Voting Yea:

Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippet, Councilman District 5 Ward, Councilman District 6 Barr.

8. **Consider award of construction bid for the City Hall Men’s Restroom Remodel Improvements Project. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council the initial phase to develop a Master Plan for improvements to City Hall involved Rawley McCoy Architects (RMA) taking field measurements and preparing a floorplan drawing of the existing City Hall facility for use as a planning tool and an accurate background drawing for future improvement projects. This cost was \$7,440.00.

The priorities established to begin upgrades to the facility were the following:

- 1) Renovation to the Men's restroom to include upgrades to finishes and accessibility.
- 2) Renovate both the north and south entrances to the building to provide a vestibule and ADA compliance.
- 3) Provide exterior upgrades including painting, and landscaping and glazing improvements to the west side of the building.
- 4) Other exterior upgrades to add landscaping and other aesthetics to the north and south entrances.

There had been about \$66,500 unspent in the 2019/2020 City Hall Capital Improvement Projects (CIP) budget which was proposed to be carried over. An additional \$50,000.00 is budgeted in the 2020/2021 budget as well as \$20,000.00 for landscaping. It was the recommendation of RMA that the upgrade to the doors be performed in the same project as the item 3) exterior work and landscaping; therefore, staff moved forward with the top priority and will carry over funds and budget as necessary for the doors and exterior improvements for the 2021/2022 Fiscal Year.

Staff received five (5) bids and bid tabulation is as follows:

Absher Construction	\$49,880.00	35 Calendar Days
A&A Constructors, Inc.	\$50,000.00	60 Calendar Days
BLS Construction	\$52,111.00	90 Calendar Days
Barefoot Construction	\$52,360.00	60 Calendar Days
Roth Construction, Inc.	\$65,317.00	90 Calendar Days

A copy of the “City of Port Lavaca City Hall Master Plan Phase I, Men’s Restroom Renovations Project” construction plans is on file in the office of the City Secretary.

The project includes new cement wall board, tile, ceiling grid and tiles, exhaust fan, A/C and exhaust registers, plumbing fixtures, an occupancy sensor and the existing light fixtures shall be reinstalled.

Weaver said Rawley McCoy Architects (RMA) recommends awarding a construction contract to Absher Construction for \$49,880.00 and staff concurs.

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 award of construction bid for the "City of Port Lavaca City Hall Master Plan Phase I, Men's Restroom Renovations Project" to Absher Construction, for a fee of \$49,880.00 and 35 days to complete from receipt of order to proceed.

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

Seconded by Councilman District 1 Smith.

Voting Yea:

Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippet, Councilman District 5 Ward, Councilman District 6 Barr.

9. Consider award of bid for the 2021 Seal Coat Program. Presenter is Wayne Shaffer

Public Works Director Shaffer advised Council that two (2) bids were received for the 2021 Street Sealcoat Program and they are as follows:

<u>Bidder</u>	<u>Base Bid</u>	<u>Alternate</u>	<u>Total Bid</u>	<u>Calendar Days</u>
Sylva Construction, LLC.	\$ 97,468.44	\$37,743.68	\$135,212.12	15 Calendar Days
CK Newberry, LLC.	\$109,310.00	\$42,931.20	\$152,241.60	30 Calendar Days

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 the recommendation of staff, Council hereby accepts the Bid of Sylva Construction, LLC, in the amount of \$135,212.12 for the 2021 Street Sealcoat Program to be completed in 15 calendar days from receipt of Notice to Proceed.

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

Seconded by Councilman District 5 Ward

Voting Yea:

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

10. Consider award of construction bid for the 2021 Capital Improvement Project (CIP) Ezzell Street Reconstruction. Presenter is Wayne Shaffer

Public Works Director Shaffer and Interim City Manager Weaver advised Council that on June 8, 2021 CivilCorp and staff had reviewed two (2) bids for the 2021 Capital Improvement Project (CIP) Ezzell Street Reconstruction and they are as follows:

Lester Contracting, Inc.	\$722,071.96
Brannon Paving Co., Ltd.	\$798,898.62

By way of additional information to support the recommendation to this project, the CIP budgeted funds are as follows:

Streets	\$ 780,000.00	\$ 523,133.25
Water	\$ 125,000.00	\$ 73,348.71
Sewer	\$ 250,000.00	\$ 125,590.00
Total	<u>\$ 1,155,000.00</u>	<u>\$ 722,071.96</u>

Staff concurs with the recommendation of CivilCorp to award the construction bid for the 2021 Capital Improvement Project (CIP) Ezzell Street Reconstruction to the low bidder, Lester Contracting, Inc. in the amount of \$722,071.96 with 180 calendar days allowed for completion, from date of receipt of Notice to Proceed.

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 award of Construction Bid for the 2021 Capital Improvement Program (CIP) "Ezzell Street Reconstruction Project" to Lester Contracting, LLC, in the amount of \$722,071.96 with 180 calendar days allowed for completion, from date of receipt of Notice to Proceed..

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

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.

11. **Consider recommendation of the Planning Board for approval of a replat of Rau Subdivision, Block 1, Lots 3, 4, 5, 6, 7, 8, 9, and 10 of the Original Townsite of Port Lavaca, City of Port Lavaca, Calhoun County, Texas located on the southeast corner of Chester Street and Guadalupe Street (the property ID numbers are 18523, 18492, and 18546). Presenter is Jessica Carpenter**

Development Services Director Carpenter advised Council that the intent of this replat of lots 3, 4, 5, 6, 7, 8, 9, and 10, Block 1 of the Original Townsite of Port Lavaca is to equally divide lot 4 and lot 9 into the adjacent lots. The property owner's Michael and Sharon Rau currently own lots 5, 6, 7, and 8 as identified as property identification number 18523. Property owner's David and Nancy Dahse currently own lots 3 and 10 as identified as property identification number 18546. The property owner's Mark and Willie Phillips own lots 4 and 9 as identified as property identification number 18492. The Phillips have agreed to sell lots 4 and 9 in equal parts to Rau and Dahse respectively. Therefore, a replat is required for Rau and Dahse and legally absorb the equal parts of lot 4 and lot 9 into their existing lots as described above.

Staff recommends conditions of approval as complying with building permit processes upon replat approval and recordation.

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 Replat of Rau Subdivision, Block 1, Lots 3, 4, 5, 6, 7, 8, 9, and 10 of the Original Townsite of Port Lavaca, City of Port Lavaca, Calhoun County, Texas located on the southeast corner of Chester Street and Guadalupe Street (the property ID numbers are 18523, 18492, and 18546), as presented with recommended conditions above..

Seconded by Councilman District 5 Ward

Voting Yea:

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

12. **Consider amendment to the City's Compensation Plan for the 2020-2021 Fiscal Year by adding a full-time employee (Camp Host) for the Lighthouse Beach RV Park. Presenter is Wayne Shaffer**

Public Works Director Shaffer and Interim City Manager Weaver advised Council the City has at least \$6M of assets situated beyond the Kiosk at Lighthouse Beach. In order to keep an eye on and protect these critical assets, Council needs to re-establish the Park Camp Host position, but this time as a full-time employee. This will require a budget amendment. This position will report to the Parks Superintendent and will come in at \$15.00 per hour which is a crew leader's pay rate.

Staff recommendation is to amend the City's Compensation Plan to add a full-time employee (Camp Host) for the Lighthouse Beach Park.

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 the recommendation of staff, Council hereby approves amendment to the City's Compensation Plan for the 2020-2021 Fiscal Year by adding a full-time employee (Camp Host position) for the Lighthouse Beach RV Park, a memo describing this position's duties presented to Council is on file, in its entirety in the office of Human Resources.

Seconded by Councilman District 5 Ward

Voting Yea:

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

13. **Review report from CRG Texas regarding the Limited Phase II Environmental Site Assessment at Tracts 16, 17 and 17A (26.66 Acres) at the Harbor of Refuge and consider recommendation of the Port Commission to submit report to the Texas Commission on Environmental Quality (TCEQ). Presenter is Jody Weaver**

Interim City Manager Weaver reminded Council that on April 12, 2021, they accepted the recommendation of the Port Commission and engaged CRG Environmental to conduct a limited Phase II Environmental Site Assessment at Tracts 16, 17, and 17A at the Harbor of Refuge.

She said this Phase II included the installation of four (4) borings in areas identified in the previous expanded Phase I ESA and conversion of those borings to Temporary groundwater Monitoring Wells (TMWs), collection of soil and groundwater samples for laboratory chemical analysis, and preparation of a Phase II report. She said this effort was implemented to further evaluate minor exceedances of soil-to-groundwater transfer Protective Concentration Levels (PCLs) documented during the recent expanded Phase I ESA conducted on the property.

Staff received the report from CRG on May 21 and a copy of the report was reviewed by the Port Commission members and shared by email with Council. A copy of the email and the report from John Hogue of CRG Environmental, is on file in its entirety, in the office of the City Secretary.

