



CITY COUNCIL SPECIAL MEETING

Monday, November 18, 2024 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 meeting Monday, November 18, 2024 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/87064699436?pwd=b4coXEoIxpIqa7bRFefhagmmrFcSgx.1>

Meeting ID: 870 6469 9436

Passcode: 174959

One Tap Mobile

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

Dial by your location

+1 346 248 7799 US (Houston)

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. Discuss proposed project scope and possible commitment of matching funds for an application for Community Development Block Grant - Disaster Recovery Reallocation Program (CDBG-DRRP) funds due on November 21, 2024. Presenter is Jody Weaver
2. Consider Resolution No. R-111824-1 of the City of Port Lavaca, Texas, authorizing the selection of a professional administrative service provider for the Community Development Block Grant- Disaster Recovery Reallocation Program (CDBG-DRRP) project. Presenter is Jody Weaver
3. Consider Resolution No. R-111824-2 of the City of Port Lavaca, Texas, authorizing the selection of a professional engineering service provider for the Community Development Block Grant - Disaster Recovery Reallocation Program (CDBG-DRRP) project. Presenter is Jody Weaver
4. Consider Resolution No. R-111824-3 of the City of Port Lavaca, Texas, authorizing the purchase of Lot 10, Block S, Port Lavaca Townsite, Calhoun County, Texas and authorizing Mayor to approve and sign all documents to effectuate closing on behalf of the City of Port Lavaca, Texas. Presenter is Jody Weaver
5. Consider Resolution No. R-111824-4 of the City of Port Lavaca, Texas, authorizing the purchase of Lot 1, 2, 11, 12, Block S, Port Lavaca Townsite, Calhoun County, Texas and authorizing Mayor to approve and sign all documents to effectuate closing on behalf of the City of Port Lavaca, Texas. Presenter is Jody Weaver
6. Consider Resolution No. R-111824-5 of the City of Port Lavaca, Texas, authorizing the submission of a 2025/2026 Texas Community Development Block Grant Program application to the Texas Department of Agriculture for the Community Development Fund. Presenter is Jody Weaver

V. ADJOURN SPECIAL MEETING

VI. CERTIFICATION OF POSTING NOTICE

This is to certify that the above notice of a special meeting of the City Council of the City of Port Lavaca, scheduled for **Monday, November 18, 2024**, beginning at 5:30 p.m., was posted at city hall, easily accessible to the public, as of 5:00 p.m. **Thursday, November 14, 2024**.

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: Discuss proposed project scope and possible commitment of matching funds for an application for Community Development Block Grant - Disaster Recovery Reallocation Program (CDBG-DRRP) funds due on November 21, 2024. Presenter is Jody Weaver

INFORMATION:

CITY OF PORT LAVACA

COUNCIL MEETING: NOVEMBER 18, 2024**AGENDA ITEM: 1****DATE:** 11.18.2024**TO:** HONORABLE MAYOR AND CITY COUNCIL MEMBERS**FROM:** JODY WEAVER, INTERIM CITY MANAGER**SUBJECT:** DISCUSS PROPOSED PROJECT SCOPE AND POSSIBLE COMMITMENT OF MATCH FUNDS FOR AN APPLICATION FOR CDBG-DRRP FUNDS DUE ON NOVEMBER 21.

The Disaster Recovery Reallocation Program (DRRP) is designed to utilize de-obligated and unutilized Community Development Block Grant for Disaster Recovery (CDBG-DR) funds to provide the opportunity for communities with outstanding unmet need to access remaining CDBG-DR funds. The funds are allocated through the U.S. Department of Housing and Urban Development (HUD) and therefore must adhere to federally mandated deadlines and policies.

The call for projects was released Oct. 21 and will close Nov. 21, 2024, at 5:00 p.m. (Central Time). Only projects submitted by this time will be eligible for scoring and potential funding.