Weaver said the options were discussed at the recent Port Commission meeting and based upon this information from John Hogue, her inclination is to recommend option 1, but she has asked Mr. Hogue for additional insight from him on the probable outcome of this option and also a cost "guesstimate" of what the city may be looking at if Texas Commission on Environmental Quality (TCEQ) does in fact decide to open a Texas Risk Reduction Program (TRRP) file.

The Port Commission recommended to move forward with option 1 and submit the report to TCEQ and start the process. The best-case scenario is that TCEQ accepts the report and agrees there is no need for further action. Weaver thought that because it is an old landfill, they will open a TRRP file and city will have to do more monitoring, but the end result would include a deed restriction to prohibit groundwater use.

I am hoping by Monday's meeting I will have a bit more information to share from John Hogue about potential scenarios and costs if we go ahead and submit the report to TCEQ.

Motion made by Councilman District 1 Smith

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

THAT, in accordance with recommendation of the Port Commission and staff, Council hereby approves submitting report from CRG Environmental, regarding the limited Phase II Environmental Site Assessment at Tracts 16, 17, and 17A (26.66 acres) at the Harbor of Refuge, to the Texas Commission on Environmental Quality (TCEQ).

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.

VIII. ADJOURNMENT

Mayor asked for motion to adjourn.

Motion made by Councilman District 5 Ward, 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.

Meeting adjourned at 8:33 p.m.

These minutes were approved on _____, 2021.

ATTEST:

Jack Whitlow, Mayor

Mandy Grant, City Secretary

COMMUNICATION

SUBJECT: Minutes of June 28, 2021 Special Meeting

INFORMATION:



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:

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. **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**

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 Tippet, Councilman District 5 Ward, Councilman District 6 Barr.

3. 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

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 Tippet, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Barr

4. 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

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 _____, 2021.

Jack Whitlow, Mayor

Mandy Grant, City Secretary

COMMUNICATION

SUBJECT: Payment of Invoices Exceeding \$1,500

INFORMATION:

CITY OF PORT LAVACA
A/P COUNCIL REPORT FOR INVOICES OVER \$1,500.00 -
JUNE 2021

Section VI. Item #C.

VENDOR/INVOICE #	ITEM DT/ POST DT	PAY DT/ CHECK #	DESCRIPTION	DEPARTMENT	AMOUNT
01-101855 THIRKETTLE CORPORATION					
INV INV0082876	5/27/2021 6/9/2021	6/9/2021 57508	METER SUPPLIES	UTILITY MAINTENANCE	\$4,556.18
INV INV0082877	5/27/2021 6/9/2021	6/9/2021 57508	ADAPTER & LOCKING CLIP	UTILITY MAINTENANCE	\$2,710.06
01-102265 BIO-AQUATIC TESTING, INC.					
INV 00058785	6/16/2021 6/23/2021	6/23/2021 57600	TESTING SERVICES	WWTP	\$1,590.00
01-102917 BUREAU VERITAS NORTH AMERICA					
INV 1584681	5/31/2021 6/9/2021	6/9/2021 57513	BACKUP INSPECTIONS	CODE ENFORCEMENT	\$2,621.09
01-100096 CAL CNTY APPRAISAL DISTRICT					
INV 2021-3	5/24/2021 6/9/2021	6/9/2021 57515	3RD QTR CCAD FEES	NON DEPARTMENTAL	\$21,786.28
01-101569 CALHOUN COUNTY YMCA					
INV 05/2021	6/4/2021 6/9/2021	6/9/2021 57516	MEMBERSHIP DUES MAY 2021	ALL DEPARTMENTS	\$1,943.65

CITY OF PORT LAVACA
A/P COUNCIL REPORT FOR INVOICES OVER \$1,500.00 -
JUNE 2021

Section VI. Item #C.

VENDOR/INVOICE #	ITEM DT/ POST DT	PAY DT/ CHECK #	DESCRIPTION	DEPARTMENT	AMOUNT
01-100105 PORT LAVACA CHAMBER OF COMMERCE					
INV 1465	5/7/2021 6/9/2021	6/9/2021 57520	TOURISM SERVICE AGREEMENT	HOTEL OCCUPANCY TAX	\$25,000.00
INV 21-3750	4/16/2021 6/23/2021	6/23/2021 57613	REIMBURSEMENT- DRIVE IN MOVIE	HOTEL OCCUPANCY TAX	\$3,412.50
01-101233 CIVILCORP, LLC					
INV 160318	5/21/2021 6/9/2021	6/9/2021 57525	ENGINEERING - EZZELL ST 2020-2021 CIP	STREETS	\$18,250.00
INV 160319	5/21/2021 6/9/2021	6/9/2021 57526	ENGINEERING - EAST GEORGE ST 2020-2021 CIP	STREETS	\$11,375.00
INV 160382	6/10/2021 6/23/2021	6/23/2021 57617	ENGINEERING - EAST GEORGE ST 2020-2021 CIP	STREETS	\$11,900.00
INV 160383	6/10/2021 6/23/2021	6/23/2021 57618	ENGINEERING - EZZELL ST 2020-2021 CIP	STREETS	\$53,100.00
01-101225 COMPUTER COMMAND CORP.					
INV 22217	5/5/2021 6/23/2021	6/23/2021 57620	CAMERA INSTALLATION	CITY HALL	\$5,000.00

VENDOR/INVOICE #	ITEM DT/ POST DT	PAY DT/ CHECK #	DESCRIPTION	DEPARTMENT	AMOUNT
01-102569 W.S. DARLEY & CO.					
INV 17430557	4/30/2021 6/9/2021	6/9/2021 57530	ENGINE PUMP ASSEMBLY	FIRE DEPARTMENT	\$9,081.14
01-102609 DATAPROSE, LLC					
INV DP2101881	5/31/2021 6/9/2021	6/9/2021 57531	UTILITY BILLING MAY 2021	UTILITY BILLING	\$1,909.36
01-101891 DOGETT HEAVY					
INV W48419	3/22/2021 6/9/2021	6/9/2021 57534	RUBBER TRACKS	UTILITY MAINTENANCE	\$3,718.18
01-102688 DXI INDUSTRIES, INC					
INV 055009254-21	5/26/2021 6/23/2021	6/23/2021 57628	DRUM DEPOSIT	PARKS AND RECREATION	\$4,555.77
01-100728 FERGUSON ENTERPRISES, INC.					
INV 9134803-2	5/20/2021 6/9/2021	6/9/2021 57536	WATER & SEWER MAIN PARTS	UTILITY MAINTENANCE	\$2,295.55
INV 9392889	6/9/2021 6/23/2021	6/23/2021 57630	WATER & SEWER PARTS	UTILITY MAINTENANCE	\$1,703.40
INV 9402901	6/4/2021 6/23/2021	6/23/2021 57630	WATER MAIN REPLACEMENT	UTILITY MAINTENANCE	\$6,604.37

VENDOR/INVOICE #	ITEM DT/ POST DT	PAY DT/ CHECK #	DESCRIPTION	DEPARTMENT	AMOUNT
01-102882 FRONTIER SOUTHWEST INC.					
INV 18830907065/0620	21 6/10/21 6/23/2021	6/23/2021 57633	PHONE CHARGES JUNE 2021	ALL DEPARTMENTS	\$2,785.97
01-102490 U.S. BANK NATIONAL ASSOCIATION					
INV 05/2021	5/24/2021 6/9/2021	6/9/2021 57538	FUEL MAY 2021	ALL DEPARTMENTS	\$7,204.39
01-102645 GEXA ENERGY, LP					
INV 32637067-4	5/25/2021 6/9/2021	6/9/2021 57539	ELECTRICITY SERVICES MAY 2021	ALL DEPARTMENTS	\$28,200.42
01-100186 GUADALUPE BLANCO RIVER					
INV SIO11643	6/7/2021 6/9/2021	6/9/2021 57543	WATER PURCHASED APRIL 2021	NON DEPARTMENTAL	\$99,070.96
INV SIO12112	6/7/2021 6/9/2021	6/9/2021 57543	WATER PURCHASED MAY 2021	NON DEPARTMENTAL	\$98,791.68
01-100187 GUADALUPE BLANCO RIVER					
INV SIO12085	6/2/2021 6/9/2021	6/9/2021 57544	STORED WATER IN CANYON LAKE	NON DEPARTMENTAL	\$28,186.67
01-100205 HALL SIGNS, INC.					
INV 374026	5/20/2021 6/23/2021	6/23/2021 57637	SIGNS	STREETS	\$3,025.19

VENDOR/INVOICE #	ITEM DT/ POST DT	PAY DT/ CHECK #	DESCRIPTION	DEPARTMENT	AMOUNT
01-103950 HEIL OF TEXAS					
INV 11456	6/15/2021 6/23/2021	6/23/2021 57640	MAINTENANCE TO JET TRUCK	UTILITY MAINTENANCE	\$4,037.50
01-103865 HR GREEN INC.					
INV 143758	5/24/2021 6/9/2021	6/9/2021 57547	AWIA RISK ASSESSMENT	UTILITY MAINTENANCE	\$3,086.25
01-101164 UNITED STATES TREASURY					
INV CP134B	6/16/2021 6/16/2021	6/17/2021 57584	941 QTR 2 PAYROLL TAXES	NON DEPARTMENTAL	\$3,128.56
01-100260 LESTER CONTRACTING, INC.					
INV 2018904	4/30/2021 6/23/2021	6/23/2021 57645	REPLACE FIRE HYDRANTS	UTILITY MAINTENANCE	\$8,662.50
INV 2018905R	5/31/2021 6/9/2021	6/9/2021 57551	FIREHYDRANT REPLACEMENT	UTILITY MAINTENANCE	\$6,855.00
INV 2106001	4/30/2021 6/23/2021	6/23/2021 57646	SEWER LINE REPLACEMENT	UTILITY MAINTENANCE	\$45,034.00
INV 2106102	4/30/2021 6/23/2021	6/23/2021 57647	EXISTING MANHOLE TOP	UTILITY MAINTENANCE	\$2,100.00

VENDOR/INVOICE #	ITEM DT/ POST DT	PAY DT/ CHECK #	DESCRIPTION	DEPARTMENT	AMOUNT
01-100260 LESTER CONTRACTING, INC.					
INV 2108401	4/30/2021 6/23/2021	6/23/2021 57648	CONCRETE REPAIR	UTILITY MAINTENANCE	\$14,600.00
01-102904 JESSE JAMES LLC					
INV 1700	6/7/2021 6/23/2021	6/23/2021 57649	IT SERVICES 6/7/21-7/6/21 PD	TECHNOLOGY (POLICE DEPARTMENT)	\$1,810.00
01-102904 JESSE JAMES LLC					
INV 1702	6/17/2021 6/23/2021	6/23/2021 57649	IT SERVICES 6/17/21 - 7/16/21	TECHNOLOGY (ALL DEPARTMENTS)	\$2,500.00
01-102016 MARVELOUS GARDENS INC.					
INV 5667	6/15/2021 6/23/2021	6/23/2021 57652	HIGHWAY MEDIAN CONTRACTED SERVICE	STREETS	\$4,096.66
01-100267 MCCREARY, VESELKA,					
INV 05/2021	6/15/2021 6/23/2021	6/23/2021 57653	COLLECTION DELINQUENT TAX FEES	NON DEPARTMENTAL	\$2,049.02
01-103938 P&W TREE TRIMMING					
INV INV0096	6/2/2021 6/23/2021	6/23/2021 57663	REMOVE TRASH FROM CITY	NON DEPARTMENTAL	\$3,000.00
INV INV0099	6/8/2021 6/9/2021	6/9/2021 57560	REMOVE TRASH FROM CITY	NON DEPARTMENTAL	\$2,250.00

CITY OF PORT LAVACA
A/P COUNCIL REPORT FOR INVOICES OVER \$1,500.00 -
JUNE 2021

Section VI. Item #C.

VENDOR/INVOICE #	ITEM DT/ POST DT	PAY DT/ CHECK #	DESCRIPTION	DEPARTMENT	AMOUNT
01-103938 P&W TREE TRIMMING					
INV INV0102	6/13/2021 6/23/2021	6/23/2021 57663	REMOVE TRASH FROM CITY	NON DEPARTMENTAL	\$3,000.00
01-103847 ENVIRONMENTAL SCIENCE CORP					
INV 1366406-S	5/31/2021 6/9/2021	6/9/2021 57561	CHEMICALS	WWTP	\$2,475.00
01-100335 PORT LAVACA, CITY OF					
INV 05/2021	5/14/2021 6/9/2021	6/9/2021 57563	WATER/SEWER MAY 2021	ALL DEPARTMENT	\$6,310.14
01-103192 RAWLEY MCCOY & ASSOCIATES					
INV 937-001	5/17/2021 6/9/2021	6/9/2021 57565	CITY HALL ARCHITECTURAL WORK MASTER PLAN PHASE 1	CITY HALL	\$7,440.00
INV 937-002	6/16/2021 6/23/2021	6/23/2021 57672	CITY HALL ARCHITECTURAL WORK MASTER PLAN PHASE 1	CITY HALL	\$1,860.00
01-102309 REPUBLIC SERVICES #847					
INV 0847-001151447	5/31/2021 6/23/2021	6/23/2021 57674	DISPOSAL RECYCLING CONTAINERS	NON DEPARTMENTAL	\$4,064.62
INV 0847-001152554	5/31/2021 6/9/2021	6/9/2021 57568	GARBAGE COLLECTION	NON DEPARTMENTAL	\$63,395.89

VENDOR/INVOICE #	ITEM DT/ POST DT	PAY DT/ CHECK #	DESCRIPTION	DEPARTMENT	AMOUNT
01-100840 ROBERTS, ODEFY, WITTE,					
INV 1608-003M/88	5/28/2021 6/9/2021	6/9/2021 57571	MUNICIPAL COURT / MAY 2021	NON DEPARTMENTAL	\$2,163.25
01-103898 RUSSELL MARINE LLC					
INV 12509	6/1/2021 6/23/2021	6/23/2021 89	CONSTRUCTION OF LHB FISHING PIER	LIGHTHOUSE BEACH	\$247,823.44
01-103079 SKY WONDER PYROTECHNICS, LLC					
INV 1100	5/11/2021 6/23/2021	6/23/2021 57679	JULY 4TH 2021 FIREWORKS	HOTEL OCCUPANCY TAX	\$12,500.00
01-102145 STAR W EQUIPMENT REPAIRS					
INV 4981	5/24/2021 6/9/2021	6/9/2021 57574	REPAIRS TO HYDRAULIC PUMP	STREETS	\$2,187.60
INV 4982	5/24/2021 6/9/2021	6/9/2021 57574	REPAIRS TO TRUCK BED	STREETS	\$2,757.87
01-100419 TML - IEBP					
INV 06/2021	5/19/2021 6/9/2021	6/9/2021 57575	HEALTH/DENTAL INSURANCE	ALL DEPARTMENTS	\$57,723.92

VENDOR/INVOICE #	ITEM DT/ POST DT	PAY DT/ CHECK #	DESCRIPTION	DEPARTMENT	AMOUNT
01-102793 TSI LABORATORIES, INC					
INV 12984	3/25/2021 6/9/2021	6/9/2021 57576	CONSTRUCTION TESTING SCULLY'S AND SIDEWALK	ECONOMIC DEVELOPMENT	\$2,215.00
01-100822 TYLER TECHNOLOGIES INC					
INV 130-120830	6/1/2021 6/23/2021	6/23/2021 57684	ANNUAL MAINTENANCE 7/1/21-6/30/22	TECHNOLOGY (POLICE DEPARTMENT)	\$5,681.88
01-102134 VICTORIA ENGINEERING					
INV 16606	6/1/2021 6/23/2021	6/23/2021 57687	ENGINEERING CONTRACT - DREDGING SMITH HARBOR	PORT REVENUE FUND	\$2,750.00
01-100451 VICTORIA COMMUNICATION SERVICE					
INV 232387	6/14/2021 6/23/2021	6/23/2021 57690	INSTALLATION OF CAMERAS	POLICE DEPARTMENT	\$3,522.00
TOTAL INVOICES PAID OVER \$1500.00					\$991,457.91



Account Number: XXXX XXXX XXXX 0305

Send Billing Inquiries To:
Card Service Center, PO Box 569120, Dallas, TX 75356



TRANSACTIONS (continued)

An amount followed by a minus sign (-) is a credit unless otherwise indicated.