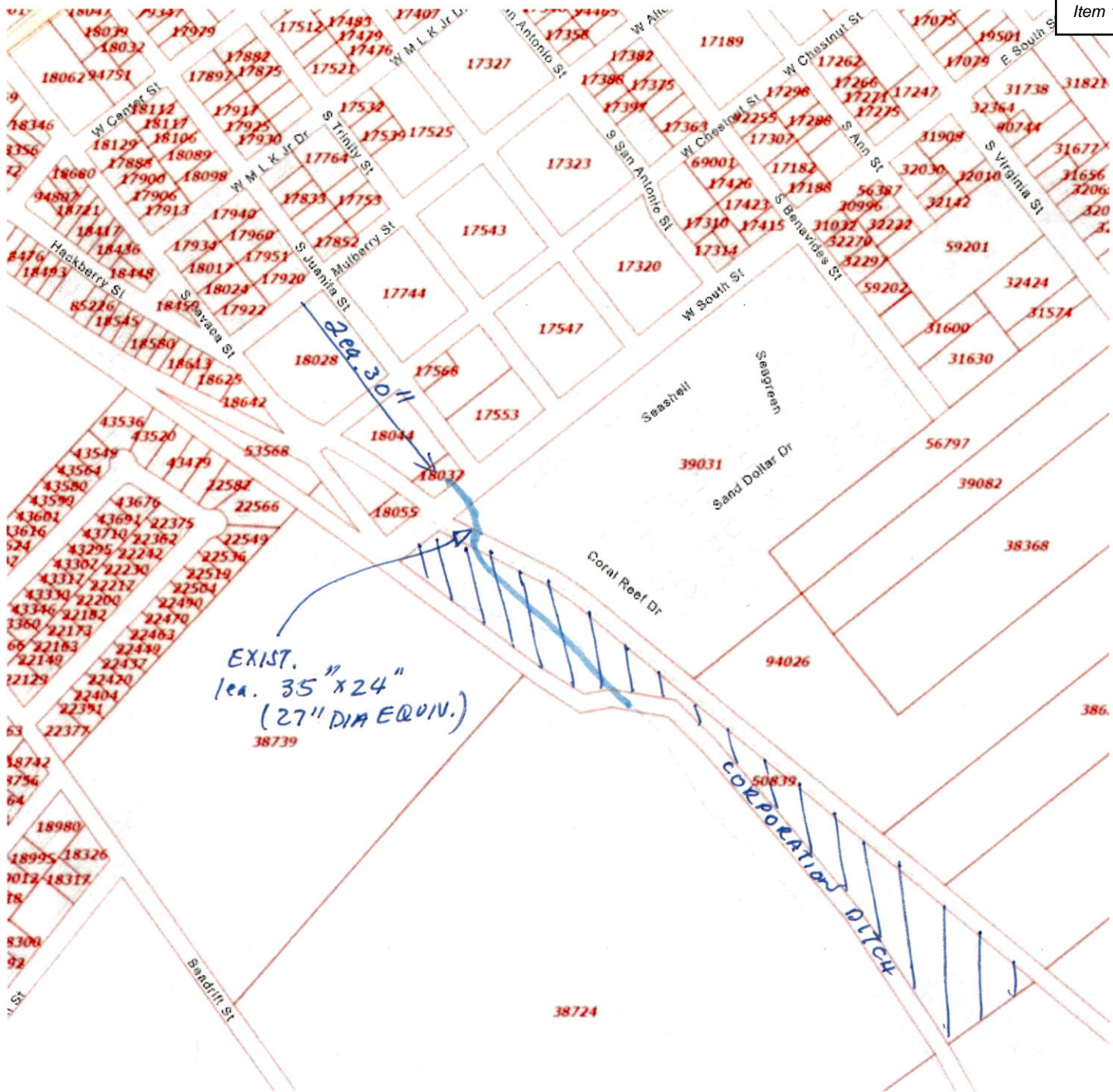
The project must benefit a Low-to-Moderate Income population and be able to tie back to the Hurricane Harvey disaster.