Tran Date	Post Date	Reference Number	Transaction Description	Amount
KAREN NEAL				
			TOTAL XXXXXXXXXXXXX0784	\$102.64
05/17	05/18	5545737490D17F70B	AMERICAN PUBLIC WORKS 8164726100 MO	\$245.00
WAYNE SHAFFER				
			TOTAL XXXXXXXXXXXXX1212	\$245.00
05/27	05/30	85182444LWGNP29MY	TEXAS MUNICIPAL COURTS AUSTIN TX	\$100.00
MANDY GRANT				
			TOTAL XXXXXXXXXXXXX1238	\$100.00
05/18	05/21	05436844Q2X6FMA1X	WALMART.COM AU 800-966-6546 AR	\$253.89
05/23	05/24	55432864F5SN0S1DY	AMZN MKTP US*2R86U6QQ1 AMZN.COM/BILL WA	\$275.83
JESSICA CARPENTER				
			TOTAL XXXXXXXXXXXXX1329	\$529.72
06/03	06/04	55432864S5SM2VZ7M	AMAZON.COM*2X0RI0G81 AMZN.COM/BILL WA	\$1,678.95
SUSAN LANG				
			TOTAL XXXXXXXXXXXXX1345	\$1,678.95
05/11	05/12	554295043MNNN4MZG	EB MUNICIPAL FUNDAMEN 8014137200 CA	\$100.00
05/13	05/13	5543286455SN4F4P0	AMTEK INFORMATION SERV 281-376-4577 TX	\$99.99
05/13	05/14	5543286455SXX34B8	J2 *EFAX CORPORATE SVC 323-817-1155 CA	\$131.22
06/01	06/03	55207394T004GZ5WZ	AUTHORIZE.NET SAN FRANCISCO CA	\$30.00
JOANNA WEAVER				
			TOTAL XXXXXXXXXXXXX0249	\$361.21
05/07	05/09	55432863Z5V4Y5VWT	AMZN MKTP US*2L5PB5NH0 AMZN.COM/BILL WA	\$168.89
05/08	05/10	5543286405SEY8T9N	AMZN MKTP US*JP9ZQ6MQ3 AMZN.COM/BILL WA	\$69.15
05/13	05/14	5543286455SWRE1JE	AMZN MKTP US*2L2JT7840 AMZN.COM/BILL WA	\$13.81
CYNTHIA HEYSQUIERDO				
			TOTAL XXXXXXXXXXXXX0264	\$251.85

PLEASE DO NOT PAY, AS OF THIS STATEMENT DATE YOUR ACCOUNT HAS A CREDIT BALANCE.

INTEREST CHARGE CALCULATION

Your Annual Percentage Rate (APR) is the annual interest rate on your account

Type of Balance	Annual Percentage Rate (APR)	Balance Subject to Interest Rate	Days in Billing Cycle	Interest Charge
Purchases	14.24% (v)	\$0.00	31	\$0.00
Cash Advances	14.24% (v)	\$0.00	31	\$0.00

(v) - variable

To avoid additional interest charges, pay your New Balance in full on or before the Payment Due Date.

Exciting news! Go online today and check out the all-new enhancements to the Card Service Center website. E-statements, additional payment options, links to Preferred Points website, and other helpful sites. Visit us today at www.cardaccount.net to enroll your credit card account(s) on the newly enhanced website.

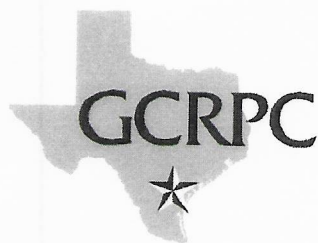
Thank you for the opportunity to serve your credit card needs. Should your future plans include travel, please contact us at 1-800-367-7576.

COMMUNICATION

SUBJECT: 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

INFORMATION:



GOLDEN CRESCENT REGIONAL PLANNING COMMISSION

1908 N Laurent, Suite 600, Victoria, TX 77901
(361) 578-1587 / Fax (361) 578-8865
www.gcrpc.org

Golden Crescent Economic Development District

Mayor Jack Whitlow
202 N. Virginia St.
Port Lavaca, Texas 77979

EXECUTIVE COMMITTEE

President

Josephine E. Soliz
Mayor Pro Tem, City of Victoria

1st Vice-President

Alonzo Morales
Commissioner, Goliad County

2nd Vice-President

Tony Allen
Councilman, City of Cuero

3rd Vice-President

Alice Jo Summers
Mayor, City of Hallettsville

Secretary-Treasurer

Annie Rodriguez
Mayor, City of Yoakum

Director-at-Large

Mike Atkinson
Citizen, Victoria

Director-at-Large

Julio Espinosa
Municipal Judge, Edna

Director-at-Large

Jeffery Tunnell
Executive Director, Gulf Bend
Center

Immediate Past President

Kevin LaFleur
Commissioner, Gonzales County

Executive Director

Michael Ada

June 21, 2021

RE: Nomination of Advisory Committee Representatives

Dear Mayor Whitlow,

Port Lavaca's membership in the Golden Crescent Regional Planning Commission (GCRPC), provides the county the opportunity to nominate individuals to represent Port Lavaca on the following Advisory Committees:

- ❖ **Economic Development**
- ❖ **Health and Human Services**
- ❖ **Environmental Resources**
- ❖ **Public Safety**

Your nominations ensure your community's interests and perspectives are included in the activities of each of these committees.

Port Lavaca's current representatives serving on each of these advisory committees have provided recommendations for your consideration. Those recommendations and details regarding the objectives of each committee are attached.

Please fill in and return the attached form on or before **July 21, 2021**. If you have any questions or need any additional information please contact our Executive Administrative Assistant, Cherokee McGrath-Myers at (361) 578-1587, ext. 202 or email cherokeem@gcrpc.org.

Sincerely,

Michael Ada
Executive Director

REGIONAL ECONOMIC DEVELOPMENT ADVISORY COMMITTEE (REDAC) FY 2022

VACANT	RHONDA KOKENA County Treasurer, Calhoun County	JUDGE RICHARD MEYER County Judge, Calhoun County	PEGGY GAINES Mayor Pro Tem - Councilwoman, City of Seadrift
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REGIONAL HEALTH AND HUMAN SERVICES ADVISORY COMMITTEE (RHHSAC) FY 2022

REBECCA JERNNIGAN Executive Director, Calhoun Senior Citizens Association	ALLEN TIPPIT Councilperson District 3, City of Port Lavaca	MARGARET ALMANZA Public Citizen	WENDY CABRERA Director, United Way Calhoun County
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REGIONAL ENVIRONMENTAL RESOURCES ADVISORY COMMITTEE (RERAC) FY 2022

WAYNE SHAFFER Public Works Director, City of Port Lavaca	VERN LYSSY County Commissioner, Calhoun County	TIM DENT Councilperson District 2, City of Port Lavaca	TRACEY JOHNSON Councilperson, City of Seadrift
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REGIONAL PUBLIC SAFETY ADVISORY COMMITTEE (RPSAC) FY 2022

COLIN RANGNOW Chief of Poice, City of Port Lavaca	JOHNNY KRAUSE Investigator, Calhoun County Sheriff's Office	LaDONNA THIGPEN Emergency Management Coordinator, Calhoun County	RAQUEL MORALES 9-1-1 Coordinator, Calhoun County
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Golden Crescent Regional Planning Commission (GCRPC)
Nomination of Advisory Committee Representatives

Section VII. Item #1.

Instructions:

Step 1: Utilize the committee objectives below to nominate your Advisory Committee representatives.

Step 2: Complete the attached form by providing contact information for each representative.

Step 3: Return your form to our Executive Administrative Assistant, Cherokee McGrath-Myers at cherokeem@gcrpc.org or mailing to his attention at 1908 N. Laurent St. Ste. 600 Victoria, TX 77901

Regional Economic Development Advisory Committee (REDAC)

The Regional Economic Development Advisory Committee (REDAC) is responsible for the development, implementation, assessment, and update of the Economic Development District's (EDD) Comprehensive Economic Development Strategy (CEDS).

Regional Health and Human Services Advisory Committee (RHHSAC)

The Regional Health & Human Services Advisory Committee (RHHSAC) is a formally constituted group of local stakeholders and subject matter experts whose objective is to provide comprehensive, region-wide planning consisting of health, education, and social services for older adults, people with disabilities, or any person in need throughout the Golden Crescent region.

Regional Environmental Resources Advisory Committee (RERAC)

The Regional Environmental Resources Advisory Committee (RERAC) develops and implements regional and local plans and projects to address various environmental issues. This committee is also responsible for selecting local and regional solid waste management projects that are funded by the Texas Commission on Environmental Quality (TCEQ) and administered by GCRPC.

Regional Public Safety Advisory Committee (RPSAC)

The Regional Public Safety Advisory Committee (RPSAC) is responsible for developing strategic plans related to Criminal Justice, Homeland Security, and Public Safety Communications. They also prioritize grant applications for the Office of the Governor's Public Safety Office, Criminal Justice and Homeland Security Divisions.

**Golden Crescent Regional Planning Commission (GCRPC)
Nomination of Advisory Committee Representatives**

Section VII. Item #1.

DUE DATE: JULY 21, 2021

REDAC Nominee 1		REDAC Nominee 2	
Name:		Name:	
Title:		Title:	
Email:		Email:	
Phone:		Phone:	

REDAC Nominee 3		REDAC Nominee 4	
Name:		Name:	
Title:		Title:	
Email:		Email:	
Phone:		Phone:	

RHHSAC Nominee 1		RHHSAC Nominee 2	
Name:		Name:	
Title:		Title:	
Email:		Email:	
Phone:		Phone:	

RHHSAC Nominee 3		RHHSAC Nominee 4	
Name:		Name:	
Title:		Title:	
Email:		Email:	
Phone:		Phone:	

RERAC Nominee 1		RERAC Nominee 2	
Name:		Name:	
Title:		Title:	
Email:		Email:	
Phone:		Phone:	

RERAC Nominee 3		RERAC Nominee 4	
Name:		Name:	
Title:		Title:	
Email:		Email:	
Phone:		Phone:	

RPSAC Nominee 1		RPSAC Nominee 2	
Name:		Name:	
Title:		Title:	
Email:		Email:	
Phone:		Phone:	

RPSAC Nominee 3		RPSAC Nominee 4	
Name:		Name:	
Title:		Title:	
Email:		Email:	
Phone:		Phone:	

COMMUNICATION

SUBJECT: 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

INFORMATION:

CC MEETING:

AGENDA ITEM #

DATE:

TO: Jody Weaver, CITY MANAGER
cc: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: WAYNE SHAFFER, PUBLIC WORKS DIRECTOR

SUBJECT: Swimming Pool Filter

BACKGROUND: ON JUNE 23RD AT 8 PM I RECEIVED A PHONE CALL FROM RHONDA WITH THE YMCA INFORMING ME THAT THE POOL FILTER RUPTURED. UPON INVESTIGATION WE DISCOVERED THAT IT INDEED HAD RUPTURED AND WAS UNABLE TO BE REPAIRS THUS NEEDING REPLACEMENT.

FINANCIAL IMPLICATIONS: THIS WILL BE AN UNBUDGETED EXPENSE THAT WILL NEED TO BE COVERED THROUGH A BUDGET AMENDMENT.

IMPACT ON COMMUNITY SUSTAINABILITY: NOT REPAIRING IT TAKES AWAY ACTIVITIES PROVIDED TO THE COMMUNITY, ESPECIALLY THE YOUTH DURING SUMMER MONTHS.

RECOMMENDATION:

ATTACHMENTS:

REQUISITION REQUEST FORM

Section VII. Item #2.

From: parks
Department

joe rodriguez
Requestor's Name

6/29//21
DATE

To: Purchasing Director,
Date Received @ Purchasing: _____

Date Ordered

01-10666
P. O. #

Confirmation/Order Number

Est Delivery Date

If ordering parts for a vehicle, machine, pump, equipment, computer, radio, etc. - list type , model, unit# and year:

Type: _____
Model: _____

Unit#: _____
Year: _____

	Item Description	U/I	Qty	Part#/Model#/Etc.	Charge Account Number	1ST Price	VENDOR Extended	2ND Price	VENDOR Extended	3RD Price	VENDOR Extended
1.	SAND FILTER		1	VCOM 79	001-50501543.10	\$24,500.00	\$24,500.00	\$27,416.30	\$27,416.30	No Bid	
2.	SAND FILTER		1	PENTAIR 2607							
3.											\$0.00
4.							\$0.00		\$0.00		\$0.00
5.							\$0.00		\$0.00		\$0.00
6.							\$0.00		\$0.00		\$0.00
7.							\$0.00		\$0.00		\$0.00
8.							\$0.00		\$0.00		\$0.00
9.							\$0.00		\$0.00		\$0.00
10.							\$0.00		\$0.00		\$0.00
	FREIGHT****FREIGHT****FREIGHT						\$0.00		\$0.00		\$0.00
		☐		FREIGHT****FREIGHT****FREIGHT			\$0.00		\$0.00		\$0.00
					FREIGHT:						
							\$24,500.00		\$27,416.30		\$0.00
	NABCOCK POOL SERVICES INC (1ST) VENDOR'S NAME			HOUSTON TX CITY	ST	281-583-7665 AREA CODE / PHONE NUMBER			PAT HANCOCK POINT OF CONTACT		
	VICTORIA POOL SERVICE@SUPPLY (2ND) VENDOR'S NAME			VICTORIA TX CITY	ST	361-515-5821 AREA CODE / PHONE NUMBER			TERRY POINT OF CONTACT		
	MIAMI TANK,INC			FLORIDA CITY	ST	772-466-1440 AREA CODE / PHONE NUMBER					

Justification why lowest quote was not utilized and or comments:

to complete the job & has a 30 day lead time. Hancock pools only bid the filter and has an 8 week lead time. No suitable HUB Vendor available/SP

NOTE: It is essential that you provide detail information for items, parts, materials, supplies, etc. such as: part number, model number, item number, year, size, color, make, etc. For vehicle batteries, list Cold Cranking Amps (CCA's). Also state where the positive and negative posts are located. For non-vehicle batteries list type: AA, AAA, C, D, 9V, etc.

DEPARTMENT HEADS ARE RESPONSIBLE FOR ALL NECESSARY INFORMATION TO BE PROVIDED SO THAT THE CORRECT PARTS, ITEM(S), SUPPLIES, ETC. ARE PROCURED.

APPROVED BY:

[Signature]
Department Head

[Signature]
City Manager

Victoria Pool Service & Supply

4801 N. Navarro
 Victoria, TX 77904
 (361) 575-5821
 (361) 578-1170

Quote

6/28/2021
 Quote # 1253
 Entered by - Terry
 Valid through -

Bill To:
 CITY OF PORT LAVACA
 ACCOUNTS PAYABLE
 PORT LAVACA, TX 77979

Ship To:
 CITY OF PORT LAVACA
 ACCOUNTS PAYABLE
 PORT LAVACA, TX 77979
 accountspayable@portlavaca.org

361-552-9793 EXT 237

Item	Description	QTY	Proposed Price
MISC. INSTAL	PAC051002 PENTAIR 2607 SQFT THS SAND FILTER	1	\$17,149.00
MISC. INSTAL	PAC06905 MANIFOLD KIT WITH VALVES	1	\$5,959.00
MISC. INSTAL	PAC0513100 GUAGE KIT	1	\$919.00
SCAAA06198	FILTER CHET	14	\$97.86
SCAAA06200	FILTER SAND 20/40	56	\$391.44
MISC. INSTAL	MISC. INSTALLATION MATERIALS	1	\$650.00
MISC. INSTAL	FREIGHT	1	\$750.00
SERVICE LABO	SERVICE LABOR NT	1	\$1,400.00
TRAVEL NT	TRAVEL NON TAXABLE	1	\$100.00
		Group Subtotal	\$27,416.30
		Subtotal	\$27,416.30
		Tax	\$0.00
		Total	\$27,416.30

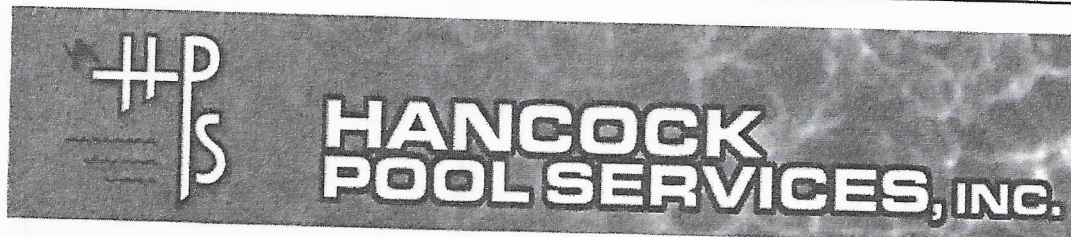
Notes

Install new Pentair 2607 sq ft THS model sand filter with manifold kit with 4 valves, guage kit and flow meter.

Quote Accepted By: _____

Print/Sign

Date: _____



June 28, 2021

City of Port Lavaca
Attn: Wayne Shaffer

Dear Wayne,

The cost for the Miami Tank VCOM 79-6 delivered to you is \$24,500.

Delivery time is approximately 8 weeks.

If you have room in the pump room you could put 6) 36" filters in tandem. These filters are probably in stock and would cost about the same as one large filter.

We have done a lot of commercial pool filters over the years and I would be glad to assist you with this project.

Sincerely,

Pat Hancock

P.O. Box 670345
Houston, TX 77267

www.hancockpoolservices.com

Office: 281-583-7665
Fax: 281-290-0618

COMMUNICATION

SUBJECT: 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

INFORMATION:

CITY OF PORT LAVACA

CITY COUNCIL MEETING: JULY 12, 2021

AGENDA ITEM _____

DATE: 7.08.2021

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: JODY WEAVER, INTERIM CITY MANAGER.

SUBJECT: BAUER COMMUNITY CENTER PARKING LOT

As you are aware, we have \$250,000 budgeted to renovate the parking lot at the Bauer Community Center. I reached out to Matt Glaze with Urban Engineering for a conceptual cost estimate to renovate the pavement. He is estimating to reclaim, stabilize with cement and pave with a 2-course asphalt surface treatment, the cost will be approximately \$275,000 - \$300,000. This is somewhat higher than budgeted but in the "ballpark".

My recommendation is to award a Task Order to Urban Engineering to prepare bid documents and bid the project out. We can plan to add funds to this project in the coming fiscal year capital improvement plan, as needed depending upon the bids received.

Attached is Task Order # 26 in the amount of \$30,500 including survey, Geotech investigation, design and preparation of the bid documents and contract administration.

This is Task Order No. 26,
consisting of 3 pages.