The project we have identified as being the most probable for eligibility would be a project that is an extension of the recently completed CDBG-DR project Phase 1. The CDBG-DR Phase 1 project provided street and drainage improvements along Lavaca and Juanita Streets between Austin Street and South Street. The project made improvements to the drainage ditch through the cemetery property that ended at South Street. The cemetery subsequently paid to extend the underground drainage through the cemetery to the south side of South Street. From that point the runoff flows a short distance to a culvert under the railroad and then runs approximately 570 LF to drain the Corporation Ditch through private property.

The proposed project would involve purchasing this private property and making improvements such that the drainage ditch provides positive drainage and could be easily maintained. The minimum application is \$500,000. With selection tonight of the engineer and administrator, tomorrow I will be meeting with them to develop a project that is at least \$500,000. A couple options we are looking at is to include installing a new pipe under the railroad, which is probably \$150,000, but also look at whether making street and drainage improvements on the east side of Virginia will qualify as tying back to Hurricane Harvey. I'm not sure that we have first-hand witness accounts of street flooding on that side, but we may be able to show that it is reasonable to expect that it did flood on the east side based upon the witnessed flooding on the west side. The other factor we must consider though is the project must be 100.00% complete 2 years following the signing of the contract. No extensions will be issued.

For this initial application we need only a brief description of the project scope and the dollar amount of the application. If we score well enough, we will be invited to submit a more formal detailed application in the spring. I do not need a resolution for this initial application but would like to see whether Council is interested in committing any match funds. This is not required, but a 10% match will gain us 5 points in scoring. It's not clear if partial points are available for less than 10%. I can tell you that the cost of the property will be approximately \$50,000.

Also in order to consult with an Administration consultant and an engineer prior to submitting the application on November 21, we had to go through proper procurement procedures. Last Thursday, we received SOQ's from 4 engineers and Proposals from 3 Administrators and the selection committee, comprised of myself, Wayne Shaffer, Councilman Tim Dent and Councilman Daniel Aguirre reviewed and scored the submittals over the week-end. This will be discussed under agenda items 2 and 3.



EXIST.
1ea. 35" x 24"
(27" DIA EQUIV.)

CORPORATION DITCH

COMMUNICATION

SUBJECT: Consider Resolution No. R-111824-1 of the City of Port Lavaca, Texas, authorizing the selection of a professional administrative service provider for the Community Development Block Grant- Disaster Recovery Reallocation Program (CDBG-DRRP) project. Presenter is Jody Weaver

INFORMATION:

RESOLUTION R-111824-1

A RESOLUTION OF THE CITY OF PORT LAVACA, TEXAS, AUTHORIZING PROFESSIONAL ADMINISTRATION/PROJECT DELIVERY SERVICES PROVIDER SELECTION FOR COMMUNITY DEVELOPMENT BLOCK GRANT-DISASTER RECOVERY REALLOCATION PROGRAM (CDBG-DRRP) THROUGH THE TEXAS GENERAL LAND OFFICE (GLO).

WHEREAS, participation in CDBG-DRRP programs requires implementation by professionals experienced in the administration/project delivery of federally-funded projects and creation of planning documents; and

WHEREAS, in order to identify qualified and responsive providers for these services a Request for Proposals (RFP) process for administration and planning services has been completed in accordance with the GLO requirements; and

WHEREAS, the proposals received by the due date have been reviewed to determine the most qualified and responsive providers for each professional service giving consideration to ability to perform successfully under the terms and conditions of the proposed procurement, integrity, compliance with public policy, record of past performance, and financial and technical resources.

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

Section 1. That _____ is selected to provide application and project-related **administration/project delivery services** for CDBG-DRRP Hurricane Harvey programs.

Section 2. That any and all project-related services contracts or commitments made with the above-named service provider(s) are dependent on the successful negotiation of a contract with the service provider(s).

PASSED AND APPROVED on this 18th day of November 2024.