Task Order

In accordance with paragraph 1.01 of the Standard Form of Agreement Between Owner and Engineer for Professional Services – Task Order Edition, dated November 13, 2017 ("Agreement"), Owner and Engineer agree as follows:

1. **Specific Project Data**

- A. Title: City of Port Lavaca – Bauer Community Center Parking Lot Rehabilitation
Description: Design plans & specifications, prepare bid documents and perform contract administration for the rehabilitation of the Bauer Community Center Parking Lot.

2. **Services of Engineer**

Engineer shall have those responsibilities set forth in Exhibit A.

3. **Owner's Responsibilities**

Owner shall have those responsibilities set forth in Exhibit B.

4. **Times for Rendering Services**

Services will be rendered in a timely manner and in accordance with the schedule determined during the Study and Report Phase of the Project.

5. **Payments to Engineer**

A. Owner shall pay Engineer for services rendered as follows:

<i>Category of Services</i>	<i>Compensation Method</i>	<i>Lump Sum, or Estimate of Compensation for Services</i>
<i>Topographic Survey & Orthomosaic Aerial Image</i>	<i>Fixed Fee</i>	<i>\$2,200.00</i>
<i>Geotechnical Investigation Services</i>	<i>Fixed Fee</i>	<i>\$3,300.00</i>
<i>Design, Bidding and Contract Administration</i>	<i>Fixed Fee</i>	<i>\$25,000.00</i>
<i>Total</i>		<i>\$30,500.00</i>

B. The terms of payment are set forth in Article 4 of the Agreement and in Exhibit C.

C. Reimbursable Expenses: Includes fees charged by outside entities have review authority over the project, government agency fees and advertising fees. See Appendix 1 to Exhibit C "Reimbursable Expenses Schedule"

6. **Consultants:** Urban Surveying, Inc. and T.S.I. Laboratories, Inc.

7. **Other Modifications to Agreement:** None

8. **Attachments:** None

9. **Documents Incorporated By Reference:** Master Agreement Between City of Port Lavaca and Victoria Engineering, Inc. dba Urban Engineering dated November 13, 2017. This includes all Attachments to that Agreement (Attachments A – Attachment I inclusive).

Terms and Conditions: Execution of this Task Order by Owner and Engineer shall make it subject to the terms and conditions of the Agreement (as modified above), which Agreement is incorporated by this reference. Engineer is authorized to begin performance upon its receipt of a copy of this Task Order signed by Owner.

The Effective Date of this Task Order is _____, _____.

OWNER:

By: _____

Name: Jack Whitlow

Title: Mayor

ENGINEER:

By: _____

Name: Matt A. Glaze, P.E.

Title: Senior Engineer

Engineer License or Firm's
Certificate No. TREF# F-160
State of: Texas

DESIGNATED REPRESENTATIVE FOR
TASK ORDER:

Name: Jody Weaver, P.E.

Title: City Manager & City Engineer

Address: 202 N. Virginia St.
Port Lavaca, TX 77979

E-Mail
Address: jweaver@portlavaca.org

Phone: 361-552-9793

Fax: 361-552-6062

DESIGNATED REPRESENTATIVE FOR TASK
ORDER:

Name: Matt A. Glaze, P.E.

Title: Sr. Project Engineer

Address: 2004 N. Commerce St.
Victoria, TX 77901

E-Mail
Address: mglaze@urbanvictoria.com

Phone: 361-578-9836

Fax: N/A

CERTIFICATE OF INTERESTED PARTIES

Section VII. Item #3.

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

OFFICE USE ONLY CERTIFICATION OF FILING

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

Victoria Engineering, Inc. dba Urban Engineering
Victoria, TX United States

Certificate Number:
2021-772459

Date Filed:
06/29/2021

2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.

City of Port Lavaca, Texas

Date Acknowledged:

3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.

Task Order #26
Engineering Services for City of Port Lavaca - Bauer Community Center Parking Lot Rehabilitation (UE Job #E24146.00)

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary
	Bridges, Ray	Victoria, TX United States	X	
	Schmidt, Thomas	Victoria, TX United States	X	
	Urban, Larry	Corpus Christi, TX United States	X	

5 Check only if there is NO Interested Party. ☐

6 UNSWORN DECLARATION

My name is THOMAS A. SCHMIDT, and my date of birth is 11-14-47.

My address is 2004 N. COMMERCE ST. (street), VICTORIA (city), TX (state), 77901 (zip code), USA (country).

I declare under penalty of perjury that the foregoing is true and correct.

Executed in VICTORIA County, State of TEXAS, on the 29TH day of JUNE, 2021.
(month) (year)



Signature of authorized agent of contracting business entity
(Declarant)

COMMUNICATION

SUBJECT: 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

INFORMATION:

CITY OF PORT LAVACA

DATE: 7.07.2021

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JODY WEAVER, INTERIM CITY MANAGER

SUBJECT: NEW MILLER SEAFOOD LEASE OF TRACTS 3, 4, 5, 6, AND 12 AT CITY HARBOR



Miller's Seafood lease of Tracts 3, 4, 5, 6, and 12 at City Harbor expires on July 31, 2021. I have had several telephone conversations with Curtis Miller over the past couple of months discussing a new lease.

This was discussed at the Port Commission meeting on Tuesday and the Port Commission unanimously voted to recommend option 3 for a New lease with Miller's Seafood. I have confirmed with Curtis Miller that he is in agreement with these terms:

Option 3: The City places a freeze on all seafood tariffs (*see notes under Option 2 in my memo to Port Commission below*)

- Miller's agrees to a 2-year lease; \$2,400/month for Years 1 and 2

With the uncertainty of the local oyster industry, Curtis will agree to a 1 year lease with single year options, but if he will commit to two (2) years initially, then I propose that we would agree not to impose a MCI increase on the second year. — Curtis agrees to the 2-year lease.

- Miller's 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/yr) -
- 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.)

In the discussions of the lease, 2 potential amendments to the Standard Lease document were discussed:

- 1) I recommended a re-examination of the language in the current Standard lease document which requires an annual increase of leases equal to the Municipal Cost Index or 5% whichever is higher — so essentially a 5% minimum. My suggestion was to amend this to state the 5% was a maximum in order to provide some level of stability for our tenants. Looking back over the last 12 years, the MCI has increased by about 30% or about 2.5% per year on average. Currently we are looking at very high MCI's. The MCI for May 2021 is 8.99%, however generally over the past several years it runs much lower than 5%. After much discussion a compromise was suggested and voted on to recommend a change to state the annual increase will be per the MCI with a minimum of 2.5% and a maximum of 5%. This is what is being proposed for the New Miller Seafood Lease document.
- 2) We also discussed the potential of amending the language regarding delinquent payments. The current language requires a 10% of the amount owed penalty be assessed if not paid by the 10th of the month. (Rent due on the ^{Pt} of the month). I had suggested considering a lower penalty percentage, perhaps 5%, due to the larger monthly rent payments that are typically due the Port Revenue Fund. After much discussion it was decided not to amend the language. This 10% penalty is consistent with the City's policy regarding late water bill payments.

RECOMMENDATION OF THE PORT COMMISSION: To approve a New 2-year Lease with Miller's Seafood using the Standard Lease document with the above cited terms and conditions. Staff concurs with the Port Commission recommendation.

Attached: A copy of the Exhibit A

BELOW IS A COPY OF MY REPORT TO PORT COMMISSION THAT WAS DISCUSSED AT THE MEETING:

Recall that Miller's Seafood was unable to utilize Dock 5, 6, and 12 for most of 2020 and the up until a couple months ago, due to the demolition of the dock and reconstruction.

We have collected the following information for consideration:

- Seadrift: They do collect a 30 cent per sack tariff on oysters, but I have confirmed with the City of Seadrift that Millers' lease is based upon a \$14/LF annual rate (\$1.17/LF monthly) and it hasn't changed in at least 8 years.
- Palacios: dock rental rate is between \$2.50 - \$3.00/LF depending upon the dock location, condition etc., which would be generally equivalent to our rates. They do not charge a tariff.
- Aransas Navigation District: Their dock rentals are based upon an appraised value and Keith Barrett (Harbor Master) said they believe it is too much trouble to keep up with the dollars that are generated with a seafood tariff and look to their dock rentals for income.

I have had several conversations with Curtis Miller regarding a new lease agreement. As we all know the future of the oyster and seafood industry in general has been on a downward trend for some time. Unfortunately, with the unknown affects that the planned channel dredging project may bring, at least in the short term, I don't see this trend significantly improving over the next few years.

I want us to consider that there is value in having activity at City Harbor. Without activity or any boats, the harbor and the waterfront look abandoned and uninviting to tourists. We have had discussions also that there is value in having a local business presence in the Harbor. To help us truly take advantage of Miller's presence and activity in the harbor with respect to our tourism, people that are considering a trip to Port Lavaca to enjoy our seaside atmosphere need to know Miller's is here and what they have to offer. Thus, I see value in Miller's (and other tenants that add to the seaside atmosphere) to advertise in the Calhoun County Visitor's Guide. This Guide is used to attract out of town visitors to Port Lavaca. They are distributed at 12 Visitors Center throughout Texas as well as local and regional hotels, banks, hospital etc. They are also included in Visitor Packets given out at the Chamber of Commerce. The cost for a half page ad in both the Fall and Summer Guides is about \$1,000 annually. With the requirement to place an approved half page ad in each Guide through out the term of the lease, I think that can offset some actual cash payment to the City. Below are 3 options for a new lease which involve this advertising dollar concept.

Note: Curtis Miller would like to have the potential of up to a 4-year lease with this document. His current monthly lease payment is \$2311.50.

Option 0: The City maintains the 30 cents per sack tariff

1 yr lease; payment remains unchanged at \$2311.50 for Year 1
w/ 2 or 3 ea. 1-year options, each with an increase equal to the Municipal Cost Index (MCI) for the previous October

Option 1: The City reduces the oyster tariffs to 15 cents *(Because of the concern that we are charging above market since our rent seems in line with Palacios who does not charge a tariff and our tariff's are in line with Seadrift who chares much less for dock rent, I've had discussions with Mr. Miller who has stated he would think 15 cents is fair.)*

- 1 yr lease; payment will remain unchanged at \$2311.50 for Year 1
- Miller's places a half page ad in the Fall and Summer Calhoun County Visitor's Guide ea. year (approx. \$1000/yr)
- w/ 2 or 3 ea. 1-year options, each with an increase equal to the Municipal Cost Index (MCI) for the previous October.

CITY OF PORT LAVACA

Option 2: The City places a freeze on all seafood tariffs *(It is my recommendation to eliminate seafood tariffs, or at least place a freeze on them for the life of this lease. The tariffs do not generate enough revenue to justify the time and effort involved in collecting, verifying, recording and just keeping up with the payments. We collected a total of \$5,188 last year in oyster tariffs. As mentioned above, the Aransas Navigation District does not collect seafood tariffs for this very reason. I'd rather see an increase in the monthly rent, which is a known steady figure that can more easily be used in budgeting and simpler for the tenant as well).*

- 1 year lease; payment increases to \$2,400.00 for Year 1

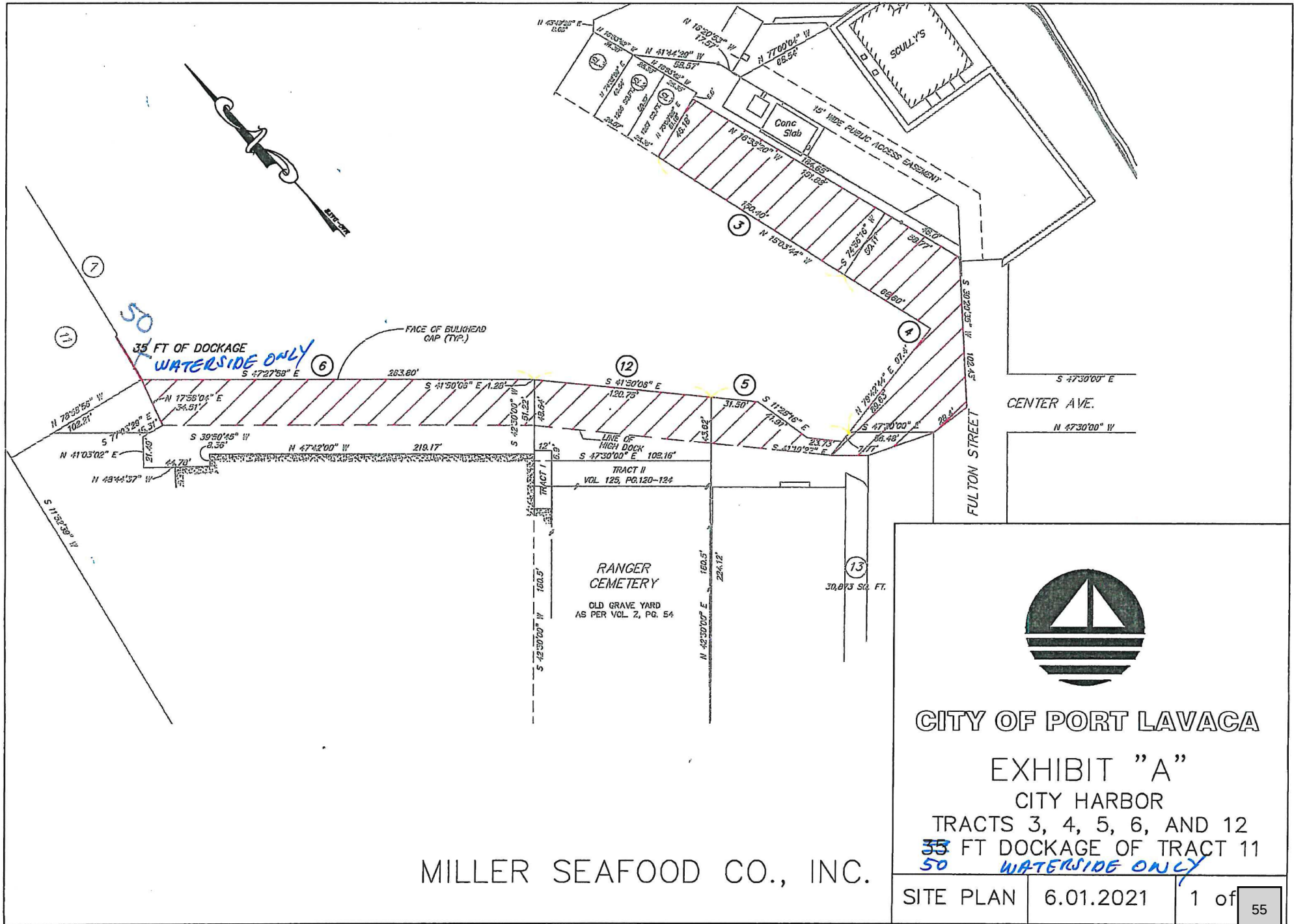
This dollar amount matches generally with what I had calculated as today's dollars of the lease of docks 3,4,5,6,12 based upon the original agreed upon price in 2009 using the PPI (Producer's Price Index). We would propose no initial increase above this \$2400 again because Mr. Miller was unable to use the dock for approximately a year.

- Miller's places a half-page ad in the Fall and Summer Calhoun County Visitor's Guide ea. year (approx. \$1,000/yr)
- w/ 2 or 3 ea. 1- year options, each with an increase equal to the MCI for the previous October

Option 3: was recommended and is shown above in this memo.

Note: Curtis Miller is required to have Cooler storage on site per the Tx Health Code. The City has allowed him to park the coolers on the old freezer plant property as part of his lease. He is currently in the process of removing one cooler and working to move the other on to the dock area that he is leasing.

Recommendation: For the simplicity and the guarantee of revenue from a two-year commitment, I would recommend Option 3, but would also support Option 2.



CITY OF PORT LAVACA

EXHIBIT "A"

CITY HARBOR

TRACTS 3, 4, 5, 6, AND 12

35 FT DOCKAGE OF TRACT 11
50 WATERSIDE ONLY

SITE PLAN

6.01.2021

1 of

COMMUNICATION

SUBJECT: Receive monthly Financial Highlight Report. Presenter is Susan Lang

INFORMATION:



CITY OF
PORT LAVACA

202 N. Virginia, Port Lavaca, Texas 77979-0105 www.portlavaca.org
Main Number: 361-552-9793 Main Facsimile: 361-552-6062

To: Mayor and Members of the City Council
From: Susan Lang, Finance Director 
Subject: FY 20-21 Financial Highlights through **June 30, 2021**
Date: July 7, 2021

Below are the following reports for the period ending **June 30, 2021**, or **75%** of the year:

The major highlights of the Report are as follows:

Property Tax collections as reported by CCAD - are **\$4,491,302** for the year as of May. Collections in FY20-21 are 95.99% of total adjusted tax levy. Total current year Property Taxes Outstanding as of May is **\$186,410**.

In the General Fund, revenues through **6/30/21** are **95%** of budget. In addition:

1. *Current Property Tax* collections - are **\$4,116,404** for the year as of June. Collections in FY20-21 are 104% of budget.
2. *Sales Tax* collections through June were **\$2,611,312** or 89% of budget. Collections through June in FY 19-20 were **\$2,598,513**.
3. *Licenses & Permits* collections are **\$137,217** for the year, or 116% of budget. Collections through June in FY 19-20 were **\$129,688**.
4. *Bauer Center Rentals* through June are **\$33,945** or 97% of budget. Collections through June in FY 19-20 were **\$27,145**.
5. *Court Fines* are **\$77,459** for the year, or 62% of budget. Collections through June in FY 19-20 were **\$66,130**.

Expenditures in the General Fund for the year are **82%** of budget.