ATTEST:

Mandy Grant, City Secretary

Jack Whitlow, Mayor

**

| | | Experience | Work Performance | Capacity to Perform | Proposed Cost | TOTAL |
|----------------|--------------------------|------------|------------------|---------------------|---------------|-------|
| | | 30 | 30 | 20 | 20 | 100 |
| Wayne Shaffer | GrantWorks | 26 | 26 | 18 | 16 | 86 |
| | KSBR | 22 | 25 | 16 | 20 | 83 |
| | Disaster Recover Service | 21 | 25 | 17 | 7 | 70 |
| Daniel Aguirre | Grant Works | 22 | 20 | 16 | 16 | 74 |
| | KSBR | 25 | 20 | 16 | 20 | 81 |
| | Disaster Recover Service | 21 | 20 | 16 | 7 | 64 |
| Jody Weaver | GrantWorks | 30 | 30 | 19 | 16 | 95 |
| | KSBR | 29 | 30 | 18 | 20 | 97 |
| | Disaster Recover Service | 28 | 30 | 17 | 7 | 82 |
| Tim Dent | GrantWorks | 25 | 4 | 20 | 16 | 65 |
| | KSBR | 20 | 0 | 17 | 20 | 57 |
| | Disaster Recover Service | 19 | 0 | 17 | 7 | 43 |

Average Scores

| | |
|--------------------------|------|
| GrantWorks | 80.0 |
| KSBR | 79.5 |
| Disaster Recover Service | 64.8 |

** There was not much or in some cases any information provided in the submittals to compare the work performance, so the selection committee members used personal knowledge and discretion in establishing a score.

COMMUNICATION

SUBJECT: Consider Resolution No. R-111824-2 of the City of Port Lavaca, Texas, authorizing the selection of a professional engineering service provider for the Community Development Block Grant - Disaster Recovery Reallocation Program (CDBG-DRRP) project.
Presenter is Jody Weaver

INFORMATION:

RESOLUTION NO. R-111824-2

A RESOLUTION OF THE CITY OF PORT LAVACA, TEXAS, AUTHORIZING THE SELECTION OF A PROFESSIONAL ENGINEERING SERVICE PROVIDER FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT - DISASTER RECOVER REALLOCATION PROGRAM (CDBG-DRRP) PROGRAM FUNDED THROUGH THE TEXAS GENERAL LAND OFFICE (GLO).

WHEREAS, the CDBG-DRRP program requires implementation by professionals experienced in federally-funded projects; and

WHEREAS, in order to identify qualified and responsive providers for these services a Request for Qualifications (RFQ) process for engineering services has been completed in accordance with GLO requirements; and

WHEREAS, the proposals received by the due date have been reviewed to determine the most qualified and responsive providers for each professional service giving consideration to ability to perform successfully under the terms and conditions of the proposed procurement, integrity, compliance with public policy, record of past performance, and financial and technical resources.

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

- Section 1. That _____ be selected to provide application and project-related **professional engineering services** for the CDBG-DRRP Hurricane Harvey programs.
- Section 2. That any and all project-related services contracts or commitments made with the above-named service provider are dependent on the award of CDBG-DRRP funds and successful negotiation of a contract with the service provider.

PASSED AND APPROVED on this 18th day of November 2024.

ATTEST:

Mandy Grant, City Secretary

Jack Whitlow, Mayor

**

| | Experience | Work Performance | Capacity to Perform | TOTAL |
|----------------|-------------------------------|------------------|---------------------|-------|
| Wayne Shaffer | Urban Engineering | 25 | 15 | 100 |
| | Civil Corp | 25 | 15 | 99 |
| | G&W Engineers | 25 | 15 | 97 |
| | Colliers Engineering & Design | 25 | 13 | 94 |
| Daniel Aguirre | Urban Engineering | 25 | 14 | 89 |
| | Civil Corp | 25 | 12 | 93 |
| | G&W Engineers | 25 | 12 | 91 |
| | Colliers Engineering & Design | 25 | 12 | 90 |
| Jody Weaver | Urban Engineering | 25 | 12 | 82 |
| | Civil Corp | 25 | 14 | 99 |
| | G&W Engineers | 25 | 15 | 97 |
| | Colliers Engineering & Design | 25 | 15 | 82 |
| Tim Dent | Urban Engineering | 25 | 13 | 74 |
| | Civil Corp | 0 | 11 | 54 |
| | G&W Engineers | 0 | 14 | 74 |
| | Colliers Engineering & Design | 0 | 11 | 66 |

| Average Scores | |
|-------------------------------|------|
| Urban Engineering | 86.3 |
| Civil Corp | 89.8 |
| G&W Engineers | 83.0 |
| Colliers Engineering & Design | 79.3 |

** There was not information provided in the SOQ's to compare the work performance and no time to complete a thorough review of requesting reference statements from past clients, so the selection committee members chose to either provide across the board zero points or full points at their discretion.

COMMUNICATION

SUBJECT: Consider Resolution No. R-111824-3 of the City of Port Lavaca, Texas, authorizing the purchase of Lot 10, Block S, Port Lavaca Townsite, Calhoun County, Texas and authorizing Mayor to approve and sign all documents to effectuate closing on behalf of the City of Port Lavaca, Texas. Presenter is Jody Weaver

INFORMATION:

RESOLUTION NO. R-111824-3

RESOLUTION AUTHORIZING THE PURCHASE OF LOT 10, BLOCK S, PORT LAVACA TOWNSITE, CALHOUN COUNTY, TEXAS AND AUTHORIZING MAYOR TO APPROVE AND SIGN ALL DOCUMENTS TO EFFECTUATE CLOSING ON BEHALF OF THE CITY OF PORT LAVACA, TEXAS

WHEREAS, on November 18, 2024, during a special City Council meeting, the City Council of the City of Port Lavaca, Texas considered and approved a Real Estate Contract for the purchase of property from Mary A. Garcia Estate described as Lot 10, Block S, Randall Subdivision, Calhoun County, Texas for the sum of \$130,000.00; and

WHEREAS, it is the desire of City to authorize closing on said contract and the Mayor to sign all necessary documents in connection with the closing.

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

SECTION 1. The Mayor of the City of Port Lavaca, Texas is hereby authorized to execute all documents necessary to facilitate the closing of the real property described as Lot 10, Block S, Randall Subdivision, Calhoun County, Texas by the City of Port Lavaca from Mary A. Garcia Estate.

PASSED AND APPROVED this the 18th day of November, 2024.

CITY OF PORT LAVACA, TEXAS

By: Jack Whitlow, Mayor

ATTEST:

Mandy Grant, City Secretary

COMMUNICATION

SUBJECT: Consider Resolution No. R-111824-4 of the City of Port Lavaca, Texas, authorizing the purchase of Lot 1, 2, 11, 12, Block S, Port Lavaca Townsite, Calhoun County, Texas and authorizing Mayor to approve and sign all documents to effectuate closing on behalf of the City of Port Lavaca, Texas. Presenter is Jody Weaver

INFORMATION:

RESOLUTION NO. R-111824-4

RESOLUTION AUTHORIZING THE PURCHASE OF LOTS 1, 2, 11, 12, BLOCK S, PORT LAVACA TOWNSITE, CALHOUN COUNTY, TEXAS AND AUTHORIZING MAYOR TO APPROVE AND SIGN ALL DOCUMENTS TO EFFECTUATE CLOSING ON BEHALF OF THE CITY OF PORT LAVACA, TEXAS

WHEREAS, on November 18, 2024, during a special City Council meeting, the City Council of the City of Port Lavaca, Texas considered and approved a Real Estate Contract for the purchase of property from Stanley P. Lester described as Lots 1, 2, 11, 12, Block S, Randall Subdivision, Calhoun County, Texas for the sum of \$225,000.00; and

WHEREAS, it is the desire of City to authorize closing on said contract and the Mayor to sign all necessary documents in connection with the closing.

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

SECTION 1. The Mayor of the City of Port Lavaca, Texas is hereby authorized to execute all documents necessary to facilitate the closing of the real property described as Lots 1, 2, 11, 12, Block S, Randall Subdivision, Calhoun County, Texas by the City of Port Lavaca from Stanley P. Lester.

PASSED AND APPROVED this the 18th day of November, 2024.

CITY OF PORT LAVACA, TEXAS

By: Jack Whitlow, Mayor

ATTEST:

Mandy Grant, City Secretary

COMMUNICATION

SUBJECT: Consider Resolution No. R-111824-5 of the City of Port Lavaca, Texas, authorizing the submission of a 2025/2026 Texas Community Development Block Grant Program application to the Texas Department of Agriculture for the Community Development Fund. Presenter is Jody Weaver

INFORMATION:

CITY OF PORT LAVACA

COUNCIL MEETING: NOVEMBER 18, 2024**AGENDA ITEM: 6****DATE:** 11.15.2024**TO:** HONORABLE MAYOR AND CITY COUNCIL MEMBERS**FROM:** JODY WEAVER, INTERIM CITY MANAGER**SUBJECT:** CONSIDER APPROVAL OF RESOLUTION TO AUTHORIZE SUBMITTAL OF A 2025-26 TEXAS DEPT. OF AGRICULTURE TXCDBG GRANT DUE DEC. 9

Each year, the US Department of Housing and Urban Development provides federal Community Development Block Grant (CDBG) funds directly to states, which, in turn, provide the funds to small, rural cities with populations less than 50,000, and to counties that have a non-metropolitan population under 200,000 and are not eligible for direct funding from HUD. These small communities are called "non-entitlement" areas because they must apply for CDBG dollars through the Texas CDBG program. Larger cities like Victoria, Dallas and Houston receive CDBG monies directly from HUD, and are called "entitlement" areas.

The "non-entitlement" funds are available through a competition in each of the 24 state planning regions. The City of Port Lavaca is part of the Golden Crescent Regional Planning Commission (GCRPC). Applications are due every other year to fund two years' worth of projects. The City of Port Lavaca last was awarded a 2024 grant as a result of the application we submitted in 2022. This 2024 project will be replacing/or pipe bursting sewer lines on LaSalle St (Live Oak to Main) and Trinity St. (Main to Center). The CDBG funds must be shown to directly benefit primarily Low-to-Moderate Income persons.

Applications for the next round of funding (2025-26) are due on December 9. For this initial application, we are not required to identify a specific project, only the category of the project, which we are proposing **water and/or sewer improvements within a LMI area**, which is a Tier 1 Priority. Since we recently were awarded a grant, we will lose 10 points in the scoring, so we must apply for a Tier 1 Priority project or there is little chance we would score well enough for funding.

If awarded, the grant program requires a 15% match. The eligible grant dollars are \$750,000, so the match is \$112,500.00. If we are fortunate enough to receive a grant the earliest we would need funds would be in FY 2025-26 and more realistically FY 26-27.

The proposed resolution must be adopted and be submitted with the initial grant application due on December 9.

RESOLUTION NO. R-111824-5

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT LAVACA, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE COMMUNITY DEVELOPMENT FUND.

WHEREAS, the City Council of the City of Port Lavaca desires to develop a viable community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low-to-moderate income; and

WHEREAS, it is necessary and in the best interests of the City of Port Lavaca to apply for funding under the Texas Community Development Block Grant Program;

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

1. That a Texas Community Development Block Grant Program application for the Community Development Fund is hereby authorized to be filed on behalf of the City with the Texas Department of Agriculture, and to be placed in competition for funding under the Community Development Fund.
2. That the City of Port Lavaca commits to dedicating no less than 51% of grant funds for activities identified by the state planning region as Water and/or Sewer Improvements.
3. That all funds will be used in accordance with all applicable federal, state, local and programmatic requirements including but not limited to procurement, environmental review, labor standards, real property acquisition, and civil rights requirements.
4. That the City of Port Lavaca is committing to provide \$112,500.00 in matching funds toward the application’s activities, with the specific usage and funding source to be determined prior to any award of grant funding.

PASSED AND APPROVED this 18th day of November, 2024.

Jack Whitlow, Mayor
City of Port Lavaca, Texas

ATTEST:

Mandy Grant, City Secretary
City of Port Lavaca, Texas