In the Utility Fund, revenues as of **6/30/21** are **65%** of budget. In addition:

1. *Metered Water* sales through June are **\$1,501,391 or 61%** of budget.
2. *Residential Sewer* sales through June are **788,715 or 66%** of budget.
3. *Garbage Billings* through June are **\$507,290 or 73%** of budget.

Adjusted expenditures in the Utility Fund for the year are **73%** of budget.

Summary – FY 2020-2021 through 6/30/21

<u>Fund</u>	<u>Revenues</u>	<u>% Budget</u>	<u>Expense</u>	<u>Reserve Xfer to CIP *</u>	<u>Adjusted Expense</u>	<u>% Budget</u>	<u>Revenues Less Expense</u>
General	\$8,930,793	95%	8,902,863	(2,410,000)	6,492,863	82%	\$2,437,931
Utility	3,911,012	65%	8,643,230	(3,885,000)	4,758,230	73%	(847,217)
HOT	\$295,775	59%	310,806	0	310,806	53%	(15,031)
Beach	\$151,997	26%	227,232	(15,000)	212,232	37%	(60,234)
Port	\$529,025	84%	1,078,421	0	1,078,421	66%	(549,395)
						Total	\$966,054

*The City reserves flexibility to delay and/or cancel approved CIP projects, if necessary

Summary Revenue and Expenditure Reports for the selected funds are attached for your review.



Port Lavaca
PROPERTY TAX COLLECTION REPORT
May 31, 2021

TAXES DUE AT CERTIFICATION	4,550,879.43
Adjustments to Date	96,086.85
TOTAL TAX LEVY	4,646,966.28

2020 Tax Collections

	Base	Penalties & Interest	Total
October	2,385,941.36	0.00	2,385,941.36
November	250,627.48	0.00	250,627.48
December	550,129.61	0.00	550,129.61
January	797,130.19	0.00	797,130.19
February	179,292.57	5,665.60	184,958.17
March	188,397.18	14,483.71	202,880.89
April	65,863.15	6,573.81	72,436.96
May	43,174.80	4,022.86	47,197.66
June			0.00
July (Delinquent as of July 1, 2021)			0.00
August			0.00
September			0.00
TOTAL	4,460,556.34	30,745.98	4,491,302.32

Last Year %
Collected
95.00%

TRANSFERRER TO DELINQUENT ROLL	% Collected	95.99%
July, Aug, and Sept Payments		0.00

2020 TAXES OUTSTANDING	186,409.94
------------------------	------------

% Current Outstanding 4.01%

DELINQUENT COLLECTIONS

	Base	Penalties & Interest	Total
October	14,649.34	6,979.64	21,628.98
November	36,432.40	8,654.61	45,087.01
December	7,670.46	2,534.35	10,204.81
January	10,684.73	4,067.54	14,752.27
February	2,857.19	860.16	3,717.35
March	7,356.81	2,593.32	9,950.13
April	7,792.68	2,917.66	10,710.34
May	7,153.07	2,417.96	9,571.03
June			0.00
July			0.00
August			0.00
September			0.00
TOTAL	94,596.68	31,025.24	125,621.92

DELINQUENT TAXES OUTSTANDING	326,749.50
TOTAL TAXES OUTSTANDING	513,159.44

COMMUNICATION

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

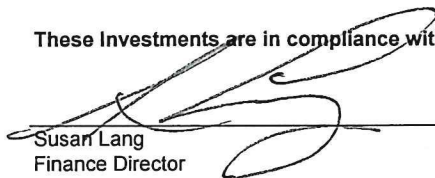
INFORMATION:

City of Port Lavaca
Quarterly Investment Report
 10/1/2020 - 12/31/2020

Purchase Date	Maturity	CUSIP	Sec Type	Principal	Interest	9/30/2020	12/31/2020	Yield	Par Value	Market Value	Accrued Interest	Date Sold	Paid Interest
Payroll			Acct: XXXXX3110 First National Bank		\$	6,635	\$ 5,279	0.0000%	\$ 5,279	\$ 5,279			\$ -
Pooled Cash			Acct: XXXXX3129 First National Bank		\$	7,642,194	\$ 8,967,113	0.0000%	\$ 8,967,113	\$ 8,967,113			\$ -
Fireman's Retirement			Acct: XXXXX3137 First National Bank		\$	600	\$ 100	0.0000%	\$ 100	\$ 100			\$ -
Checking			Acct: XXXXX3145 First National Bank		\$	-	\$ -	0.0000%	\$ -	\$ -			\$ -
Flip Flip			Acct: XXXXX4125 First National Bank		\$	1	\$ 1	0.0000%	\$ 1	\$ 1			\$ -
Consolidated Cash			Acct: XXXXX7001 Logic		\$	13,923,457	\$ 13,929,292	0.1890%	\$ 13,929,292	\$ 13,929,292			\$ 5,835
Total Investments						\$ 21,572,888	\$ 22,901,784	0.1220% Average	\$ 22,901,784	\$ 22,901,784	\$ -		\$ 5,835

Total Interest for October 1, 2020 through December 31, 2020

These Investments are in compliance with the City of Port Lavaca's Investment Policy.


 Susan Lang
 Finance Director

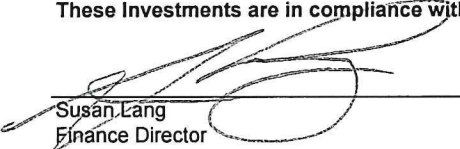
7/8/21
 Date

City of Port Lavaca
Quarterly Investment Report
 1/1/2021 - 3/31/2021

Purchase Date	Maturity	CUSIP	Sec Type	Principal	Interest	12/31/2020	3/31/2021	Yield	Par Value	Market Value	Accrued Interest	Date Sold	Paid Interest
Payroll			Acct: XXXXX3110 First National Bank			\$ 5,279	\$ 1,527	0.0000%	\$ 1,527	\$ 1,527			\$ -
Pooled Cash			Acct: XXXXX3129 First National Bank			\$ 8,967,113	\$ 8,323,767	0.0000%	\$ 8,323,767	\$ 8,323,767			\$ -
Fireman's Retirement			Acct: XXXXX3137 First National Bank			\$ 100	\$ 150	0.0000%	\$ 150	\$ 150			\$ -
Checking			Acct: XXXXX3145 First National Bank			\$ -	\$ -	0.0000%	\$ -	\$ -			\$ -
Flip Flip			Acct: XXXXX4125 First National Bank			\$ 1	\$ 1	0.0000%	\$ 1	\$ 1			\$ -
Consolidated Cash			Acct: XXXXX7001 Logic			\$ 13,929,292	\$ 13,933,034	0.0964%	\$ 13,933,034	\$ 13,933,034			\$ 3,742
Total Investments						\$ 22,901,784	\$ 22,258,479	0.0586% Average	\$ 22,258,479	\$ 22,258,479	\$ -		\$ 3,742

Total Interest for January 1, 2021 through March 31, 2021

These Investments are in compliance with the City of Port Lavaca's Investment Policy.


 Susan Lang
 Finance Director

7/8/21
 Date

City of Port Lavaca
Quarterly Investment Report
 4/1/2021 - 6-30-2021

Purchase Date	Maturity	CUSIP	Sec Type	Principal	Interest	3/31/2021	6/30/2021	Yield	Par Value	Market Value	Accrued Interest	Date Sold	Paid Interest
Payroll			Acct: XXXXX3110 First National Bank			\$ 1,527	\$ 5,393	0.0000%	\$ 5,393	\$ 5,393			\$ -
Pooled Cash			Acct: XXXXX3129 First National Bank			\$ 8,323,767	\$ 6,719,452	0.0000%	\$ 6,719,452	\$ 6,719,452			\$ -
Fireman's Retirement			Acct: XXXXX3137 First National Bank			\$ 150	\$ 150	0.0000%	\$ 150	\$ 150			\$ -
Checking			Acct: XXXXX3145 First National Bank			\$ -	\$ -	0.0000%	\$ -	\$ -			\$ -
Flip Flip			Acct: XXXXX4125 First National Bank			\$ 1	\$ 1	0.0000%	\$ 1	\$ 1			\$ -
Consolidated Cash			Acct: XXXXX7001 Logic			\$ 13,993,034	\$ 13,935,577	0.0588%	\$ 13,935,577	\$ 13,935,577			\$ 2,543
Total Investments						\$ 22,318,479	\$ 20,660,573	0.0369% Average	\$ 20,660,573	\$ 20,660,573	\$ -		\$ 2,543

Total Interest for April 1, 2021 through June 30, 2021

These Investments are in compliance with the City of Port Lavaca's Investment Policy.

Susan Lang
 Finance Director

Date

7/8/21

COMMUNICATION

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

INFORMATION:

COMMUNICATION

SUBJECT: Receive report from City Manager regarding excessive rainfall events. Presenter is Jody Weaver

INFORMATION:

COMMUNICATION

SUBJECT: 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

INFORMATION:

COMMUNICATION

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

INFORMATION:

