



## CITY COUNCIL REGULAR MEETING

Monday, October 14, 2024 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.*

#### MEETING PROCEDURE

***Public notice is hereby given that the City Council of the City of Port Lavaca, Texas, will hold a regular meeting Monday, October 14, 2024 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.***

***[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/86859893421pwd=aLqeEoU3tt2FOhixU1s8WFy9jUkLbp.1>

*Meeting ID: 868 5989 3421*

*Passcode: 109433*

*One Tap Mobile*

*+13462487799,,81793583407#,,, \*995664# US (Houston)*

*Dial by your location*

*+1346 248 7799 US (Houston)*

**I. ROLL CALL**

**II. CALL TO ORDER**

**III. INVOCATION**

**IV. PLEDGE OF ALLEGIANCE**

**V. PRESENTATION(S)**

- 1. Proclamation by the Mayor
  - o October is Fire Prevention Month- October 06 thru October 12, 2024
  - "Smoke Alarms - Make them work for you"
- 2. Employee Service Award
  - o Joe Reyes 35 Years Fire Department

**VI. 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).*

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

- A. Minutes of September 09, 2024 Regular Meeting
- B. Minutes of September 16, 2024 Special Meeting
- C. Review of Credit Card Statement
- D. Receive Monthly Financial Highlight Report
- E. Ratify Budget Ordinance #S-2-24 (approved 09-16-2024 at special meeting)
- F. Ratify Tax Ordinance #S-3-24 (approved 09-16-2024 at special meeting)
- G. Receive Victoria Economic Development Corporation (VEDC) Monthly Report

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

- 1. Hear presentation from Republic Services regarding Recycling. Presenter is Mike Reeves
- 2. Receive 3rd Quarterly Report from the Public Works Department. Presenter is Wayne Shaffer
- 3. Consider request of the Chamber of Commerce for parade permit, traffic control assistance and closing off several streets, for the Annual "Lighted Christmas Parade" on Friday, December 06, 2024, beginning at 6:30 p.m. and also request waiver of any fees associated with the event. Presenter is Tania French
- 4. Consider appointment/reappointment of member(s) to the Planning Board to fill an expired term and begin a new two-year term. Presenter is Derrick Smith

5. Consider Engagement Letter from Pattillo, Brown & Hill, L.L.P. for Auditing Services of City's Financials for Fiscal Year ending September 30, 2024. Presenter is Brittney Hogan
6. Consider lease at Nautical Landings Suite 4 to Something More Media. Presenter is Jody Weaver
7. Consider Second and Final reading of an Ordinance (S-4-24) of the City of Port Lavaca regarding compensation of Mayor and Council Members; and providing an effective date. Presenter is Jody Weaver
8. Consider Second and Final reading of an Ordinance (G-9-24) of the City of Port Lavaca amending the Code of Ordinances, Appendix A - Fees, Rates and Changes, Chapter 54 Waterways Fees; and providing an effective date. Presenter is Jody Weaver
9. Consider Resolution No. R-101424-1 of the City of Port Lavaca – City Hall Master Plan Phase 3: Interior Renovations & Site Work for Construction Procurement Method. Presenter is Jody Weaver
10. Consider Resolution No. R-101424-2 of the City of Port Lavaca – City Hall Master Plan Phase 3: Interior Renovations & Site Work for Prevailing Wage Rate. Presenter is Jody Weaver
11. Consider Resolution No. R-101424-3 of the City of Port Lavaca – City Hall Master Plan Phase 3: Interior Renovations & Site Work for Delegation of Authority. Presenter is Jody Weaver
12. Consider Resolution No. R-101424-4 of the City of Port Lavaca – City Hall Master Plan Phase 3: Interior Renovations & Site Work for Selection Committee and Proposal Ranking Criteria. Presenter is Jody Weaver
13. Consider award of construction bid for the replacement of the Ann Street lift station. Presenter is Wayne Shaffer
14. Consider agreement between the City of Port Lavaca and Public Sector Personnel Consultants, Inc. (PSPC) to conduct a Classification and Compensation Study. Presenter is Brittney Hogan
15. 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
  - To deliberate the purchase, exchange, lease or value of Real Property (Deliberation in an Open Meeting would have a detrimental effect on the position of the Governmental Body in negotiations with a third party), in accordance with Title 5, Chapter 551, Section 551.072 of the Texas Government Code). Presenter is Mayor Whitlow
16. Return to Open Session and take any action deemed necessary with regard to matters in closed session. Presenter is Mayor Whitlow

## IX. 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, October 14, 2024**, beginning at 6:30 p.m., was posted at city hall, easily accessible to the public, as of **5:00 p.m. Wednesday, October 09, 2024**.

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**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.

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# **COMMUNICATION**

**SUBJECT:** Minutes of September 09, 2024 Regular Meeting

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## **INFORMATION:**



# CITY COUNCIL REGULAR MEETING

Monday, September 09, 2024 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 9th day of September 2024, 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:

### I. ROLL CALL

- |                 |                                         |
|-----------------|-----------------------------------------|
| Jack Whitlow    | Mayor                                   |
| Daniel Aguirre  | 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                  |
| Justin Burke    | Councilman, District 6                  |

And with the following absent: None

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

### II. CALL TO ORDER

- Mayor Whitlow called the meeting to order at 6:30 p.m. and presided.

### III. INVOCATION

- Councilman Ward gave the invocation.

### IV. PLEDGE OF ALLEGIANCE

- Mayor Whitlow – Pledge of Allegiance.

### V. PRESENTATION(S)

### VI. 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.

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

- A. Minutes of August 05, 2024 Workshop Session**
- B. Minutes of August 12, 2024 Regular Meeting**
- C. Minutes of August 19, 2024 Special Meeting and Workshop Session**
- D. Review of Credit Card Statement**
- E. Receive Monthly Financial Highlight Report**
- F. Review Quarterly Investment Report (04/01/2024 thru 06/30/2024)**
- G. Receive Victoria Economic Development Corporation (VEDC) Monthly Report**
- H. Ratify the 5-year lease of Tracts 9 and 9A to Prestige**
- I. Ratify the 2-month up to 6-month lease of the boat slips CH-2 and CH-3 and 0.4 acre +/- of PID No. 19213 (old freezer plant site) to Mike Hooks, LLC**

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 consent agenda items "A" through "G", as listed.

Seconded by Councilman District 5 Ward

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

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 consent agenda item "H" Ratify the 5-year lease of Tracts 9 and 9A to Prestige, as listed.

Seconded by Councilman District 5 Ward

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

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 consent agenda item "I" Ratify the 2-month up to 6-month lease of the boat slips CH-2 and CH-3 and 0.4 acre +/- of PID No. 19213 (old freezer plant site) to Mike Hooks, LLC, as listed.

Seconded by Councilman District 3 Tippit

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

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

- 1. Review proposed FYE 2025 Undine Budget and proposed plan to address TTHM Levels with representatives of Undine. Presenter is Jody Weaver

Members of the Undine Team, Mr. Vance Tillman (Chief Financial Officer), Derrel Wilson (H2O' Regional VP), and Keaton Dunn (WTP Plant Manager – H2O) were in attendance and addressed City Council.

No action necessary and none taken.

- 2. Receive presentation from Enterprise on the vehicle lease program. Presenter is Anastacia Maples

Ms. Anastacia Maples, representing the Enterprise Fleet Lease Management program, was in attendance and made a Power Point presentation to City Council.

No action necessary and none taken.

- 3. Consider request of Calhoun County Fair Association (CCFA) for a parade permit and traffic control assistance on Saturday, October 12, 2024 beginning at 10:00 a.m.; the parade route will be from Sandcrab Stadium, San Faubion, N. Virginia, Main streets and ending at the Bayfront Peninsula; and also request waiver of any fees associated with the event. Presenter is Tania French

Tania French, Events Coordinator advised Council that the Calhoun County Fair Association requests approval, traffic control and waiver of any fees for the annual Fair Parade to be held at 10:00 a.m. on Saturday, October 12, 2024. The theme this year will be "Denim & Diamonds".

There will be a lineup at the CHS Stadium and using the Hwy 35 entrance only. The parade route will start up at Sam Faubion, right on Virginia, left on Main, and end at the Bayfront Peninsula Park. The parade will begin line up at 9:00 a.m. and start-up to begin at 10:00 a.m.



Motion made by Councilman District 5 Ward

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

THAT, Council hereby approves request of the Calhoun County Fair Association (CCFA) for a parade permit and traffic control assistance on Saturday, October 12, 2024 beginning at 9:00 a.m.; and also approves waiver of any fees associated with the event.

Seconded by Councilwoman District 4 (Mayor Pro Tem) Padron

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

- 4. **Consider request of Our Lady of the Gulf Catholic Church for a parade permit and traffic control assistance for the “Marian Rosary” procession parade on Sunday, October 13, 2024 beginning at 5:00 p.m. and also request waiver of any fees associated with the event. Presenter is Colin Rangnow**

Police Chief Rangnow advised Council that Our Lady of the Gulf Catholic Church has requested a parade permit and traffic control assistance for the “Marian Rosary” procession parade on Sunday, October 13, 2024 beginning at 5:00 p.m. and also request waiver of any fees associated with the event.

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 request of Our Lady of the Gulf Catholic Church for traffic control and waiver of fees for their annual “Marian Rosary” procession parade on Sunday, October 13, 2024 beginning at 5:00 p.m.

Seconded by Councilwoman District 4 (Mayor Pro Tem) Padron

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

- 5. **Consider request of Our Lady of the Gulf Catholic Church for traffic control and waiver of fees for their annual “Eucharistic Procession Parade” on Sunday, November 21, 2024 beginning at 6:00 p.m. Presenter is Colin Rangnow**

Police Chief Rangnow advised Council that Our Lady of the Gulf Catholic Church has requested a parade permit and traffic control assistance for their annual “Christ the King Eucharistic Procession Parade” on Sunday, November 21, 2024 beginning at 6:00 p.m. and also request waiver of any fees associated with the event.

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 request of Our Lady of the Gulf Catholic Church for traffic control and waiver of fees for their annual "Eucharistic Procession Parade" on Sunday, November 21, 2024 beginning at 6:00 p.m.

Seconded by Councilman District 3 Tippit

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

6. **Conduct Public Hearing on the 2024-2025 fiscal year Budget. Presenter is Brittney Hogan**

Mayor Whitlow announced that the public hearing was now open at 7:40 p.m.

Interim Finance Director Hogan advised Council that in accordance with the State of Texas Property Tax Code, the Comptroller of Texas' Truth-in-Taxation rules, the Local Government Code and the City's Charter, the City is required to hold a public hearing on the FY 2024-2025 budget.

On August 19, 2024, the City Council voted to set a public hearing on the FY 2024-2025 budget. The City Council set the date and time for a Public Hearing on the budget for September 09, 2024.

Because the proposed tax rate exceeded the No-New-Revenue rate, legislation considers it a tax increase and requires special language to accompany the notice of public hearing on the budget.

The City has complied with the governing legislation and has published the Notice of Public Hearing for the budget in the newspaper of general circulation (Port Lavaca Wave) and on the City's website.

This public hearing will provide an opportunity for taxpayers to express their views on the City's 2024-2025 annual budget. Only one public hearing is required and satisfies the requirements for a later vote on the ordinance adopting the annual budget.

Mayor Whitlow announced that the first public hearing on the proposed 2024-2025 Fiscal Year Budget was now closed at 7:42 p.m.

No action necessary and none taken.

7. **Conduct Public Hearing on proposed 2024 Tax Rate. Presenter is Brittney Hogan**

Mayor Whitlow announced that the public hearing was now open at 7:43 p.m.

Interim Finance Director Hogan advised Council that in accordance with the State of Texas Property Tax Code, the Comptroller of Texas' Truth-in-Taxation rules, the Local Government Code and the City's Charter, the City is required to hold a public hearing on the 2024 Tax Rate.

On August 19, 2024, the City Council took a record vote to propose a tax rate of \$0.8000, which is more than the previous year's tax rate, to be levied on properties within the City. Because the proposed tax rate exceeds the No-New-Revenue rate, legislation considers it a tax increase, and requires a public hearing. The City Council set the date and time for a Public Hearing on the Tax Rate for September 9, 2024.

This public hearing will provide an opportunity for taxpayers to express their views on the tax increase as defined by legislation. Only one public hearing is required and satisfies the requirements for a later vote on the ordinance establishing a tax rate.

Mayor Whitlow announced that the first public hearing on the proposed 2024 Tax Rate was now closed at 7:45 p.m.

No action necessary and none taken.

8. **Consider new job description for Assistant to the Harbor Master. Presenter is Jody Weaver**

Interim City Manager Weaver reminded Council that as discussed at the recent Budget Workshop, we are proposing to ADD the position of "Executive Assistant to the Harbor Master". A copy of the proposed job description is in the HR office.

The addition of this position will allow HR Coordinator Garza to concentrate on her duties in Human Resources as well as function as the Executive Assistant to the City Manager as needed.

This position, will function as the secretary for the Port Commission, setting up and attending all meetings, taking minutes, prepare minutes for approval, keeping up with all lease and other payments owed to the City from Ports & Harbors properties, applying Municipal Cost Index and other utility increases when due per the various leases. This position will function as the assistant to the Harbor Master, operating in a mostly office environment, assisting with purchasing and procurement, preparing draft lease documents, correspondence, record keeping and filing and organizing historical records of the Port Commission.

We are proposing this position with a pay grade of 36 (\$38,121.55 min/ \$44,792.82 min./ \$51,464.09). Other positions in this grade are Administrative Assistant, Code Enforcement Officer, Records Clerk, Utilities Operator.

We had originally discussed officing this position with Harbor Master Rudellat at Nautical Landings, however we recently realized that his office is not ADA accessible and part of the job functions of this position is to meet with and assist the public with questions and help boat owners and others in filling. out their lease agreements, etc. This needs to occur in a location that is fully accessible to the public. In addition, the Harbor Master and the assistant need to be able to easily work and communicate together. So, we are proposing to office this position and the Harbor Master into the area across the hall from the City Secretary (where the permit clerk and code enforcement officer used to sit) and room will be created for them in the north end remodel project. For the time being, the office at Nautical Landings will remain a field office for storage of materials, etc. for Harbor Master Rudellat.

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 the recommendation of staff, Council hereby approves the addition of one new position being "Executive Assistant to the Harbor Master".

BE IT FURTHER RESOLVED THAT, the job description will be amended by adding language to the functions of this position; *keeping up with all lease and other payments owed to the City from Ports & Harbors properties* "and resolving payment issues".

Seconded by Councilman District 3 Tippit

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

**9. Consider proposed City Compensation Plan for 2024-2025 fiscal year. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council that it is the policy of the City of Port Lavaca to perform a salary survey every two (2) years, to include city to city contact and survey data available through TML. At least every sixth (6th) year the City contracts with a third party to review and recommend changes to the City's job descriptions and salaries.

The last Salary Survey/Compensation Plan which was performed by a third party was in 2020 with the final report dated January 2021. We have budgeted to perform during FY 2024-25 a new third-party Salary Survey/Compensation Plan and include a review and update of all job descriptions.

Staff performed a review of the current salaries paid and all full-time positions are being paid at or above the minimum pay recommended in the Compensation plan adopted by Council last year.

The attached in-house Salary Survey was performed by City staff which compares the salary range of a few select positions among the comparable cities that were used in the January 2021 Compensation plan. This information was gathered from the TML Salary survey and/or information received directly from the Cities.

The only change we are proposing to the salary structure is the addition of the Executive Assistant to the Harbor Master at a grade of 36.

**RECOMMENDATIONS:**

- 1) The City Council approves the Salary Structure as presented. Council approves providing budgeted funds for merit increases for all employees, except department heads, in an amount equal to 4% of their total budgeted FY 2023-24 salaries. For merit increases for department heads, budgeted funds in an amount equal to 2% of their total budgeted FY 2023-24 salaries is provided.

- 2) The City Headcount is approved as follows:  
 As of October 01, 2024, 101 full-time employees and 3.38 part-time FTEs.  
 As of January 01, 2025, after the dispatchers move to the combined Dispatch center, it will be 97 full-time employees and 2.01 part-time FTE's.

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 proposed City Compensation plan for the 2024-2025 fiscal year as follows:

- 1) The City Council approves the Salary Structure as presented. Council approves providing budgeted funds for merit increases for all employees, except department heads, in an amount equal to 4% of their total budgeted FY 2023-24 salaries. For merit increases for department heads, budgeted funds in an amount equal to 2% of their total budgeted FY 2023-24 salaries is provided.
- 2) The City Headcount is approved as follows:
  - As of October 01, 2024, 101 full-time employees and 3.38 part-time FTEs.
  - As of January 01, 2025, after the dispatchers move to the combined Dispatch center, it will be 97 full-time employees and 2.01 part-time FTE's.
  - Increasing headcount by one (New Executive Assistant to the Harbor Master)

Seconded by Councilman District 3 Tippit

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

10. **Consider First reading of an Ordinance (S-2-24) approving the annual Budget for the City of Port Lavaca, Texas and adopting the budget document for the fiscal year October 01, 2024 thru September 30, 2025. Presenter is Brittney Hogan**

Interim Finance Director Hogan advised Council that in accordance with the State of Texas Property Tax Code, the Comptroller of Texas' Truth-in-Taxation rules, the Local Government Code and the City's Charter, we have prepared an Ordinance that, if approved, meets the requirements as established by the governing legislation.

On July 22 (CIP) and August 19, 2024, the City Council held budget workshops to review recommendations from the City Manager for the FY 2024-2025 budget. The proposed budget was filed with the City Secretary and published on the City's website on August 8th.

On August 19, 2024, the City Council announced a public hearing on the FY 2024-2025 Budget to be held on September 09, 2024. Because the proposed tax rate exceeds the No-New-Revenue rate, legislation considers it a tax increase and requires special language to be included in the Notice of Public Hearing on the Budget, the front page of the proposed budget and the front page of the adopted budget.

The City published a notice of public hearing on the budget in the newspaper of general circulation (Port Lavaca Wave) on August 28, 2024, and posted the same notice on the City’s website.

The budget, with changes recommended by City Council in the August 19, 2024 workshop, is recommended for the City Council’s approval, and contains combined Revenues of \$24,862,058 followed by combined Expenditures of \$24,104,165 leaving combined Fund Balance reserves of \$12,496,442.

The Ordinance to adopt the budget contains authorization, as prescribed in the City Charter, Section 8.03, for the City Manager to transfer any unencumbered appropriation balance or portion thereof between general classifications of expenditures within an office, department or agency. Legislation does require specific language on the vote to adopt the budget, only that it must be a record vote.

Motion made by Councilman District 6 Justin

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

THAT, Council hereby adopts the 2024-20245Fiscal Year Annual Budget, as presented by the Interim City Manager; and

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

THAT, in accordance with recommendation of staff, Council hereby approves the 2024-2025 Fiscal Year Annual Budget Ordinance (S-2-24), as presented by the Interim City Manager, on this its first reading.

Seconded by Councilman District 5 Ward

Voting Yea and Record Vote:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

Voting Nay and Record Vote:

None

Abstain: None

11. **Consider First reading of an Ordinance (S-3-24) fixing the Tax Rate and Tax Levy for the City of Port Lavaca, Texas for the year 2024. Presenter is Brittney Hogan**

Interim Finance Director Hogan advised Council that in accordance with the State of Texas Property Tax Code, the Comptroller of Texas’ Truth-in-Taxation rules, the Local Government Code and the City’s Charter, we have prepared an Ordinance that, if approved, meets the requirements as established by the governing legislation.

On August 19, 2024, the City Council took a record vote to propose a greater tax rate (\$0.8000) as levied on properties as the previous year. Because the proposed tax rate exceeds the No-New-Revenue rate, legislation considers it a tax increase and requires a public hearing. City Council announced a date and time for a public hearing on the tax rate to be held on September 09, 2024.

The City published a notice of public hearing on the tax increase in the newspaper of general circulation (Port Lavaca Wave) on August 28, 2024, and posted the same notice on the City’s website.

Additionally, because the proposed tax rate exceeds the No-New-Revenue rate, additional language is required to be included in the ordinance and requires specific language in the motion to adopt the tax rate as follows:

MOTION #1: “I move that the property tax rate be increased by the adoption of a tax rate of \$0.8000, which is effectively a 4.04 percent increase in the tax rate.” (Must be a Record Vote by each member of the governing body by name).

Additionally, the tax rate consists of two components, each of which must be approved separately:

Maintenance and Operations: \$0.6743  
Interest & Sinking (Debt): \$0.1257

MOTION #2: “I move to adopt a Maintenance and Operations rate of \$0.6743.”

MOTION #3: “I move to adopt an Interest & Sinking rate of \$0.1257.”

**Motion #1:**

Motion made by Councilman District 6 Burke

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

THAT, the property tax rate be increased by the adoption of a tax rate of \$0.8000, which is effectively a 4.04% increase in the tax rate; and

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

THAT, in accordance with recommendation of staff, Council hereby approves fixing the 2024 Tax Rate and Tax Levy Ordinance (S-3-24) on this its first reading.

Seconded by Councilman District 5 Ward

Voting Yea and Record Vote:

Councilman District 1 Aguirre, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

Voting Nay and Record Vote:

Councilman District 2 Dent

Abstain: None

**Motion #2:**

Motion made by Councilman District 6 Burke

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

THAT, City Council adopts a Maintenance and Operations rate of \$0.6743.

Seconded by Councilman District 2 Dent

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

Voting Nay: None

**Motion #3:**

Motion made by Councilman District 6 Burke

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

THAT, City Council adopts an Interest & Sinking rate of \$0.1257.

Seconded by Councilman District 2 Dent

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

Voting Nay: None

12. **Consider First reading of an Ordinance (S-4-24) of the City of Port Lavaca regarding compensation of Mayor and Council Members; and providing an effective date. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council that the City of Port Lavaca Home Rule Charter provides that such compensation may be increased by ordinance by an amount no greater than ten percent (10%) of the current compensation in any fiscal year. The Charter provides that any such increase in compensation shall not take effect until the commencement of the terms of Mayor and/or Council Members elected at the next regular election.

Motion made by Councilman District 5 Ward



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

THAT, in accordance with the recommendation of staff, Council hereby approves First reading of an Ordinance (S-4-24) of the City of Port Lavaca regarding compensation of Mayor and Council Members; with amendment to clarify ten percent (10%) as allowed by city’s Home Rule Charter for the second and final reading.

Seconded by Councilman District 3 Tippit

Voting Yea:

Councilman District 1 Aguirre, Councilman District 3 Tippit, and Councilman District 5 Ward

Voting Nay:

Councilman District 2 Dent, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 6 Burke

Mayor’s Vote to Break Tie:

Yea

- 13. **Consider Second and Final reading of an Ordinance (G-7-24) of the City of Port Lavaca amending the basic Traffic Control Devices Ordinance G-6-86, Section 3, by adding Stop Signs in Lynnhaven Subdivision; Repeal Clause; and providing an effective date. Presenter is Colin Rangnow**

Motion made by Councilman District 5 Ward

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

THAT, in accordance with the recommendation of staff, Council hereby approves Second and Final reading of an Ordinance (G-7-24) of the City of Port Lavaca amending the basic Traffic Control Devices Ordinance G-6-86, Section 3, by adding Stop Signs in Lynnhaven Subdivision; Repeal Clause; and providing an effective date.

Seconded by Councilman District 2 Dent

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

- 14. **Consider Second and Final reading of an Ordinance (G-8-24) of the City of Port Lavaca amending the Code of Ordinances, Appendix A - Fees, Rates and Changes, Chapter 50, Sec. 50-67 Utilities - Water User Rates – GBRA, Residential and Commercial; and providing an effective date. Presenter is Jody Weaver**

Motion made by Councilman District 5 Ward

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

THAT, in accordance with the recommendation of staff, Council hereby approves Second and Final reading of an Ordinance (G-8-24) of the City of Port Lavaca amending the Code of Ordinances, Appendix A - Fees, Rates and Changes, Chapter 50, Sec. 50-67 Utilities - Water User Rates – GBRA, Residential and Commercial; and providing an effective date.

Seconded by Councilman District 2 Dent

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

15. **Consider First reading of an Ordinance (G-9-24) of the City of Port Lavaca amending the Code of Ordinances, Appendix A - Fees, Rates and Changes, Chapter 54 Waterways Fees; and providing an effective date. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council that as reported to Council in August 2024, a select committee of the Port Commission, Harbor Master Rudellat and I have been working since March 2024 to draft a comprehensive TARIFF document that covers not just fees, but rules and other regulations and practices of operations of our Ports & Harbors. After considering the comments/concerns about the draft Tariff document expressed by Helena and also recognizing that we need to give all our tenants plenty of time to provide feedback on the document, I believe we need to take more time to closely review the language proposed in the Tariff document and think through how it will affect existing and new tenants. I would also like to run it by a Marine Attorney before finalizing it and presenting it to Council for adoption.

However, because of the anticipated increase in transient traffic that is expected in the coming months and years, the Port Commission has expressed a need to include in the Chapter 54 Waterways rate schedule, daily rates to handle any situations of **FLEETING AND MOORING AND GENERAL DOCKAGE**, while we iron out the details of a tariff document.

The proposed rates are what the Port Commissioners have been discussing as part of the tariff document for several months. I am proposing these rates as part of a first reading to amend the Chapter 54 Waterways rates. The Port Commission will meet on September 17, 2024 and the agenda will include a formal vote regarding a recommendation to adopt these rates. The committee and I will continue to work on the tariff document and hope to have it ready and fully reviewed and vetted in the next couple of months.

Fleeting and Mooring and Dockage are common terms in the Ports & Harbors operations, but for clarity, the terms are defined in the draft Tariff document as follows:

- **DOCK.AGE**: The charge assessed against a vessel for berthing at a wharf, pier, bulkhead or for mooring to a vessel so berthed.
- **FLEET**: The areas determined by CITY to be used for lay berth or services to vessels not engaged in cargo operation.
- **MOORING**: An act of making fast a boat with lines or anchors.

Recommendations:

- 1. Approve the first reading of an ordinance to change the Appendix A - fees, rates and charges for Chapter 54 Waterways to include daily rates for general dockage and fleeting and Mooring.

Motion made by Councilman District 2 Dent

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

THAT, in accordance with the recommendation of staff, Council hereby approves First reading of an Ordinance (G-9-24) of the City of Port Lavaca amending the Code of Ordinances, Appendix A - Fees, Rates and Changes, Chapter 54 Waterways Fees; and providing an effective date.

Seconded by Councilman District 3 Tippit

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

- 16. **Consider rescheduling the regular City Council meeting scheduled for Monday, November 11, 2024 for another date since it falls on a scheduled City Holiday (Veterans Day), in accordance with Ordinance No. S-15-07, Section 4. Presenter is Mandy Grant**

City Secretary Grant advised Council that the regular scheduled city council meeting for Monday, November 11, 2024 will fall on Veteran’s Day and in accordance with Ordinance No. S-15-07, Section 4, in the event any meeting of City Council falls on a scheduled City Holiday, Council shall have the right to reschedules such meeting for another date.

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 Ordinance No. S-15-07, Section 4, in the event any meeting of City Council falls on a scheduled City Holiday, Council hereby reschedules the regular scheduled city council meeting scheduled for Monday, November 11, 2024, which falls on Veterans Day, to a Special Meeting to be held instead on Wednesday, November 13, 2024 at 6:30 p.m.

Seconded by Councilman District 5 Ward

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

17. **Consider recommendation of the Planning Board to consider a request for a Minor Re-Plat for Block 5, Lot 5-6 of the Lynnhaven Subdivision (109-111 Bonham St.). Parcel ID# 18848. Presenter is Derrick Smith**

*Sara Sanchez, Development Services Coordinator, presented this item in the absence of Development Services Director Smith.*

According to Development Services Director Smith’s Memo to Council:

Michael Williams, RPLS, (was in attendance via ZOOM) on behalf of Jacob Atchison is requesting a minor re-plat for 109-111 Bonham Street.

The existing breezeway for the main structure is currently on both properties. Therefore, Mr. Williams is requesting approval to move the interior lot line in order for the breezeway to be six (6) inches from the property line. The minor re-plat request does not meet the requirements as set out in Section 12 – 24(d)(10) of the City of Port Lavaca’s Code of Ordinances. In accordance with our adopted residential code, projections are not allowed to project less than 2 feet of property lines.

In order to comply with the adopted ordinances, it is the staff’s recommendation that the extension of the breezeway be removed from the house prior to approval.

The Planning Board Recommends approval contingent on the removal of overhead structure that is within setback requirements

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 the recommendation of Planning Board and staff, Council hereby approves a request for a Minor Re-Plat for Block 5, Lot 5-6 of the Lynnhaven Subdivision (109-111 Bonham St.) contingent on the removal of overhead structure that is within setback requirements.

Seconded by Councilman District 2 Dent

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

18. **Consider recommendation of the Planning Board to consider a Variance to Ordinance Section 12-24(d)(10) for Interior Lot Boundary Line Setback Requirements. The property is described as Block 5, Lot 5-6 of the Lynnhaven Subdivision (111 Bonham St.). Presenter is Derrick Smith**

*Sara Sanchez, Development Services Coordinator, presented this item in the absence of Development Services Director Smith.*

According to Development Services Director Smith’s Memo to Council:

In accordance with Section 12-24(d)(10), the Lynnhaven Subdivision requires a five (5) foot setback for interior lot lines.

The staircase provided for the 2nd floor of the garage apartment at 111 Bonham St. encroaches into the required side yard by 2.13 feet and lessens the encroachment to .69 feet as shown on the attached proposed minor re-plat. According to the Calhoun County Appraisal District Summary, the main dwelling and garage were built in 1965. The city does not have any building permit records for this property. Therefore, we cannot verify when the staircase was built and if the setbacks were approved at the time of construction.

When considering whether to grant a variance, the Board must make specific findings that (1) it meets the intent of the ordinance and substantial justice will be provided to the applicant; (2) the variance is not contrary to public interest; and (3) that due to special conditions, literal enforcement of the ordinance would result in an unnecessary hardship to the property owner.

It is the staff’s opinion that the garage and staircase were both approved by the city for construction. Therefore, it is the staff’s recommendation to approve the request.

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 the recommendation of Planning Board and staff, Council hereby approves a Variance to Ordinance Section 12-24(d)(10) for Interior Lot Boundary Line Setback Requirements. The property is described as Block 5, Lot 5-6 of the Lynnhaven Subdivision (111 Bonham St.).

Seconded by Councilman District 3 Tippit

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

Mayor announced Council would go into Recess at 8:34 p.m.

Mayor announced Council was back from Recess at 8:42 p.m.

19. **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**

- **To deliberate the purchase, exchange, lease or value of Real Property (Deliberation in an Open Meeting would have a detrimental effect on the position of the Governmental Body in negotiations with a third party), in accordance with Title 5, Chapter 551, Section 551.072 of the Texas Government Code). Presenter is Mayor Whitlow**
- **To deliberate a negotiated contract for a prospective gift or donation to the State or the Governmental Body (Deliberation in an Open Meeting would have a detrimental effect on the position of the Governmental Body in negotiations with a third party), in accordance with Title 5, Chapter 551, Section 551.073 of the Texas Government Code). Presenter is Mayor Whitlow**

Mayor Whitlow announced that Council would retire into closed session at 8:42 p.m.

- 20. **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 9:11 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, Council hereby accepts Jan Regan’s building located at 233 E. Main Street, Port Lavaca, Texas; contingent upon allowing Jan Regan’s family to take out personal effects and retain the name on the property as the Regan Building.

Seconded by Councilman District 5 Ward

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

**IX. ADJOURNMENT**

Mayor asked for motion to adjourn.

Motion made by Councilman District 5 Ward

Seconded by Councilman District 3 Tippit

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

Meeting adjourned at 9:14 p.m.

ATTEST:

\_\_\_\_\_  
Jack Whitlow, Mayor

\_\_\_\_\_  
Mandy Grant, City Secretary

# **COMMUNICATION**

**SUBJECT:** Minutes of September 16, 2024 Special Meeting

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## **INFORMATION:**





# CITY COUNCIL SPECIAL MEETING

Monday, September 16, 2024 at 5:30 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 16th day of September 2024, the City Council of the City of Port Lavaca, Texas, convened in a Special Session 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:

### I. ROLL CALL

- |                 |                                         |
|-----------------|-----------------------------------------|
| Jack Whitlow    | Mayor                                   |
| Daniel Aguirre  | Councilman, District 1                  |
| Tim Dent        | Councilman, District 2                  |
| Rosie G. Padron | Councilwoman, District 4, Mayor Pro Tem |
| Jim Ward        | Councilman, District 5                  |
| Justin Burke    | Councilman, District 6                  |

And with the following absent:

- |              |                        |
|--------------|------------------------|
| Allen Tippit | Councilman, District 3 |
|--------------|------------------------|

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

### II. CALL TO ORDER

- Mayor Whitlow called the meeting to order at 5:47 p.m. and presided.

### 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 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.

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

1. **Conduct Public Hearing for update on properties previously declared substandard on September 11, 2023:**

(a) **121 Massanet Street**

Mayor opened public hearing at 5:48 p.m.

Mayor closed the public hearing at 5:51 p.m.

No action necessary and none taken.

2. **Consider and take action on property previously declared substandard, following Public Hearings held on September 11, 2023 and September 16, 2024. Presenter is Derrick Smith**

(a) **121 Massanet Street**

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 finds that the following property listed, 121 Massanet Street, located in the City of Port Lavaca, Texas, was **previously declared substandard**, following Public Hearings held on September 11, 2023 and September 16, 2024.

BE IT FURTHER RESOLVED, THAT the property owners/heirs will be allowed sixty (60) days after notification, to obtain a building permit for the renovation; and if no permit is acquired or the permit lapses, the city may proceed with demolition and place a lien on the property.

Seconded by Councilman District 6 Burke

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

3. **Conduct Public Hearing in accordance with the City of Port Lavaca Code of Ordinances, Chapter 12 Buildings and Building Regulations, Article IV - Substandard Buildings, Section 12-291 - Notice (a) and (b), for each of the following properties listed:**

(a) **423 S. Benavides Street**

(b) **304 S. Juanita Street**

(c) **1713 Palm**

(d) **509 Bonorden Street**

Mayor opened and closed public hearings individually per property.

(a) **423 S. Benavides Street**

Mayor opened public hearing at 5:56 p.m.

Staff is recommending Council declare this property substandard and will allow the property owner one hundred eighty (180) days after notification, to obtain a building permit for the renovation; and if no permit is acquired or the permit lapses, the city may proceed with demolition and place a lien on the property.

Mayor closed the public hearing at 6:04 p.m.

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 finds that the following property listed, 423 S, Benavides Street., located in the City of Port Lavaca, Texas, is in violation of the City of Port Lavaca Code of Ordinances, Chapter 12 Buildings and Building Regulations, Article IV - Substandard Buildings, following a Public Hearing held on September 16, 2024.

BE IT FURTHER RESOLVED, THAT this property is hereby declared substandard and will allow the property owner one hundred eighty (180) days after notification, to obtain a building permit for the renovation; and if no permit is acquired or the permit lapses, the city may proceed with demolition and place a lien on the property.

Seconded by Councilman District 1 Aguirre

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

(b) **304 S. Juanita Street**

Mayor opened public hearing at 6:04 p.m.

Staff is recommending Council declare this property substandard and will allow the property owner thirty (30) days after notification, to demolish the outbuilding and be allowed thirty (30) days to move or demolish the manufactured home; and if not, the city may proceed with demolition and place a lien on the property.

Mayor closed the public hearing at 6:08 p.m.

Motion made by Councilman District 1 Aguirre

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 finds that the following property listed, 304 S. Juanita Street, located in the City of Port Lavaca, Texas, is in violation of the City of Port Lavaca Code of Ordinances, Chapter 12 Buildings and Building Regulations, Article IV - Substandard Buildings, following a Public Hearing held on September 16, 2024.

BE IT FURTHER RESOLVED, THAT this property is hereby declared substandard and will allow the property owner thirty (30) days after notification, to demolish the outbuilding and be allowed thirty (30) days to move or demolish the manufactured home; and if not, the city may proceed with demolition and place a lien on the property.

Seconded by Councilman District 6 Burke

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

(c) **1713 Palm Drive**

Mayor opened public hearing at 6:09 p.m.

Staff is recommending Council declare this property substandard and will allow the property owner sixty (60) days after notification, to obtain a building permit for the renovation; and if no permit is acquired or the permit lapses, the city may proceed with demolition and place a lien on the property.

Mayor closed the public hearing at 6:12 p.m.

Motion made by Councilwoman District 4 (Mayor Pro Tem) Padron

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 finds that the following property listed, 1713 Palm Drive, located in the City of Port Lavaca, Texas, is in violation of the City of Port Lavaca Code of Ordinances, Chapter 12 Buildings and Building Regulations, Article IV - Substandard Buildings, following a Public Hearing held on September 16, 2024.

BE IT FURTHER RESOLVED, THAT this property is hereby declared substandard and will allow the property owner sixty (60) days after notification, to obtain a building permit for the renovation; and if no permit is acquired or the permit lapses, the city may proceed with demolition and place a lien on the property.

Seconded by Councilman District 2 Dent

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

(d) **509 Bonorden Street**

Mayor opened public hearing at 6:13 p.m.

Staff is recommending Council declare this property substandard and will allow the property owner sixty (60) days after notification, to obtain a demolition permit for the renovation; and if no permit is acquired or the permit lapses, the city may proceed with demolition and place a lien on the property.

Mayor closed the public hearing at 6:15 p.m.

Motion made by Councilwoman District 4 (Mayor Pro Tem) Padron

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 finds that the following property listed, 509 Bonorden Street, located in the City of Port Lavaca, Texas, is in violation of the City of Port Lavaca Code of Ordinances, Chapter 12 Buildings and Building Regulations, Article IV - Substandard Buildings, following a Public Hearing held on September 16, 2024.

BE IT FURTHER RESOLVED, THAT this property is hereby declared substandard and will allow the property owner sixty (60) days after notification, to obtain a demolition permit for the renovation; and if no permit is acquired or the permit lapses, the city may proceed with demolition and place a lien on the property.

Seconded by Councilman District 6 Burke

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

5. **Consider Second and Final reading of an Ordinance (S-2-24) approving the annual Budget for the City of Port Lavaca, Texas and adopting the budget document for the fiscal year October 01, 2024 thru September 30, 2025. Presenter is Jody Weaver**

Interim Finance Director Hogan advised Council that in accordance with the State of Texas Property Tax Code, the Comptroller of Texas' Truth-in-Taxation rules, the Local Government Code and the City's Charter, we have prepared an Ordinance that, if approved, meets the requirements as established by the governing legislation.

On July 22 (CIP) and August 19, 2024, the City Council held budget workshops to review recommendations from the City Manager for the FY 2024-2025 budget. The proposed budget was filed with the City Secretary and published on the City’s website on August 8th.

On August 19, 2024, the City Council announced a public hearing on the FY 2024-2025 Budget to be held on September 09, 2024. Because the proposed tax rate exceeds the No-New-Revenue rate, legislation considers it a tax increase and requires special language to be included in the Notice of Public Hearing on the Budget, the front page of the proposed budget and the front page of the adopted budget.

The City published a notice of public hearing on the budget in the newspaper of general circulation (Port Lavaca Wave) on August 28, 2024, and posted the same notice on the City’s website.

The budget, with changes recommended by City Council in the August 19, 2024 workshop, is recommended for the City Council’s approval, and contains combined Revenues of \$24,862,058 followed by combined Expenditures of \$24,104,165 leaving combined Fund Balance reserves of \$12,496,442.

The Ordinance to adopt the budget contains authorization, as prescribed in the City Charter, Section 8.03, for the City Manager to transfer any unencumbered appropriation balance or portion thereof between general classifications of expenditures within an office, department or agency. Legislation does require specific language on the vote to adopt the budget, only that it must be a record vote.

Motion made by Councilman District 6 Burke

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

THAT, Council hereby adopts the 2024-20245Fiscal Year Annual Budget, as presented by the Interim City Manager; and

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

THAT, in accordance with recommendation of staff, Council hereby approves the 2024-2025 Fiscal Year Annual Budget Ordinance (S-2-24), as presented by the Interim City Manager, on this its second and final reading.

Seconded by Councilman District 5 Ward

Voting Yea and Record Vote:  
Councilman District 1 Aguirre, Councilman District 2 Dent, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

Voting Nay and Record Vote: None

Abstain: None

Absent: Councilman District 3 Tippit

6. **Consider Ratification of Property Tax increase reflected in the Budget. Presenter is Brittney Hogan**

Interim Finance Director Hogan advised Council that in accordance with Local Government Code Section 102.007(c) when adopting a budget that will require raising more revenue from property taxes than in the previous year, a separate vote of the governing body to ratify the property tax increase reflected in the budget is required. This vote is in addition to and separate from the vote to adopt the budget or a vote to set the tax rate.

Motion made by Councilman District 6 Burke

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 to ratify the property tax revenue increase reflected in the 2024-2025 Budget.

Seconded by Councilman District 2 Dent

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

7. **Consider Second and Final reading of an Ordinance (S-3-24) fixing the Tax Rate and Tax Levy for the City of Port Lavaca, Texas for the year 2024. Presenter is Brittney Hogan**

Interim Finance Director Hogan advised Council that in accordance with the State of Texas Property Tax Code, the Comptroller of Texas' Truth-in-Taxation rules, the Local Government Code and the City's Charter, we have prepared an Ordinance that, if approved, meets the requirements as established by the governing legislation.

On August 19, 2024, the City Council took a record vote to propose a greater tax rate (\$0.8000) as levied on properties as the previous year. Because the proposed tax rate exceeds the No-New-Revenue rate, legislation considers it a tax increase and requires a public hearing. City Council announced a date and time for a public hearing on the tax rate to be held on September 09, 2024.

The City published a notice of public hearing on the tax increase in the newspaper of general circulation (Port Lavaca Wave) on August 28, 2024, and posted the same notice on the City's website.

Additionally, because the proposed tax rate exceeds the No-New-Revenue rate, additional language is required to be included in the ordinance and requires specific language in the motion to adopt the tax rate as follows:

MOTION #1: "I move that the property tax rate be increased by the adoption of a tax rate of \$0.8000, which is effectively a 4.04 percent increase in the tax rate." (Must be a Record Vote by each member of the governing body by name).

Additionally, the tax rate consists of two components, each of which must be approved separately:

Maintenance and Operations: \$0.6743

Interest & Sinking (Debt): \$0.1257

MOTION #2: "I move to adopt a Maintenance and Operations rate of \$0.6743."

MOTION #3: "I move to adopt an Interest & Sinking rate of \$0.1257."

**Motion #1:**

Motion made by Councilman District 6 Burke

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

THAT, the property tax rate be increased by the adoption of a tax rate of \$0.8000, which is effectively a 4.04% increase in the tax rate; and

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

THAT, in accordance with recommendation of staff, Council hereby approves fixing the 2024 Tax Rate and Tax Levy Ordinance (S-3-24) on this its second and final reading.

Seconded by Councilman District 5 Ward

Voting Yea and Record Vote:

Councilman District 1 Aguirre, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

Voting Nay and Record Vote:

Councilman District 2 Dent

Abstain: None

Absent: Councilman District 3 Tippit

**Motion #2:**

Motion made by Councilman District 6 Burke

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

THAT, City Council adopts a Maintenance and Operations rate of \$0.6743.

Seconded by Councilman District 2 Dent



Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

Voting Nay: None

**Motion #3:**

Motion made by Councilman District 6 Burke

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

THAT, City Council adopts an Interest & Sinking rate of \$0.1257.

Seconded by Councilman District 2 Dent

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

Voting Nay: None

8. **Consider Budget Amendment No. GF-002 for 2023-2024 Fiscal Year for Fire Department Personal Protective Equipment (PPE). Presenter is Brittney Hogan**

Interim Finance Director Hogan advised Council that the City had the opportunity to accept a grant from the Texas A&M Forest Service to fund additional Personal Protective Equipment for the Fire Department. If Council approves this grant, it will be necessary to recognize the additional revenue and additional expense that will be added to the City’s budget for fiscal year 2024. Accepting the grant will require the City to use \$2,000.00 from the current savings in the Fire Departments Protective Clothing line item. Staff recommends approval of Budget Amendment No. GF-002.

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 the recommendation of staff, Council hereby approves Budget Amendment No. GF-002 for 2023-2024 Fiscal Year for Fire Department Personal Protective Equipment (PPE).

Seconded by Councilwoman District 4 (Mayor Pro Tem) Padron

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

- 9. **Hear presentation from RBC Capitol Markets regarding the report on the valuation consideration and overview of the City’s Water and Wastewater Utility Systems; and consider the award of Commitment for Financial Assistance from the Texas Water Development Board (TWDB to fund the Wastewater Treatment Plant (WWTP) Expansion Project. Presenter is Jody Weaver**

Dusty Traylor from RBC Capitol Markets made a presentation regarding the report on the valuation consideration and overview of the City’s Water and Wastewater Utility Systems.

No action necessary and none taken.

**VI. ADJOURNMENT**

Mayor asked for motion to adjourn.

Motion made by Councilman District 5 Ward

Seconded by Councilman District 2 Dent

Voting Yea:

Councilman District 1 Aguirre, Councilman District 2 Dent, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilman District 5 Ward, Councilman District 6 Burke

Meeting adjourned at 7:32 p.m.

ATTEST:

\_\_\_\_\_  
Jack Whitlow, Mayor

\_\_\_\_\_  
Mandy Grant, City Secretary

# **COMMUNICATION**

**SUBJECT:** Review of Credit Card Statement

---

**INFORMATION:**



Section VII. Item #C.

CITY OF  
Account Number: XXXX XXXX XXXX 0305

**Billing Questions:**  
800-367-7576

**Website:**  
www.cardaccount.net

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

**FIRST NATIONAL BANK IN PORT LAVACA Credit Card Account Statement**  
August 9, 2024 to September 6, 2024

**SUMMARY OF ACCOUNT ACTIVITY**

Previous Balance	\$16,999.10
- Payments	\$16,999.10
- Other Credits	\$1,269.87
+ Purchases	\$13,544.33
+ Cash Advances	\$0.00
+ Fees Charged	\$0.00
+ Interest Charged	\$0.00
= New Balance	\$12,274.46

Account Number XXXX XXXX XXXX 0305  
 Credit Limit \$26,500.00  
 Available Credit \$13,673.00  
 Statement Closing Date September 6, 2024  
 Days in Billing Cycle 29

**PAYMENT INFORMATION**

New Balance: \$12,274.46  
 Minimum Payment Due: \$368.24  
**Payment Due Date: October 2, 2024**

**MESSAGES**

**PROTECT YOURSELF FROM SCAMMERS!**

We will never call, text, or email and ask you for your personal information. Some scammers will call and pretend to be from the Card Service Center. We will never call or text you and ask for sensitive information such as account or card number information, passwords or user names, or social security numbers. Please **DO NOT** give out that information.

If you feel pressured or concerned about a phone call, please hang up and call us at 800-367-7576 (the phone number located on the back of your credit card). Our Card Service Center team is always glad to check and can verify the information.

**TRANSACTIONS**

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

Tran Date	Post Date	Reference Number	Transaction Description	Amount
08/15	08/15	8543189KL00XSWLKA	PAYMENT - THANK YOU	\$16,999.10-

Transactions continued on next page

FIRST NATIONAL BANK IN PORT LAVACA  
1550 N BROWN RD 150  
LAWRENCEVILLE GA 30043



Account Number: XXXX XXXX XXXX 0305  
 New Balance: \$12,274.46  
 Minimum Payment Due: \$368.24  
**Payment Due Date: October 2, 2024**

All payments on the account must be made at the address shown on your monthly billing statement and are considered to have been made on the date received at that address.

Amount Enclosed: \$



Make Check Payable to:

CARD SERVICE CENTER  
PO BOX 569100  
DALLAS TX 75356-9100

CITY OF PORT LAVACA  
202 N VIRGINIA ST  
PORT LAVACA TX 77979-3431



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

Tran Date	Post Date	Reference Number	Transaction Description	Amount
			TOTAL XXXXXXXXXXXXX0305	\$16,999.10-
08/13	08/15	2524780KK02QBB2JE	CLEAR SPRINGS NEW BRAU NEW BRAUNFELS TX	\$116.32
08/21	08/22	5512685KS1WV4Q844	STOP STICK, LTD. HARRISON OH	\$135.00
08/29	08/30	7518742L30001DR2P	CALHOUN CO TAX ASSESSO PORT LAVACA TX	\$7.73
			ERIC SALES	
			TOTAL XXXXXXXXXXXXX0776	\$259.05
08/08	08/11	5550629KE1HP3WPE7	MOODY GARDENS HOTEL GALVESTON TX	\$731.40
			CHECK-IN 08/04/24	
08/13	08/14	7518742KK00019T98	CALHOUN CO TAX ASSESSO PORT LAVACA TX	\$7.73
08/15	08/16	8271116KM0003Q0ZF	TXC HOLSTERS TOMBALL TX	\$111.41
08/19	08/20	8230509KR000X7VLT	VICTORIA EC-INFINIUM VICTORIA TX	\$150.00
08/21	08/22	8230509KS000N5RK7	AMAZON MARK* R49HX7XS2 SEATTLE WA	\$377.70
08/22	08/23	5543286KV5VLB8MDQ	AMAZON MKTPL*R49GV43Z1 AMZN.COM/BILL WA	\$49.33
08/26	08/26	8230509KZ000JLL77	VICTORIA EC-INFINIUM VICTORIA TX	\$150.00
08/29	08/30	7536943L26X93VMZN	THE UPS STORE 5039 COLORADO SPRI CO	\$182.62
09/06	09/06	7518742LA00018PA2	VIKING TACTICS INC 9109875983 TN	\$98.90
			KAREN NEAL	
			TOTAL XXXXXXXXXXXXX0784	\$1,859.09
08/16	08/18	5543286KN5WVKZR4J	THE HOME DEPOT 6587 VICTORIA TX	\$670.96
08/16	08/18	5548872KN09XHQ3XP	TEXAS COMM FIRE PROT AUSTIN TX	\$87.17
08/16	08/18	5548872KN09XHQ3XZ	TEXAS COMM FIRE PROT AUSTIN TX	\$87.17
08/20	08/21	5543286KT5V0QL57A	AMAZON MKTPL*RU6JS8270 AMZN.COM/BILL WA	\$87.99
08/20	08/21	5543286KT5V2G3G4T	IN *THRIVE RESPONSE 817-2974500 TX	\$400.00
08/20	08/21	5543286KT5V2G3G41	IN *THRIVE RESPONSE 817-2974500 TX	\$250.00
08/21	08/22	8230509KS0013VPXA	AMAZON MARK* R45IM5F91 SEATTLE WA	\$91.99
08/30	08/31	5548872L40Q5W1JPL	TEXAS COMM FIRE PROT AUSTIN TX	\$87.17
			JUAN LUNA	
			TOTAL XXXXXXXXXXXXX0941	\$1,762.45
08/19	08/20	5550629KR1V2Q7X0E	TEXAS WATER UTILITIES HUTTO TX	\$90.00
08/28	08/29	5754024L1LTQQT65R	ADOBE *ADOBE 4085366000 CA	\$259.67
			WAYNE SHAFFER	
			TOTAL XXXXXXXXXXXXX1212	\$349.67
08/16	08/16	1230202KM01FPEED3	AFP*TEXAS MUNICIPAL CO SEGUIN TX	\$75.00
08/19	08/20	5543286KR5SMMRGW4	SQ *THE DONUT PALACE PORT LAVACA TX	\$46.50
08/20	08/22	8518412KSS66KET4J	TEXAS MUNICIPAL CLERKS 940-5653488 TX	\$315.00
08/27	08/28	5543286L05X2HS3DL	SQ *THE DONUT PALACE PORT LAVACA TX	\$35.50
08/28	08/29	5550629L223LJSANK	TEXAN 10 SCHULENBURG TX	\$26.00
08/28	08/30	0514048L2LM88GJZT	CHICK-FIL-A #03295 WACO TX	\$11.68
08/29	08/30	5543286L35XX7SB45	TST*MARIA MEZCALERIA WACO TX	\$26.65
08/30	09/02	5543286L45Y7WSLB7	TST*TX BURGER - CAMERO CAMERON TX	\$16.55
08/30	09/02	5270824L40YLD6L7E	CEFCO #0003 CAMERON TX CAMERON TX	\$13.73
			MANDY GRANT	
			TOTAL XXXXXXXXXXXXX1238	\$566.61
08/10	08/11	5543286KF5SR0DWY6	APPLE.COM/BILL 866-712-7753 CA	\$2.99
08/26	08/27	8230509L0000327N3	COLUMN PUBLIC NOTICE WASHINGTON DC	\$66.55
			DERRICK SMITH	
			TOTAL XXXXXXXXXXXXX3836	\$69.54
08/12	08/13	0230096KH8PL6JXVH	GOVERNMENT FINANCE OFF CHICAGO IL	\$50.00
08/13	08/14	8535335KJQK8AK94D	PAYPAL *TXMUNLEAGUE 5122317400 TX	\$100.00
08/13	08/14	0230096KJ8PLAZHNR	GOVERNMENT FINANCE OFF CHICAGO IL	\$50.00
08/19	08/20	7545491KRS66D5WXR	TEXAS TRADITIONS GRILL PORT LAVACA TX	\$562.22



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

Tran Date	Post Date	Reference Number	Transaction Description	Amount
08/20	08/21	0230096KT8PLAK0Z8	GOVERNMENT FINANCE OFF CHICAGO IL	\$634.50
08/22	08/23	0230096KV8PL8MDV8	GOVERNMENT FINANCE OFF CHICAGO IL	\$85.00
08/22	08/23	0230096KV8PL8MDXA	GOVERNMENT FINANCE OFF CHICAGO IL	\$50.00
08/22	08/23	0230096KV8PL8MDZX	GOVERNMENT FINANCE OFF CHICAGO IL	\$50.00
08/26	08/27	5754024KZMM2PQDSB	EB *TML REGION 11 QUAR 8014137200 CA	\$356.16
08/30	09/02	5543286L45Y9KQ7JZ	AC HOTEL WACO DOWNTOWN WACO TX	\$279.44
		CHECK-IN 08/28/24	FOLIO #61508	
09/02	09/03	5543286L65YYX202Y	AMAZON MKTPL*ZT9BM9A02 AMZN.COM/BILL WA	\$19.99
09/04	09/05	0230096L88PL68LLV	GOVERNMENT FINANCE OFF CHICAGO IL	\$490.00
			BRITTNEY HOGAN	
			TOTAL XXXXXXXXXXXXX3462	\$2,727.31
08/23	08/25	5526352KX1Z321M3B	HARBOR FREIGHT TOOLS34 PORT LAVAC CREDIT	\$1,059.98-
08/15	08/16	0514048KLLYPZALXE	LOWE'S MARKET#113 PALACIOS TX	\$147.22
08/29	08/31	5550036L324NFM1D8	WYNDHAM GARDEN COLLEGE COLLEGE STATI TX	\$247.23
		CHECK-IN 08/26/24	FOLIO #1	
			JOE REYES JR	
			TOTAL XXXXXXXXXXXXX0215	\$665.53-
08/12	08/13	5543286KH5VQNM70K	CCSI EFAX CORPORATE 323-817-1155 CA	\$210.62
			JOANNA WEAVER	
			TOTAL XXXXXXXXXXXXX0249	\$210.62
08/09	08/11	5543286KE5SAXJZGJ	AMZN MKTP US*RM27P6G92 AMZN.COM/BILL WA	\$124.99
08/13	08/14	5550036KJ1MN3GX47	HORIZON PERFORMANCE TE HEARTLAND WI	\$66.54
08/16	08/18	5548872KN09XFPDZ2	TCEQ EPAYMENT AUSTIN TX	\$113.75
08/16	08/18	2545733KN000FRL1H	PREP BLAST 615-6893546 TN	\$43.50
08/27	08/28	5754024L0MKBJV66X	PSI SERVICES LLC USD 8188476180 CA	\$128.00
08/27	08/28	5754024L0MKBMEGHR	PSI SERVICES LLC USD 8188476180 CA	\$192.00
09/03	09/04	5543286L85ZE3A2WB	TEXAS A&M AGRILIFE EXT 979-862-2245 TX	\$45.00
09/03	09/04	2545733L8000HG2DF	PREP BLAST 615-6893546 TN	\$43.50
09/05	09/05	5543286L95ZLBXW4K	TEEX ECOMMERCE 979-458-6898 TX	\$495.00
09/05	09/06	8230509L90011NQKX	AMAZON MARK* ZT3W84P71 SEATTLE WA	\$286.45
			CYNTHIA HEYSQUIERDO	
			TOTAL XXXXXXXXXXXXX0264	\$1,538.73
08/08	08/12	&F112700KH000IXFRL	MOODY GARDENS HOTEL GALVESTON TX CREDIT	\$182.85-
08/16	08/16	F112700KM000FT021	FRAUD BALANCE TRANSFER (FT)	\$27.04-
08/27	08/28	5543286L05X4VE8D8	AMZN MKTP US*R42KX8RO0 AMZN.COM/BILL WA	\$637.78
08/28	08/29	5548872L20BSNF6K9	TCOLE EVENT REG AUSTIN TX	\$281.44
08/28	08/29	5265384L1LV8ZGR7F	HOTELBOOKING*SERVFEE 8007279059 UT	\$18.99
		CHECK-IN 08/28/24	FOLIO #0048728702	
08/29	08/29	5543286L25XHZHL25	AMZN MKTP US*RK0PB9N51 AMZN.COM/BILL WA	\$20.30
08/29	08/29	8230509L2000F3YYH	AMAZON MARK* RK8ZJ9NT0 SEATTLE WA	\$49.98
08/27	08/30	5265384L21Z1EGR5R	GRACIE UNIV 3108930400 CA	\$1,500.00
08/28	08/30	1544985L26ER3PNDS	BUTTER CHURN RESTAURAN ARANSAS PASS TX	\$39.64
08/28	08/30	5520739L20076390F	PROFESSIONAL LAW ENFOR PLANO TX	\$329.00
08/29	08/30	7270178L261L4K81D	HOTEL RES-HAWTHORN SUI DOVER DE	\$485.85
08/30	08/31	7545491L3S66J7LRE	HINZE COUNTRY KITCHEN WHARTON TX	\$38.05
09/05	09/06	5270487LA1EJ7RH85	HOLIDAY INN SAN ANTONI SAN ANTONIO TX	\$405.78
		CHECK-IN 09/02/24	FOLIO #5199975	
			COLIN RANGNOW	
			TOTAL XXXXXXXXXXXXX2286	\$3,596.92

& ITEM WAS TRANSFERRED FROM LOST/STOLEN ACCOUNT.



**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	19.49% (v)	\$0.00	29	\$0.00
Cash Advances	19.49% (v)	\$0.00	29	\$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](http://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.

**CREDITING OF PAYMENTS**

All payments received by 5:00 PM during the Card issuer's normal business day at the address indicated on the reverse side of this statement will be credited to your account as of the date of receipt of the payment. If payment is made at any location other than that address, credit of the payment may be delayed up to 5 days.

**BILLING RIGHTS SUMMARY**

**What to do if You Think You Find a Mistake on Your Statement**

If you think there is an error on your statement, write to us at BBCS, Attn: Dispute Department, 1550 North Brown Road, Suite 150, Lawrenceville, GA 30043 as soon as possible. In your letter, give us the following information: your name and account number; the dollar amount of the suspected error; and if you think there is an error on your bill, describe what you believe is wrong and why you believe it is a mistake.

You must contact us within 60 days after the error appeared on your statement. You must notify us of any potential errors in writing. You may call us, but if you do we are not required to investigate any potential errors and you may have to pay the amount in question.

While we investigate whether or not there has been an error, the following are true:

- We cannot try to collect the amount in question, or report you as delinquent on that amount.
- The charge in question may remain on your statement, and we may continue to charge you interest on that amount. But, if we determine that we made a mistake, you will not have to pay the amount in question or any interest or other fees related to that amount.
- While we do not have to pay the amount in question, you are responsible for the remainder of your balance.
- We can apply any unpaid amount against your credit limit.

**Your Rights if You are Dissatisfied with Your Credit Card Purchases**

If you are dissatisfied with the goods or services that you have purchased with your credit card, and you have tried in good faith to correct the problem with the merchant, you may have the right not to pay the remaining amount due on the purchase. To use this right, all of the following must be true:

- The purchase must have been made in your home state or within 100 miles of your current mailing address, and the purchase price must have been more than \$50. (Note: Neither of these are necessary if your purchase was based on an advertisement we mailed to you, or if we own the company that sold you the goods or services.)
- You must have used your credit card for the purchase. Purchases made with cash advances from an ATM or with a check that accesses your credit card account do not qualify.
- You must not yet have fully paid for the purchase. If all of the criteria above are met and you are still dissatisfied with the purchase, contact us in writing at: BBCS, Attn: Dispute Department, 1550 North Brown Road, Suite 150, Lawrenceville, GA 30043.

While we investigate, the same rules apply to the disputed amount as discussed above. After we finish our investigation, we will tell you our decision. At that point, if we think you owe an amount and you do not pay we may report you as delinquent.

**EXPLANATION OF INTEREST CHARGES**

The Interest Charge shown on the front is the sum of the Interest Charges computed by applying the Periodic Rate(s) to the Average Daily Balance and adding any applicable transaction charge authorized in the Cardholder Agreement. The method for computing the balance subject to Interest Charge is an average daily balance (including new purchases) method.

We figure the interest charge on your account by applying the periodic rate(s) to the "average daily balance" of your account (including in some instances current transactions). To get the "average daily balance", we take the beginning balance of your account each day, add any new cash advances and subtract any payments or credits and any unpaid interest charges. If you paid in full the Previous Balance shown on this statement by the payment due date shown on the previous statement, we subtract from each day's beginning balance the amount of such Previous Balance included in that beginning balance and also do not add in any new purchases. Otherwise the amount of the Previous Balance is not subtracted and we add in any new purchases. This gives us the daily balance. Then we add all the daily balances for the billing cycle and divide the total by the number of days in the billing cycle. This gives us the "average daily balance."

HOW TO AVOID INTEREST CHARGES: You have until the payment due date shown on your periodic statement to repay your balance before an interest charge on purchases will be imposed.

**ANNUAL FEE DISCLOSURES**

If an annual fee is shown on the front of the statement, see the front for information about the following matters: the annual percentage rate for purchases, certain information regarding any variable rate feature, the amount of the annual fee, any minimum interest charge, and any transaction charges for purchases. The method for computing the balance subject to interest charge on your account is an Average Daily Balance (including new purchases) method and is explained above.

If you terminate your account within 30 days from the Closing Date shown on the front of this statement, you will not owe the annual fee (and have the right to have it credited to your account) and may use your card(s) during that 30 day period without becoming obligated for the annual fee. To terminate your account you should give us written notice sent to the address for billing inquiries as shown on the front of this statement. All cards should be cut in half and returned with your termination notice.

**CREDIT BALANCES**

Any credit balance on your account (indicated by a "-" on the front of this statement) is money we owe you. You can make charges against this amount or request and receive a full refund of this amount by writing us at: Card Service Center, PO Box 569120, Dallas, TX 75356-9120. Any amount not charged against or refunded upon request that is over \$1.00 (equal to or in excess of \$1.00 if you live in MA or any amount in NY) will be refunded automatically within six months after the credit balance was created (four billing cycles in MD).

O1AB5762 – 3 – 05/25/17

(PLEASE SHOW YOUR CORRECT NAME AND ADDRESS)

Name (if incorrect on reverse side)

Street address

City State Zip Code

Effective Date: Month, Day, Year Signature

Home Phone Work Phone



# **COMMUNICATION**

**SUBJECT:** Receive Monthly Financial Highlight Report


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## **INFORMATION:**



CITY OF  
**PORT LAVACA**

202 N. Virginia, Port Lavaca, Texas 77979-0105 [www.portlavaca.org](http://www.portlavaca.org)  
Main Number: 361-552-9793 Main Facsimile: 361-552-6062

To: Mayor and Members of the City Council  
From: Brittney Hogan, Finance Director   
Subject: FY 23-24 Financial Highlights through **September 30, 2024**  
Date: October 8, 2024

---

Below are the following reports for the period ending **September 30, 2024**, or **100%** of the year:

The major highlights of the Report are as follows:

*Property Tax* collections as reported by CCAD - are **\$5,559,107** for the year as of August Collections in FY 23-24 are 97.15% of total adjusted tax levy. Total current year Property Taxes Outstanding as of August is **\$505,575**.

In the General Fund, revenues through **09/30/24** are **94.5%** of budget. In addition:

1. *Current Property Tax* collections - are **\$4,990,502** for the year as of September. Collections in FY 23-24 are 111% of budget.
2. *Sales Tax* collections through September were **\$3,691,586** or 99% of budget. Collections through September in FY 22-23 were **\$3,554,946**.
3. *Licenses & Permits* collections are **\$104,240** for the year, or 39% of budget. Collections through September in FY 22-23 were **\$157,762**.
4. *Bauer Center Rentals* through September are **\$73,785** or 74% of budget. Collections through September in FY 22-23 were **\$71,250**.
5. *Court Fines* are **\$59,647** for the year, or 50% of budget. Collections through September in FY 22-23 were **\$64,762**.

Expenditures in the General Fund for the year are **84.25%** of budget.

**Target: 100%**

In the Utility Fund, revenues as of **09/30/24** are **96.5%** of budget. In addition:

1. *Metered Water* sales through September are **\$2,846,886** or **108%** of budget.
2. *Residential Sewer* sales through September are **\$1,520,470** or **97%** of budget.
3. *Garbage Billings* through September are **\$954,898** or **103%** of budget.

Expenditures in the Utility Fund for the year are **113%** of budget.

**Summary – FY 2023-2024 through 09/30/24**

<u>Fund</u>	<u>Revenues</u>	<u>%</u> <u>Budget</u>	<u>Expense</u>	<u>%</u> <u>Budget</u>	<u>Revenues</u> <u>Less</u> <u>Expense</u>
General	\$11,020,358	94.52%	\$ 10,493,086	84.25%	\$ 527,272
Utility	\$ 7,274,423	96.5%	\$ 7,360,552	113%	\$ (86,129)
HOT	\$ 521,064	88%	\$ 609,375	95%	\$ (88,311)
Beach	\$ 180,539	77%	\$ 212,514	101%	\$ (31,975)
Port	\$ 1,048,363	54.6%	\$ 896,860	44.25%	\$ 151,503
				<b>Total</b>	<b>\$ 472,360</b>

527,272. +  
 86,129. -  
 88,311. -  
 31,975. -  
 151,503. +

-001

472,360. \*



**Port Lavaca  
PROPERTY TAX COLLECTION REPORT  
August 31, 2024**

<b>TAXES DUE AT CERTIFICATION</b>	5,760,674.07
Adjustments to Date	-49,323.37
<b>TOTAL TAX LEVY</b>	<b>5,711,350.70</b>

**2023 Tax Collections**

	Base	Penalties & Interest	Total
October	2,358,896.67	0.00	2,358,896.67
November	583,430.25	0.00	583,430.25
December	613,928.54	0.00	613,928.54
January	1,059,143.68	0.00	1,059,143.68
February	554,729.66	14,603.88	569,333.54
March	119,352.19	7,911.86	127,264.05
April	61,021.37	6,523.73	67,545.10
May	98,899.96	9,901.84	108,801.80
June	47,822.11	6,244.65	54,066.76
July (Delinquent as of July 1, 2023)			0.00
August			0.00
September			0.00
<b>TOTAL</b>	<b>5,497,224.43</b>	<b>45,185.96</b>	<b>5,542,410.39</b>

Last Year %  
Collected  
96.43%

<b>TRANSFERRED TO DELINQUENT ROLL</b>	<b>% Collected</b>	97.15%	
July, Aug, and Sept Payments		16,696.81	

<b>2023 TAXES OUTSTANDING</b>		162,788.24	
	<b>% Current Outstanding</b>		2.85%

\*\*\*\*\*

**DELINQUENT COLLECTIONS**

	Base	Penalties & Interest	Total
October	1,434.78	2,667.91	4,102.69
November	9,308.28	2,187.95	11,496.23
December	95,107.93	19,103.85	114,211.78
January	13,907.48	5,063.20	18,970.68
February	12,837.84	6,253.88	19,091.72
March	10,220.42	4,093.40	14,313.82
April	18,070.77	11,138.98	29,209.75
May	38,780.39	13,486.27	52,266.66
June	8,263.60	5,663.62	13,927.22
July	7,925.00	3,969.17	11,894.17
August	5,664.54	3,192.96	8,857.50
September			0.00
<b>TOTAL</b>	<b>221,521.03</b>	<b>76,821.19</b>	<b>298,342.22</b>

<b>DELINQUENT TAXES OUTSTANDING</b>	342,786.81
<b>TOTAL TAXES OUTSTANDING</b>	<b>505,575.05</b>

**CITY OF PORT LAVACA, TEXAS  
SALES TAX REVENUES**

Section VII. Item #D.

Recv'd	Monthly Allocation	Prior Year % Inc (Dec) Month	General Fund	TOTAL Year-to-Date Allocation	General Fund Budget		Total YTD Percent of Budget	Prior Year Percent Increase (Decrease)		
					Month	Y-T-D		Month	Y-T-D	
<b>Fiscal Year 2021</b>										
Dec	Oct	345,451	27%	\$345,451	345,451	243,714	243,714	141.74%	26.9%	26.9%
Jan	Nov	281,510	12%	\$281,510	626,961	224,351	468,066	133.95%	12.3%	19.9%
Feb	Dec	279,811	-9%	\$279,811	906,772	274,277	742,342	122.15%	-8.7%	9.4%
Mar	Jan	265,655	-11%	\$265,655	1,172,427	265,771	1,008,114	116.30%	-10.5%	4.1%
Apr	Feb	246,266	7%	\$246,266	1,418,693	206,830	1,214,943	116.77%	6.6%	4.5%
May	Mar	354,052	22%	\$354,052	1,772,745	260,317	1,475,260	120.16%	21.8%	7.6%
Jun	Apr	296,421	25%	\$296,421	2,069,165	211,890	1,687,150	122.64%	25.2%	9.8%
Jul	May	294,843	11%	\$294,843	2,364,008	238,183	1,925,333	122.78%	10.8%	9.9%
Aug	Jun	329,290	-7%	\$329,290	2,693,298	317,553	2,242,886	120.08%	-7.2%	7.5%
Sep	Jul	285,544	19%	\$285,544	2,978,842	214,770	2,457,656	121.21%	19.0%	8.5%
Oct	Aug	276,092	1%	\$276,092	3,254,934	244,797	2,702,453	120.44%	1.0%	7.8%
Nov	Sep	311,985	16%	\$311,985	3,566,919	240,547	2,943,000	121.20%	16.1%	8.5%
<b>Fiscal Year 2022</b>										
Dec	Oct	246,194	-29%	\$246,194	246,194	318,632	318,632	77.27%	-28.7%	-28.7%
Jan	Nov	264,290	-6%	\$264,290	510,484	259,655	578,287	88.28%	-6.1%	-18.6%
Feb	Dec	330,154	18%	\$330,154	840,638	258,087	836,374	100.51%	18.0%	-7.3%
Mar	Jan	245,570	-8%	\$245,570	1,086,207	245,031	1,081,405	100.44%	-7.6%	-7.4%
Apr	Feb	252,248	2%	\$252,248	1,338,456	227,147	1,308,552	102.29%	2.4%	-5.7%
May	Mar	315,077	-11%	\$315,077	1,653,532	326,565	1,635,117	101.13%	-11.0%	-6.7%
Jun	Apr	266,647	-10%	\$266,647	1,920,179	273,408	1,908,525	100.61%	-10.0%	-7.2%
Jul	May	275,093	-7%	\$275,093	2,195,273	271,952	2,180,478	100.68%	-6.7%	-7.1%
Aug	Jun	315,184	-4%	\$315,184	2,510,457	303,725	2,484,203	101.06%	-4.3%	-6.8%
Sep	Jul	349,708	22%	\$349,708	2,860,165	263,376	2,747,579	104.10%	22.5%	-4.0%
Oct	Aug	304,754	10%	\$304,754	3,164,919	254,657	3,002,236	105.42%	10.4%	-2.8%
Nov	Sep	325,921	4%	\$325,921	3,490,839	287,764	3,290,000	106.10%	4.5%	-2.1%
<b>Fiscal Year 2023</b>										
Dec	Oct	267,921	9%	\$267,921	267,921	221,082	221,082	121.19%	8.8%	8.8%
Jan	Nov	262,666	-1%	\$262,666	530,587	237,332	458,414	115.74%	-0.6%	3.9%
Feb	Dec	327,969	-1%	\$327,969	858,556	296,478	754,892	113.73%	-0.7%	2.1%
Mar	Jan	293,025	19%	\$293,025	1,151,581	220,522	975,414	118.06%	19.3%	6.0%
Apr	Feb	241,757	-4%	\$241,757	1,393,338	226,519	1,201,932	115.92%	-4.2%	4.1%
May	Mar	288,609	-8%	\$288,609	1,681,948	282,939	1,484,871	113.27%	-8.4%	1.7%
Jun	Apr	267,670	0%	\$267,670	1,949,617	239,449	1,724,320	113.07%	0.4%	1.5%
Jul	May	310,160	13%	\$310,160	2,259,777	247,034	1,971,354	114.63%	12.7%	2.9%
Aug	Jun	333,198	6%	\$333,198	2,592,976	283,035	2,254,389	115.02%	5.7%	3.3%
Sep	Jul	295,975	-15%	\$295,975	2,888,951	314,037	2,568,426	112.48%	-15.4%	1.0%
Oct	Aug	335,595	10%	\$335,595	3,224,546	273,669	2,842,095	113.46%	10.1%	1.9%
Nov	Sep	315,989	-3%	\$315,989	3,540,534	292,677	3,134,772	112.94%	-3.0%	1.4%
<b>Fiscal Year 2024</b>										
Dec	Oct	281,039	5%	\$281,039	281,039	281,800	281,800	99.73%	4.9%	4.9%
Jan	Nov	279,772	7%	\$279,772	560,811	276,274	558,074	100.49%	6.5%	5.7%
Feb	Dec	333,966	2%	\$333,966	894,777	344,960	903,033	99.09%	1.8%	4.2%
Mar	Jan	264,897	-10%	\$264,897	1,159,674	308,205	1,211,239	95.74%	-9.6%	0.7%
Apr	Feb	289,101	20%	\$289,101	1,448,775	254,282	1,465,520	98.86%	19.6%	4.0%
May	Mar	341,291	18%	\$341,291	1,790,066	303,561	1,769,081	101.19%	18.3%	6.4%
Jun	Apr	317,416	19%	\$317,416	2,107,482	281,536	2,050,617	102.77%	18.6%	8.1%
Jul	May	302,469	-2%	\$302,469	2,409,951	326,228	2,376,845	101.39%	-2.5%	6.6%
Aug	Jun	306,188	-8%	\$306,188	2,716,139	350,460	2,727,305	99.59%	-8.1%	4.7%
Sep	Jul	308,988	4%	\$308,988	3,025,128	311,308	3,038,613	99.56%	4.4%	4.7%
Oct	Aug					352,981	3,391,594			
Nov	Sep					332,358	3,723,952			

CITY OF PORT LAVACA  
 REVENUE AND EXPENDITURES REPORT (UNAUDITED)  
 AS OF: SEPTEMBER 30TH, 2024

Section VII. Item #D.

L-GENERAL FUND  
 FINANCIAL SUMMARY

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>								
TAXES	8,985,666	8,985,666	0	378,235.66	9,479,859.74	0.00	( 494,193.74)	105.50
LICENSES & PERMITS	268,410	268,410	0	2,630.78	104,240.22	0.00	164,169.78	38.84
USER & SERVICE CHARGES	102,500	102,500	0	3,805.00	76,325.25	0.00	26,174.75	74.46
FINES & FORFEITURES	284,000	284,000	0	15,711.26	282,456.23	0.00	1,543.77	99.46
OTHER REVENUE	550,950	550,950	0	48.00	421,836.50	0.00	129,113.50	76.57
GRANT AND CONTRIBUTION R	572,033	592,033	( 20,000)	0.00	340,133.62	0.00	251,899.38	57.45
INTERGOVERNMENTAL REVENUE	875,783	875,783	0	0.00	315,506.31	0.00	560,276.69	36.03
<b>TOTAL REVENUES</b>	<b>11,639,342</b>	<b>11,659,342</b>	<b>( 20,000)</b>	<b>400,430.70</b>	<b>11,020,357.87</b>	<b>0.00</b>	<b>638,984.13</b>	<b>94.52</b>
<u>EXPENDITURE SUMMARY</u>								
CITY COUNCIL	30,402	30,402	0	2,599.08	30,598.84	0.00	( 196.84)	100.65
CITY MANAGER	394,511	394,511	0	20,391.67	335,499.50	6,250.00	52,761.50	86.63
CITY SECRETARY	224,494	224,494	0	17,328.54	221,208.40	0.00	3,285.60	98.54
HUMAN RESOURCE	34,725	34,725	0	671.09	26,234.14	0.00	8,490.86	75.55
MUNICIPAL COURT	163,474	163,474	0	14,618.90	152,898.42	0.00	10,575.58	93.53
TECHNOLOGY SERVICES	462,081	462,081	0	23,172.81	443,587.09	29,773.25	( 11,279.34)	102.44
ECONOMIC DEVELOPMENT	0	0	0	0.00	0.00	0.00	0.00	0.00
FINANCE	440,906	440,906	0	35,718.39	333,588.90	2,417.56	104,899.54	76.21
CITY HALL	207,520	207,520	0	5,979.16	185,197.61	44,087.50	( 21,765.11)	110.49
POLICE	2,919,859	2,919,859	0	208,287.66	2,601,793.44	0.00	318,065.56	89.11
FIRE	2,162,555	2,182,555	( 20,000)	161,136.01	2,102,441.14	7,205.51	72,908.35	96.66
ANIMAL CONTROL	246,085	246,085	0	10,468.90	177,525.00	20,651.70	47,908.30	80.53
CODE ENFORCEMENT/INSPECT	511,797	511,797	0	26,950.11	352,367.10	2,957.88	156,472.02	69.43
STREETS	2,897,645	2,897,645	0	98,853.48	1,961,663.44	1,562.49	934,419.07	67.75
PARKS & RECREATION	1,064,950	1,064,950	0	40,623.94	732,086.50	173,650.98	159,212.52	85.05
BAUER CENTER	335,464	335,464	0	14,204.86	343,218.13	0.00	( 7,754.13)	102.31
NON-DEPARTMENTAL	680,027	680,027	0	37,334.24	493,178.01	0.00	186,848.99	72.52
<b>TOTAL EXPENDITURES</b>	<b>12,776,495</b>	<b>12,796,495</b>	<b>( 20,000)</b>	<b>718,338.84</b>	<b>10,493,085.66</b>	<b>288,556.87</b>	<b>2,014,852.47</b>	<b>84.25</b>
<b>REVENUES OVER/(UNDER) EXPENDITURES</b>	<b>( 1,137,153)</b>	<b>( 1,137,153)</b>	<b>0</b>	<b>( 317,908.14)</b>	<b>527,272.21</b>	<b>( 288,556.87)</b>	<b>( 1,375,868.34)</b>	<b>20.99-</b>

CITY OF PORT LAVACA  
 REVENUE AND EXPENDITURES REPORT (UNAUDITED)  
 AS OF: SEPTEMBER 30TH, 2024

Section VII. Item #D.

1-GENERAL FUND  
 VENUES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET	
<b>KES</b>									
1.01	PROPERTY TAXES-CURRENT	4,511,964	4,511,964	0	14,979.09	4,990,502.08	0.00 ( 478,538.08)	110.61	
1.02	PROPERTY TAXES-DELINQU	100,000	100,000	0	4,900.75	208,835.38	0.00 ( 108,835.38)	208.84	
2.01	SALES TAX REVENUE	3,723,952	3,723,952	0	310,312.41	3,691,586.33	0.00	99.13	
3.01	NATURAL GAS FRANCHISE	62,000	62,000	0	0.00	47,554.69	0.00	76.70	
3.02	ELECTRICAL FRANCHISE T	342,000	342,000	0	33,986.00	294,785.00	0.00	86.19	
3.03	TELEPHONE FRANCHISE TA	32,000	32,000	0	8.61	19,918.18	0.00	62.24	
3.04	CABLE TV FRANCHISE TAX	50,000	50,000	0	0.00	20,399.15	0.00	40.80	
3.05	WASTE COLLECTION FRAN	128,750	128,750	0	11,564.30	122,744.60	0.00	95.34	
3.90	OTHER FRANCHISE TAX	0	0	0	0.00	0.00	0.00	0.00	
4.01	ALCOHOLIC BEVERAGE TAX	35,000	35,000	0	2,484.50	24,160.26	0.00	69.03	
5.15	INTERGOVERNMENTAL REVE	0	0	0	0.00	59,374.07	0.00 ( 59,374.07)	0.00	
<b>TOTAL TAXES</b>		<b>8,985,666</b>	<b>8,985,666</b>	<b>0</b>	<b>378,235.66</b>	<b>9,479,859.74</b>	<b>0.00 ( 494,193.74)</b>	<b>105.50</b>	
<b>LICENSES &amp; PERMITS</b>									
1.02	BUILDER LICENSES	7,000	7,000	0	100.00	4,701.92	0.00	67.17	
2.01	ELECTRICAL PERMITS	25,000	25,000	0	0.00	15.00	0.00	0.06	
2.02	BUILDING PERMITS	157,000	157,000	0	25.00	71,381.70	0.00	45.47	
2.03	PLUMBING PERMITS	22,000	22,000	0	0.00	125.00	0.00	0.57	
2.04	MECHANICAL PERMITS	5,600	5,600	0	0.00	0.00	0.00	0.00	
2.05	FOUNDATION PERMITS	0	0	0	0.00	0.00	0.00	0.00	
2.06	PEDDLER & SOLICITOR PE	0	0	0	0.00	320.00	0.00 ( 320.00)	0.00	
2.07	ALCOHOL IN THE PARK PE	0	0	0	0.00	1,050.00	0.00 ( 1,050.00)	0.00	
3.01	TRAILER PERMITS	0	0	0	0.00	0.00	0.00	0.00	
3.02	FOOD HANDLER'S PERMITS	2,600	2,600	0	40.00	2,385.00	0.00	91.73	
3.03	LIENS	1,500	1,500	0	0.00	0.00	0.00	0.00	
3.90	OTHER PERMITS & FEES	30,000	30,000	0	2,245.78	15,946.01	0.00	53.15	
3.91	LAWN LIBRARY FEES	0	0	0	50.00	50.00	0.00 ( 50.00)	0.00	
4.01	ALCOHOLIC BEVERAGE PER	7,110	7,110	0	60.00	5,765.00	0.00	81.08	
4.02	AMUSEMENT PERMIT FEES	300	300	0	0.00	0.00	0.00	0.00	
4.03	SUBDIVISION & PLAT FEE	1,000	1,000	0	0.00	375.00	0.00	37.50	
4.04	ENVIRONMENTAL & HEALTH	0	0	0	0.00	0.00	0.00	0.00	
4.05	PLAN REVIEW FEES	9,000	9,000	0	0.00	952.59	0.00	10.58	
5.01	ANIMAL LICENSES & FEES	200	200	0	50.00	853.00	0.00 ( 653.00)	426.50	
6.01	ALARM FEES	100	100	0	60.00	320.00	0.00 ( 220.00)	320.00	
<b>TOTAL LICENSES &amp; PERMITS</b>		<b>268,410</b>	<b>268,410</b>	<b>0</b>	<b>2,630.78</b>	<b>104,240.22</b>	<b>0.00</b>	<b>164,169.78</b>	<b>38.84</b>
<b>USER &amp; SERVICE CHARGES</b>									
5.06	BAUER CENTER RENTALS	100,000	100,000	0	3,800.00	73,785.00	0.00	73.79	
5.07	BAYFRONT RENTALS	0	0	0	0.00	750.00	0.00 ( 750.00)	0.00	
9.01	POLICE SERVICES	2,000	2,000	0	5.00	1,790.25	0.00	89.51	
9.05	POLICE TRAINING FEES	500	500	0	0.00	0.00	0.00	0.00	
<b>TOTAL USER &amp; SERVICE CHARGES</b>		<b>102,500</b>	<b>102,500</b>	<b>0</b>	<b>3,805.00</b>	<b>76,325.25</b>	<b>0.00</b>	<b>26,174.75</b>	<b>74.46</b>

CITY OF PORT LAVACA  
 REVENUE AND EXPENDITURES REPORT (UNAUDITED)  
 AS OF: SEPTEMBER 30TH, 2024

Section VII. Item #D.

I-GENERAL FUND  
 /ENUES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
<b>FINES &amp; FORFEITURES</b>								
1.01	PENALTIES & INTEREST	90,000	90,000	0	4,046.14	131,075.61	0.00 ( 41,075.61)	145.64
1.02	TAX ATTORNEY FEES	45,000	45,000	0	5,018.16	73,007.77	0.00 ( 28,007.77)	162.24
3.01	COURT FINES	120,000	120,000	0	5,587.34	59,646.94	0.00	60,353.06 49.71
3.02	MUNI COURT- COLLECTION	14,000	14,000	0	608.60	10,415.69	0.00	3,584.31 74.40
3.03	LOCAL TIME PAYMENT FEE	5,000	5,000	0	161.52	1,547.39	0.00	3,452.61 30.95
3.02	ARREST FEES	10,000	10,000	0	289.50	6,762.83	0.00	3,237.17 67.63
3.03	CASH OVER-MC	0	0	0	0.00	0.00	0.00	0.00 0.00
3.05	RECOVERY ADJUSTMENT FE	0	0	0	0.00	0.00	0.00	0.00 0.00
<b>TOTAL FINES &amp; FORFEITURES</b>		<b>284,000</b>	<b>284,000</b>	<b>0</b>	<b>15,711.26</b>	<b>282,456.23</b>	<b>0.00</b>	<b>1,543.77 99.46</b>

<b>OTHER REVENUE</b>								
1.01	INTEREST INCOME	500,000	500,000	0	0.00	335,393.86	0.00	164,606.14 67.08
5.01	OTHER FINANCING SOURCE	0	0	0	0.00	0.00	0.00	0.00 0.00
3.02	PHOTO COPIES	500	500	0	48.00	198.25	0.00	301.75 39.65
3.05	DONATION- POLICE (JEDL)	0	0	0	0.00	0.00	0.00	0.00 0.00
3.07	DONATION- FIRE (JEDLIC)	0	0	0	0.00	0.00	0.00	0.00 0.00
3.10	DONATIONS	0	0	0	0.00	0.00	0.00	0.00 0.00
3.11	AUCTION/SALE PROCEEDS	32,000	32,000	0	0.00	34,300.00	0.00 ( 2,300.00)	107.19
3.12	TML REIMBURSEMENTS	0	0	0	0.00	24,252.78	0.00 ( 24,252.78)	0.00
3.14	ABATEMENT REIMBURSEMEN	0	0	0	0.00	5,419.59	0.00 ( 5,419.59)	0.00
3.15	HURRICANE	0	0	0	0.00	0.00	0.00	0.00 0.00
3.17	FIRE TRAINING REIMBURS	2,450	2,450	0	0.00	0.00	0.00	2,450.00 0.00
3.20	RESTITUTION PAYMENTS	0	0	0	0.00	11.00	0.00 ( 11.00)	0.00
3.90	MISCELLANEOUS INCOME	10,000	10,000	0	0.00	16,261.02	0.00 ( 6,261.02)	162.61
3.91	TOWER OF TEX USAGE RIG	6,000	6,000	0	0.00	6,000.00	0.00	0.00 100.00
3.92	EQUITY BALANCE FORWARD	0	0	0	0.00	0.00	0.00	0.00 0.00
<b>TOTAL OTHER REVENUE</b>		<b>550,950</b>	<b>550,950</b>	<b>0</b>	<b>48.00</b>	<b>421,836.50</b>	<b>0.00</b>	<b>129,113.50 76.57</b>

<b>GRANT AND CONTRIBUTION R</b>								
2.00	GRANT REVENUE	258,656	278,656 ( 20,000)	0	0.00	20,000.00	0.00	258,656.00 7.18
2.01	STATE GRANT- PARKS	0	0	0	0.00	0.00	0.00	0.00 0.00
4.53	OPERATION STONE GARDEN	0	0	0	0.00	0.00	0.00	0.00 0.00
4.54	CONTRIBUTION LEOSE- PD	1,800	1,800	0	0.00	1,813.75	0.00 ( 13.75)	100.76
4.59	CALHOUN COUNTY-FIRE	240,577	240,577	0	0.00	247,319.87	0.00 ( 6,742.87)	102.80
4.60	CALHOUN COUNTY-ANIMAL	65,000	65,000	0	0.00	65,000.00	0.00	0.00 100.00
4.61	POINT COMFORT-ANIMAL	6,000	6,000	0	0.00	6,000.00	0.00	0.00 100.00
<b>TOTAL GRANT AND CONTRIBUTION R</b>		<b>572,033</b>	<b>592,033 ( 20,000)</b>	<b>0</b>	<b>0.00</b>	<b>340,133.62</b>	<b>0.00</b>	<b>251,899.38 57.45</b>

<b>INTERGOVERNMENTAL REVENUE</b>								
2.01	XFER IN- 504 PORT COMM	51,181	51,181	0	0.00	46,915.88	0.00	4,265.12 91.67
2.02	XFER IN- 501 UTILITY F	1,135	1,135	0	0.00	1,040.38	0.00	94.62 91.66
2.04	XFER IN- 503 BEACH FUN	6,157	6,157	0	0.00	5,643.88	0.00	513.12 91.67
3.10	XFER IN - FD 113 BLDG	0	0	0	0.00	230.80	0.00 ( 230.80)	0.00
3.85	XFER IN- FD 134 JUSTIC	0	0	0	0.00	0.00	0.00	0.00 0.00
3.87	XFER IN- FD 161 BAYFRO	0	0	0	0.00	0.00	0.00	0.00 0.00
3.88	XFER IN- 206 FARF FUND	531,846	531,846	0	0.00	0.00	0.00	531,846.00 0.00
3.89	XFER IN- 101 HOTEL/MOT	285,464	285,464	0	0.00	261,675.37	0.00	23,788.63 91.67
3.90	XFER IN- OTHER	0	0	0	0.00	0.00	0.00	0.00 0.00
<b>TOTAL INTERGOVERNMENTAL REVENUE</b>		<b>875,783</b>	<b>875,783</b>	<b>0</b>	<b>0.00</b>	<b>315,506.31</b>	<b>0.00</b>	<b>560,276.69 36.03</b>



CITY OF PORT LAVACA  
REVENUE AND EXPENDITURES REPORT (UNAUDITED)  
AS OF: SEPTEMBER 30TH, 2024

Section VII. Item #D.

1-GENERAL FUND  
REVENUES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
TOTAL REVENUES	<u>11,639,342</u>	<u>11,659,342</u>	<u>( 20,000)</u>	<u>400,430.70</u>	<u>11,020,357.87</u>	<u>0.00</u>	<u>638,984.13</u>	<u>94.52</u>

CITY OF PORT LAVACA  
 REVENUE AND EXPENDITURES REPORT (UNAUDITED)  
 AS OF: SEPTEMBER 30TH, 2024

Section VII. Item #D.

L-PUBLIC UTILITY FUND  
 FINANCIAL SUMMARY

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>								
USER & SERVICE CHARGES	7,182,792	7,182,792	0	629,554.15	7,058,884.83	0.00	123,907.17	98.27
FINES & FORFEITURES	240,000	240,000	0	10,459.00	120,160.08	0.00	119,839.92	50.07
OTHER REVENUE	120,000	120,000	0	360.00	95,377.78	0.00	24,622.22	79.48
GRANT AND CONTRIBUTION R	0	0	0	0.00	0.00	0.00	0.00	0.00
INTERGOVERNMENTAL REVENUE	0	0	0	0.00	0.00	0.00	0.00	0.00
<b>TOTAL REVENUES</b>	<b>7,542,792</b>	<b>7,542,792</b>	<b>0</b>	<b>640,373.15</b>	<b>7,274,422.69</b>	<b>0.00</b>	<b>268,369.31</b>	<b>96.44</b>
<u>EXPENDITURE SUMMARY</u>								
TECHNOLOGY SERVICES	157,108	157,108	0	7,593.98	130,729.28	0.00	26,378.72	83.21
BILLING	416,963	416,963	0	31,605.45	420,479.35	28,482.10 (	31,998.45)	107.67
MAINTENANCE	1,347,812	1,347,812	0	64,772.49	1,109,070.10	555,212.98 (	316,471.08)	123.48
WASTEWATER TREATMENT	1,007,105	1,007,105	0	122,071.86	1,393,751.15	43,936.48 (	430,582.63)	142.75
NON-DEPARTMENTAL	4,136,641	4,136,641	0	356,958.95	4,306,521.90	0.00 (	169,880.90)	104.11
<b>TOTAL EXPENDITURES</b>	<b>7,065,629</b>	<b>7,065,629</b>	<b>0</b>	<b>583,002.73</b>	<b>7,360,551.78</b>	<b>627,631.56 (</b>	<b>922,554.34)</b>	<b>113.06</b>
<b>REVENUES OVER/(UNDER) EXPENDITURES</b>	<b>477,163</b>	<b>477,163</b>	<b>0</b>	<b>57,370.42</b>	<b>(86,129.09)</b>	<b>(627,631.56)</b>	<b>1,190,923.65</b>	<b>149.58-</b>

CITY OF PORT LAVACA  
 REVENUE AND EXPENDITURES REPORT (UNAUDITED)  
 AS OF: SEPTEMBER 30TH, 2024

Section VII. Item #D.

1-PUBLIC UTILITY FUND  
 REVENUES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
<b>USER &amp; SERVICE CHARGES</b>								
1.11	WATER-METERED	2,627,012	2,627,012	0	257,360.23	2,846,885.87	0.00 ( 219,873.87)	108.37
1.12	WATER-BULK	0	0	0	0.00	365.28	0.00 ( 365.28)	0.00
1.13	WATER-METERED COUNTY	95,014	95,014	0	8,768.73	88,305.27	0.00	6,708.73 92.94
1.21	SEWER RESIDENTIAL	1,567,373	1,567,373	0	133,547.64	1,520,470.36	0.00	46,902.64 97.01
1.22	SEWER COMMERCIAL	1,079,863	1,079,863	0	68,448.91	801,535.45	0.00	278,327.55 74.23
1.23	SEWER COUNTY	67,205	67,205	0	5,826.14	65,889.09	0.00	1,315.91 98.04
1.25	SEWER-LOW PRESSURE (LP	975	975	0	120.00	1,440.50	0.00 ( 465.50)	147.74
1.31	WASTE-GARBAGE COLLECTI	927,373	927,373	0	84,074.27	954,897.96	0.00 ( 27,524.96)	102.97
1.32	SPRING CLEANUP	100,000	100,000	0	2,562.68	24,637.88	0.00	75,362.12 24.64
2.05	GBRA FEES	631,277	631,277	0	57,983.16	630,825.54	0.00	451.46 99.93
2.11	WATER TAPS	20,000	20,000	0	2,992.39	20,431.63	0.00 ( 431.63)	102.16
2.21	SEWER TAPS	4,000	4,000	0	0.00	4,375.00	0.00 ( 375.00)	109.38
2.60	DAMAGES REIMBURSEMENT	0	0	0	0.00	0.00	0.00	0.00
2.61	SERVICE CALL FEES	1,200	1,200	0	2,600.00	19,535.00	0.00 ( 18,335.00)	1,627.92
2.62	SERVICE TRANSFER FEES	1,000	1,000	0	0.00	130.00	0.00	870.00 13.00
2.63	SERVICE RECONNECTION F	60,000	60,000	0	5,180.00	78,170.00	0.00 ( 18,170.00)	130.28
2.64	SERVICE TEMP WATER	500	500	0	90.00	990.00	0.00 ( 490.00)	198.00
2.65	SALES TAX-GARBAGE	0	0	0	0.00	0.00	0.00	0.00
<b>TOTAL USER &amp; SERVICE CHARGES</b>		<b>7,182,792</b>	<b>7,182,792</b>	<b>0</b>	<b>629,554.15</b>	<b>7,058,884.83</b>	<b>0.00</b>	<b>123,907.17 98.27</b>
<b>FINES &amp; FORFEITURES</b>								
2.01	LATE PAYMENT PENALTIES	90,000	90,000	0	10,459.00	120,120.08	0.00 ( 30,120.08)	133.47
2.02	CONTRACT REVENUE	150,000	150,000	0	0.00	40.00	0.00	149,960.00 0.03
<b>TOTAL FINES &amp; FORFEITURES</b>		<b>240,000</b>	<b>240,000</b>	<b>0</b>	<b>10,459.00</b>	<b>120,160.08</b>	<b>0.00</b>	<b>119,839.92 50.07</b>
<b>OTHER REVENUE</b>								
1.01	INTEREST INCOME	38,000	38,000	0	0.00	26,155.38	0.00	11,844.62 68.83
9.03	RETURNED CHECK FEE	1,000	1,000	0	360.00	1,680.00	0.00 ( 680.00)	168.00
9.04	BAD DEBT ACCOUNT COLLE	35,000	35,000	0	0.00 ( 40.00)	0.00	0.00	35,040.00 0.11-
9.08	CCRWS-GBRA TRANSMISSI	43,000	43,000	0	0.00	67,569.49	0.00 ( 24,569.49)	157.14
9.11	AUCTION/SALE PROCEEDS	2,000	2,000	0	0.00	0.00	0.00	2,000.00 0.00
9.12	TML REIMBURSEMENTS	0	0	0	0.00	0.00	0.00	0.00
9.90	MISCELLANEOUS INCOME	1,000	1,000	0	0.00	12.91	0.00	987.09 1.29
9.92	EQUITY BALANCE FORWARD	0	0	0	0.00	0.00	0.00	0.00
<b>TOTAL OTHER REVENUE</b>		<b>120,000</b>	<b>120,000</b>	<b>0</b>	<b>360.00</b>	<b>95,377.78</b>	<b>0.00</b>	<b>24,622.22 79.48</b>
<b>GRANT AND CONTRIBUTION R</b>								
1.00	CAPITAL CONTRIBUTIONS	0	0	0	0.00	0.00	0.00	0.00
2.00	GRANT REVENUE	0	0	0	0.00	0.00	0.00	0.00
<b>TOTAL GRANT AND CONTRIBUTION R</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>INTERGOVERNMENTAL REVENUE</b>								
3.01	XFER IN- VARIOUS FUNDS	0	0	0	0.00	0.00	0.00	0.00
3.02	XFER IN- FUND 136	0	0	0	0.00	0.00	0.00	0.00
3.88	XFER IN-206-FARE RESTR	0	0	0	0.00	0.00	0.00	0.00
<b>TOTAL INTERGOVERNMENTAL REVENUE</b>		<b>0</b>	<b>0</b>	<b>0</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>
<b>TOTAL REVENUES</b>		<b>7,542,792</b>	<b>7,542,792</b>	<b>0</b>	<b>640,373.15</b>	<b>7,274,422.69</b>	<b>0.00</b>	<b>268,369.31 96.44</b>

CITY OF PORT LAVACA  
 REVENUE AND EXPENDITURES REPORT (UNAUDITED)  
 AS OF: SEPTEMBER 30TH, 2024

Section VII. Item #D.

1-HOTEL OCCUPANCY TAX FUND  
 FINANCIAL SUMMARY

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
<u>VENUE SUMMARY</u>								
TAXES	576,905	576,905	0	0.00	499,669.13	0.00	77,235.87	86.61
OTHER REVENUE	14,500	14,500	0	13.86	21,394.99	0.00	6,894.99	147.55
INTERGOVERNMENTAL REVENUE	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL REVENUES	591,405	591,405	0	13.86	521,064.12	0.00	70,340.88	88.11
<u>EXPENDITURE SUMMARY</u>								
HOTEL OCCUPANCY TAX	638,804	638,804	0	8,123.73	609,375.25	0.00	29,428.75	95.39
TOTAL EXPENDITURES	638,804	638,804	0	8,123.73	609,375.25	0.00	29,428.75	95.39
VENUES OVER/(UNDER) EXPENDITURES	( 47,399)	( 47,399)	0	( 8,109.87)	( 88,311.13)	0.00	40,912.13	186.31

CITY OF PORT LAVACA  
 REVENUE AND EXPENDITURES REPORT (UNAUDITED)  
 AS OF: SEPTEMBER 30TH, 2024

Section VII. Item #D.

3-BEACH OPERATING FUND  
 ANANCIAL SUMMARY

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
<u>VENUE SUMMARY</u>								
USER & SERVICE CHARGES	230,000	230,000	0	0.00	146,075.14	0.00	83,924.86	63.51
OTHER REVENUE	4,500	4,500	0	297.22	34,463.61	0.00	( 29,963.61)	765.86
GRANT AND CONTRIBUTION R	0	0	0	0.00	0.00	0.00	0.00	0.00
INTERGOVERNMENTAL REVENUE	0	0	0	0.00	0.00	0.00	0.00	0.00
<b>TOTAL REVENUES</b>	<b>234,500</b>	<b>234,500</b>	<b>0</b>	<b>297.22</b>	<b>180,538.75</b>	<b>0.00</b>	<b>53,961.25</b>	<b>76.99</b>
<u>EXPENDITURE SUMMARY</u>								
TECHNOLOGY SERVICES	0	0	0	0.00	0.00	0.00	0.00	0.00
OPERATIONS	210,294	210,294	0	78,637.20	212,513.55	0.00	( 2,219.55)	101.06
<b>TOTAL EXPENDITURES</b>	<b>210,294</b>	<b>210,294</b>	<b>0</b>	<b>78,637.20</b>	<b>212,513.55</b>	<b>0.00</b>	<b>( 2,219.55)</b>	<b>101.06</b>
<b>VENUES OVER/(UNDER) EXPENDITURES</b>	<b>24,206</b>	<b>24,206</b>	<b>0</b>	<b>( 78,339.98)</b>	<b>( 31,974.80)</b>	<b>0.00</b>	<b>56,180.80</b>	<b>132.09-</b>

CITY OF PORT LAVACA  
 REVENUE AND EXPENDITURES REPORT (UNAUDITED)  
 AS OF: SEPTEMBER 30TH, 2024

Section VII. Item #D.

1-PORT & HARBORS FUND  
 FINANCIAL SUMMARY

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>								
USER & SERVICE CHARGES	672,689	672,689	0	63,000.39	796,663.61	0.00	( 123,974.61)	118.43
FINES & FORFEITURES	500	500	0	0.00	0.00	0.00	500.00	0.00
OTHER REVENUE	35,600	35,600	0	376.23	51,699.75	0.00	( 16,099.75)	145.22
GRANT AND CONTRIBUTION R	1,200,000	1,200,000	0	0.00	200,000.00	0.00	1,000,000.00	16.67
INTERGOVERNMENTAL REVENUE	<u>12,215</u>	<u>12,215</u>	<u>0</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>12,215.00</u>	<u>0.00</u>
TOTAL REVENUES	1,921,004	1,921,004	0	63,376.62	1,048,363.36	0.00	872,640.64	54.57
<u>EXPENDITURE SUMMARY</u>								
TECHNOLOGY SERVICES	1,422	1,422	0	0.00	1,406.84	0.00	15.16	98.93
CITY HARBOR	7,000	7,000	0	4,440.00	7,298.94	0.00	( 298.94)	104.27
HARBOR OF REFUGE	330,000	330,000	0	3,340.00	297,775.00	19,503.57	12,721.43	96.15
SMITH HARBOR	11,000	11,000	0	0.00	0.00	0.00	11,000.00	0.00
NAUTICAL LANDINGS MARINA	30,000	30,000	0	610.00	14,307.09	0.00	15,692.91	47.69
OPERATIONS	<u>1,804,066</u>	<u>1,804,066</u>	<u>0</u>	<u>15,145.60</u>	<u>576,072.05</u>	<u>49,800.00</u>	<u>1,178,193.95</u>	<u>34.69</u>
TOTAL EXPENDITURES	2,183,488	2,183,488	0	23,535.60	896,859.92	69,303.57	1,217,324.51	44.25
REVENUES OVER/(UNDER) EXPENDITURES	( 262,484)	( 262,484)	0	39,841.02	151,503.44	( 69,303.57)	( 344,683.87)	31.32-

# **COMMUNICATION**

**SUBJECT:** Ratify Budget Ordinance #S-2-24 (approved 09-16-2024 at special meeting)

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## **INFORMATION:**

**ORDINANCE #S-2-24**

AN ORDINANCE APPROVING THE ANNUAL BUDGET FOR THE CITY OF PORT LAVACA, TEXAS AND ADOPTING THE BUDGET DOCUMENT FOR THE FISCAL YEAR OCTOBER 1, 2024 THROUGH SEPTEMBER 30, 2025; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City Council has approved a budget for the City of Port Lavaca, Texas, for the fiscal year October 1, 2024 through September 30, 2025, and accordingly held a public hearing for same, at which time all interested citizens were given an opportunity to be heard for or against any item or amount of any item contained in said budget; and

WHEREAS, all approved adjustments, if any, have been made in said budget and said public hearing has been officially closed:

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

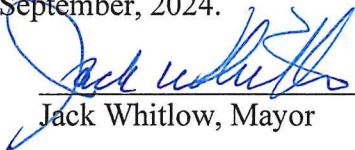
SECTION 1. That the annual budget for the City of Port Lavaca, Texas for the fiscal year October 1, 2024 through September 30, 2025 is hereby approved and the budget document is hereby in all things adopted and made a part of this ordinance as if set forth in full herein and is hereby declared to be the financial plan for the City of Port Lavaca, Texas for the fiscal year 2024/2025.

SECTION 2. That in accordance with the City Charter, Section 8.03 Transfer of Appropriations, the City Council hereby approves the City Manager to transfer any unencumbered appropriation balance or portion thereof between general classifications of expenditures within an office, department or agency.

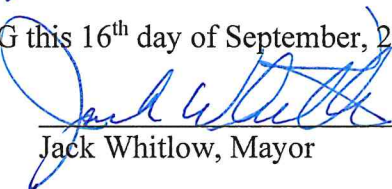
SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

SECTION 4. This ordinance shall become effective on the date of its passage by the City Council of the City of Port Lavaca, Texas.

FIRST READING this 9th day of September, 2024.

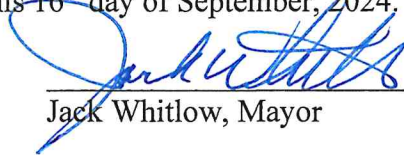
  
\_\_\_\_\_  
Jack Whitlow, Mayor

SECOND AND FINAL READING this 16<sup>th</sup> day of September, 2024.

  
\_\_\_\_\_  
Jack Whitlow, Mayor



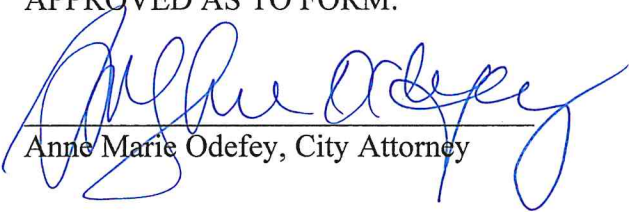
APPROVED AND ADOPTED this 16<sup>th</sup> day of September, 2024.

  
\_\_\_\_\_  
Jack Whitlow, Mayor

ATTEST:

  
\_\_\_\_\_  
Mandy Grant, City Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Anne Marie Odefey, City Attorney

RECORD OF VOTE

	First Reading	Second and Final	Passed and Approved
Councilman Aguirre	Aye	Aye	Aye
Councilman Dent	Aye	Aye	Aye
Councilman Tippit	Aye	Absent	Absent
Councilwoman Padron	Aye	Aye	Aye
Councilman Ward	Aye	Aye	Aye
Councilman Burke	Aye	Aye	Aye

Record of approval by City Council: City Council Minute Records, Volume 3-I, Page \_.

# **COMMUNICATION**

**SUBJECT:** Ratify Tax Ordinance #S-3-24 (approved 09-16-2024 at special meeting)

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## **INFORMATION:**

**ORDINANCE #S-3-24**

AN ORDINANCE FIXING THE TAX RATE AND TAX LEVY FOR THE CITY OF PORT LAVACA, TEXAS, FOR THE YEAR 2024, UPON ALL TAXABLE PROPERTY IN SAID CITY OF PORT LAVACA, TEXAS SUBJECT TO TAXATION BY SAID CITY ON THE FIRST DAY OF JANUARY, 2024 IN CONFORMITY WITH THE CHARTER PROVISIONS AND ORDINANCES OF SAID CITY OF PORT LAVACA; APPROPRIATING THE FUNDS DERIVED FROM SAID TAX LEVY TO VARIOUS FUNDS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND ESTABLISHING AN EFFECTIVE DATE

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

SECTION 1. That there shall be and there is hereby levied and assessed for the year 2024 upon all property of every description subject to taxation by the City of Port Lavaca, Texas on the 1st day of January, 2024, the following tax rate, to-wit:

An Ad Valorem Tax at the rate of \$0.8000 on the \$100.00 assessed value, based on 100% assessment thereof estimated in lawful currency of the United States of America, for the purpose of paying the general expenses of the City government and for payment of principal and interest on outstanding bonds and certificates of obligation for the fiscal year ending September 30, 2025.

(A) THIS YEAR'S TAX LEVY TO FUND MAINTENANCE AND OPERATIONS EXPENDITURES DOES NOT EXCEED LAST YEAR'S MAINTENANCE AND OPERATIONS TAX LEVY.

SECTION 2. All taxes collected pursuant to this ordinance shall be deposited in the funds known as the General Fund and the Tax Supported Debt Service Fund, and said monies shall be appropriated and distributed as follows:

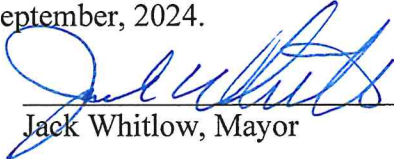
	Rate	Percentage
GENERAL FUND	\$ 0.6743	84.29 %
TAX SUPPORTED DEBT SERVICE FUND:		
2022 Cos & 2024 Cos	\$ 0.1257	15.71 %
TOTALS:	\$ 0.8000	100.00 %

SECTION 3. The duly authorized official responsible for the assessment and collection of taxes for the City of Port Lavaca is hereby directed to assess, extend and enter upon the tax rolls of the City of Port Lavaca, Texas, for the current taxable year the amount and rates herein levied, and to keep a correct account of same, and when so collected, to deposit same in the depository of the City of Port Lavaca to be distributed in accordance with this ordinance.

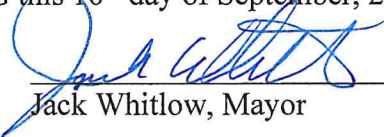
SECTION 4. All ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

SECTION 5. This ordinance shall become effective on the date of its passage by the City Council of the City of Port Lavaca, Texas.

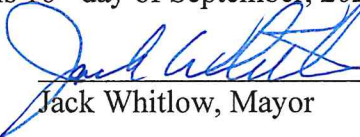
FIRST READING this 9th day of September, 2024.

  
\_\_\_\_\_  
Jack Whitlow, Mayor

SECOND AND FINAL READING this 16<sup>th</sup> day of September, 2024

  
\_\_\_\_\_  
Jack Whitlow, Mayor

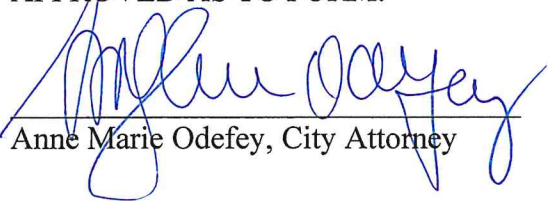
APPROVED AND ADOPTED this 16<sup>th</sup> day of September, 2024.

  
\_\_\_\_\_  
Jack Whitlow, Mayor

ATTEST:

  
\_\_\_\_\_  
Mandy Grant, City Secretary

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Anne Marie Odefey, City Attorney

RECORD OF VOTE

	First Reading	Second and Final	Passed and Approved
Councilman Aguirre	Aye	Aye	Aye
Councilman Dent	Nay	Nay	Nay
Councilman Tippit	Aye	Absent	Absent
Councilwoman Padron	Aye	Aye	Aye
Councilman Ward	Aye	Aye	Aye
Councilman Burke	Aye	Aye	Aye

Record of approval by City Council: City Council Minute Records, Volume 3-I, Page \_.

# **COMMUNICATION**

**SUBJECT:** Receive Victoria Economic Development Corporation (VEDC) Monthly Report

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## **INFORMATION:**

## **VEDC Update for Port Lavaca – September 2024 OCTOBER COUNCIL MEETING**

### **VEDC Staff has scheduled recurring monthly update meeting with City Manager.**

#### **Residential Incentives Draft**

- Pending (still) – presented to Council on January 29<sup>th</sup>. The VEDC is waiting on the direction of the City Council.
- Residential Development – VEDC Staff meeting with Frank Alvarez (comptroller’s office) to better understand how to present the use of TIRZ and PID for development. We can schedule a presentation directly to council if desired.
- VEDC has a meeting with Stuart Lynn (Developer) to discuss housing development for Port Lavaca
- VEDC has spoken to other developers for housing needs in Port Lavaca

#### **Marketing**

- VEDC has contracted with web developer for the Port Lavaca tab on the VEDC website. Should be completed no later than Oct. 31.
- Created one pager for retail marketing
- VEDC staff spoke to City Manager regarding Port Lavaca becoming a certified “Film Friendly City”. We can present the process to council during a later meeting (if/when preferred).
  - First steps required include:
    - VEDC Staff (the invitation will be extended to Tania French at the chamber, as well) to attend a workshop hosted by the state. THEY ARE WORKING ON SCHEDULING ONE IN THE FALL. The FF staff is supposed to contact VEDC staff to update on a date.
    - Updating forms to be presented and approved by City Council (working on those now)

#### **Business**

- Working with a potential shoe retailer (consultant) looking to possibly have a location in Port Lavaca.
- Having met with a consultant on August 23<sup>rd</sup>, CM and VEDC staff are working on an Economic Impact Analysis as it relates to Safe Harbor Refuge.
- VEDC staff will meet with CM on a marketing plan for vacant buildings/lots and other sites and will target those sites (next scheduled meeting).
- VEDC staff will schedule regular visits to businesses located in Port Lavaca, beginning with those downtown.
- VEDC staff will be attending retail attraction trade shows, effective 4<sup>th</sup> quarter 2024 (schedule will follow). Discuss what a “wish list” would be for retail.
- VEDC has reached out to six car wash companies for a potential carwash in Port Lavaca. Will report when we find out requirements.
- Working with Chamber to schedule meetings with business owners/ roundtable discussion. It was suggested we hold off for a couple of months due to a plethora of upcoming events.

### Projects

**All projects discussed on August 12<sup>th</sup> are still active.**

- VEDC is working with a new DOW supplier that will have an economic impact, to include some jobs, in the community.
- WGS is still a very active project. This would be at the ALCOA site and originally would result in 1,500 jobs.
- Project Lynas is still active
- 4 other (previously 3) large projects are being worked on in the region which will result in many jobs, if sites are selected. Everyone is still in the planning stages.

### Other

- VEDC staff attended Rotary Meeting held on October 3<sup>rd</sup>, 2024.
- VEDC will host the annual meeting on November 14<sup>th</sup>.



# COMMUNICATION

**SUBJECT:** Hear presentation from Republic Services regarding Recycling. Presenter is Mike Reeves

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## INFORMATION:



# COMMUNICATION

**SUBJECT:** Receive 3rd Quarterly Report from the Public Works Department. Presenter is Wayne Shaffer

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## INFORMATION:

**CITY OF PORT LAVACA UTILITIES REPORT**

TTW = Total Treated Water 4MGD contracted supply (120MG for 30 days)

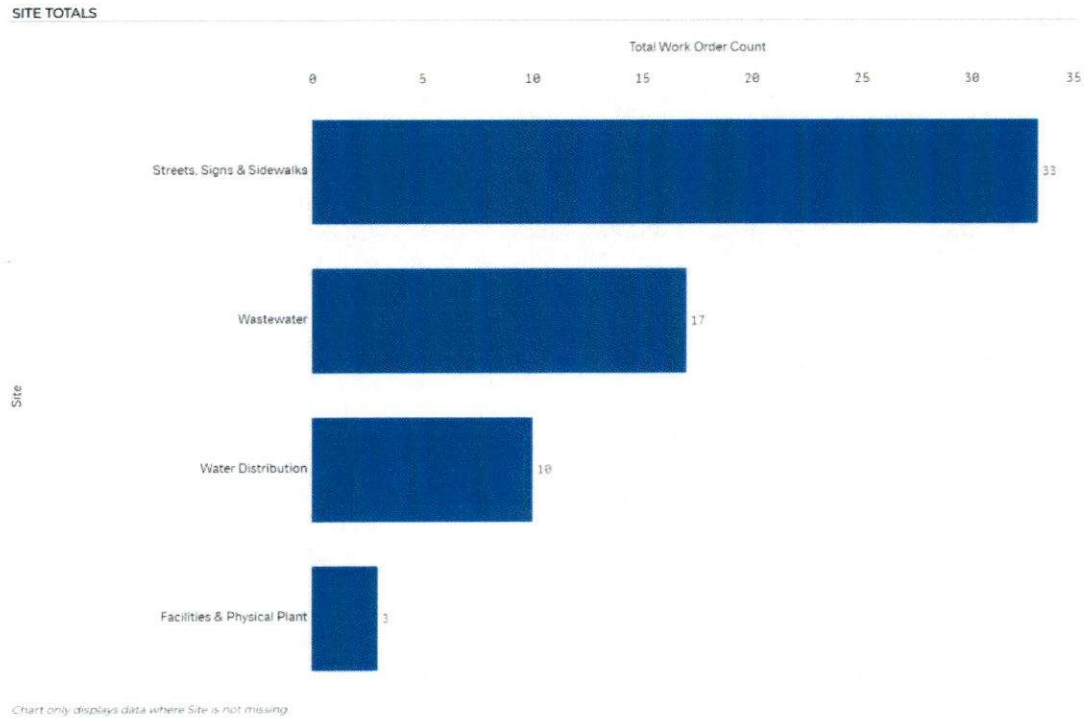
TCEQ water production requirement: 0.38 gpm/connection

Connections	Conn x 0.38 gpm	Required Water Supply	Remaining conn's
5743	2,182	3.14 MGD	1567

2MGD capacity

2024	UNDINE WTP	Port Lavaca Water Use		CCRW (transmitted thru PL)		WASTEWATER DICHARGE					
		TTW produced by WTP (MG)	TTW delivered to PL (does not include CCRW) (MG)	% of TTW produced by WTP	TTW transmitted through City Mains for CCRW (MG)	% of TTW produced by WTP	Total wastewater discharge (MG)	% of TTW delivered to PL	AVG daily discharge (MGD)	PEAK daily discharge (MGD)	Total Rain (inches)
January	55.228	38.505	69.72%	3.828	6.93%	61.28	159%	1.98	8.31	3.44	1.64
February	46.783	32.915	70.36%	3.201	6.84%	41.61	126%	1.43	4.42	1.49	1.33
March	54.681	36.531	66.81%	3.665	6.70%	40.13	110%	1.29	2.45	2.10	1.24
April	53.657	35.009	65.25%	3.549	6.61%	35.90	103%	1.20	1.51	0.75	1.18
May	61.540	40.470	65.76%	4.106	6.67%	40.77	101%	1.32	2.20	3.72	1.27
June	57.132	39.184	68.58%	3.338	5.84%	51.91	132%	1.73	6.52	7.30	1.34
July	63.326	41.024	64.78%	4.920	7.77%	70.61	172%	2.28	7.98	14.76	1.32
August	65.649	41.997	63.97%	6.086	9.27%	39.10	93%	1.29	1.87	2.10	1.28
September	59.176	37.684	63.68%	5.226	8.83%	40.65	108%	1.36	3.01	1.97	1.27
October			#DIV/0!		#DIV/0!		#DIV/0!				
November			#VALUE!		#DIV/0!		#VALUE!				
December			#DIV/0!		#DIV/0!		#DIV/0!				

Work orders produced and completed during the 3<sup>rd</sup> quarter.



WOID	Site	Work Category	Date Requested	Estimated Start Date	Actual Completion Date	Status	Age of Work Order
WO000155	Facilities & Physical Plant	Other	9/30/2024	9/30/2024	9/27/2024	Completed	-
WO000148	Facilities & Physical Plant	Other	9/18/2024	9/18/2024	9/23/2024	Completed	5
WO0001	Facilities & Physical	Other	9/18/2024	9/18/2024	9/25/2024	Completed	7

47	Plant						
WO0001 25	Streets, Signs & Sidewalks	Other	8/20/2024	8/20/2024	-	New Work Order	47
WO0001 27	Streets, Signs & Sidewalks	Pothole	8/20/2024	8/20/2024	-	New Work Order	47
WO0001 24	Streets, Signs & Sidewalks	Pothole	8/19/2024	8/19/2024	9/7/2024	Completed	19
WO0001 26	Streets, Signs & Sidewalks	Pothole	8/20/2024	8/20/2024	9/7/2024	Completed	18
WO0000 98	Streets, Signs & Sidewalks	Other	7/22/2024	7/22/2024	9/20/2024	Completed	60
WO0001 49	Streets, Signs & Sidewalks	Pothole	9/19/2024	9/19/2024	10/2/2024	Completed	13
WO0001 00	Streets, Signs & Sidewalks	Other	7/24/2024	7/24/2024	7/24/2024	Completed	0
WO0000 97	Streets, Signs & Sidewalks	Other	7/22/2024	7/22/2024	7/29/2024	Completed	7
WO0001 43	Streets, Signs & Sidewalks	Pothole	9/11/2024	9/11/2024	-	New Work Order	25
WO0001 13	Streets, Signs & Sidewalks	Other	8/7/2024	8/7/2024	-	New Work Order	60
WO0001 12	Streets, Signs & Sidewalks	Other	8/6/2024	8/6/2024	8/22/2024	Completed	16
WO0000 95	Streets, Signs & Sidewalks	Other	7/18/2024	7/18/2024	9/26/2024	Completed	70
WO0001 23	Streets, Signs & Sidewalks	Pothole	8/16/2024	8/16/2024	-	New Work Order	51
WO0001 40	Streets, Signs & Sidewalks	Pothole	8/30/2024	8/30/2024	-	New Work Order	37
WO0001 36	Streets, Signs & Sidewalks	Other	8/27/2024	8/27/2024	8/27/2024	Completed	0
WO0001 08	Streets, Signs & Sidewalks	Pothole	8/1/2024	8/1/2024	8/1/2024	Completed	0

WO0001 17	Streets, Signs & Sidewalks	Curb Repair	8/12/2024	8/12/2024	-	New Work Order	55
WO0000 94	Streets, Signs & Sidewalks	Pothole	7/12/2024	7/12/2024	7/12/2024	Completed	0
WO0001 06	Streets, Signs & Sidewalks	Other	7/31/2024	7/31/2024	-	New Work Order	67
WO0001 05	Streets, Signs & Sidewalks	Other	7/31/2024	7/31/2024	8/1/2024	Completed	1
WO0001 02	Streets, Signs & Sidewalks	Pothole	7/29/2024	7/29/2024	7/29/2024	Completed	0
WO0001 11	Streets, Signs & Sidewalks	Pothole	8/5/2024	8/5/2024	8/5/2024	Completed	0
WO0001 19	Streets, Signs & Sidewalks	Sign Repair/replacemen t	8/16/2024	8/16/2024	8/15/2024	Completed	-
WO0001 20	Streets, Signs & Sidewalks	Other	8/16/2024	8/16/2024	-	New Work Order	51
WO0001 04	Streets, Signs & Sidewalks	Pothole	7/30/2024	-	-	Citizen Request	68
WO0001 09	Streets, Signs & Sidewalks	Pothole	8/5/2024	8/5/2024	8/5/2024	Completed	0
WO0001 35	Streets, Signs & Sidewalks	Other	8/27/2024	8/27/2024	8/27/2024	Completed	0
WO0001 21	Streets, Signs & Sidewalks	Other	8/16/2024	8/16/2024	8/22/2024	Completed	6
WO0001 03	Streets, Signs & Sidewalks	Pothole	7/30/2024	-	-	Citizen Request	68
WO0001 10	Streets, Signs & Sidewalks	Pothole	8/5/2024	8/5/2024	8/5/2024	Completed	0
WO0001 07	Streets, Signs & Sidewalks	Sign Repair/replacemen t	8/1/2024	8/1/2024	8/1/2024	Completed	0
WO0001 42	Streets, Signs & Sidewalks	Pothole	9/11/2024	9/11/2024	-	New Work Order	25

WO0001 53	Streets, Signs & Sidewalks	Pothole	9/24/2024	9/24/2024	-	New Work Order	12
WO0001 44	Wastewater	Sewer Backup	9/9/2024	9/9/2024	9/10/2024	Completed	1
WO0001 45	Wastewater	Sewer Backup	9/10/2024	9/10/2024	9/10/2024	Completed	0
WO0001 52	Wastewater	Other	9/11/2024	9/20/2024	9/11/2024	Completed	-
WO0000 96	Wastewater	Sewer Backup	7/22/2024	7/22/2024	7/23/2024	Completed	1
WO0000 99	Wastewater	Sewer Backup	7/22/2024	7/22/2024	7/23/2024	Completed	1
WO0001 30	Wastewater	Sewer Backup	8/21/2024	8/21/2024	8/21/2024	Completed	0
WO0001 16	Wastewater	Other	8/12/2024	8/12/2024	8/21/2024	Completed	9
WO0001 37	Wastewater	Other	8/27/2024	8/27/2024	8/28/2024	Completed	1
WO0000 93	Wastewater	Sewer Backup	7/1/2024	7/1/2024	7/1/2024	Completed	0
WO0001 15	Wastewater	Sewer Backup	8/12/2024	8/12/2024	8/21/2024	Completed	9
WO0001 32	Wastewater	Sewer Backup	8/22/2024	8/22/2024	8/23/2024	Completed	1
WO0001 22	Wastewater	Sewer Backup	8/16/2024	8/16/2024	8/21/2024	Completed	5
WO0001 29	Wastewater	Other	8/20/2024	8/20/2024	9/4/2024	Completed	15
WO0001 39	Wastewater	Sewer Backup	8/30/2024	8/30/2024	9/4/2024	Completed	5
WO0001 01	Wastewater	Sewer Backup	7/24/2024	7/24/2024	8/21/2024	Completed	28
WO0001 33	Wastewater	Sewer Backup	8/22/2024	8/22/2024	8/23/2024	Completed	1



WO0001 38	Wastewater	Other	8/30/2024	8/30/2024	9/4/2024	Completed	5
WO0001 28	Water Distribution	Water Leak	8/20/2024	8/20/2024	8/21/2024	Completed	1
WO0001 46	Water Distribution	Other	9/11/2024	9/11/2024	9/9/2024	Completed	-
WO0001 51	Water Distribution	Water Leak	9/20/2024	9/20/2024	9/18/2024	Completed	-
WO0001 34	Water Distribution	Water Tap	8/22/2024	8/22/2024	10/2/2024	Completed	41
WO0001 18	Water Distribution	Water Leak	8/14/2024	8/14/2024	9/30/2024	Completed	47
WO0001 41	Water Distribution	Water Leak	9/6/2024	9/6/2024	9/9/2024	Completed	3
WO0001 14	Water Distribution	Other	8/12/2024	8/12/2024	8/13/2024	Completed	1
WO0001 31	Water Distribution	Water Tap	8/22/2024	8/22/2024	10/2/2024	Completed	41
WO0001 54	Water Distribution	Water Leak	9/26/2024	9/26/2024	9/26/2024	Completed	0
WO0001 50	Water Distribution	Water Leak	9/20/2024	9/20/2024	9/20/2024	Completed	0

# **Street Department supplemental worklog**

Quarterly report  
July – September 2024

Zip, grade, primer, and seal coat on Garner St from Commerce St to Marjorie St.

Zip, grade, primer, and seal coat on Eveline St. From Garner St to Broadway St.

Zip, grade, primer, and seal coat on 600 block and 700 block of Randle St.

Zip, grade, primer, and seal coat on Brookhollow Dr from Blackstone Pl to Oakglen Dr.

Zip, grade, primer, and seal coat in front of 113 and 114 Blackstone Pl.

Replace the yield signs with stop signs in the Lynn Haven Area.

Trim tree block stop sign and school lights around neighborhoods

Cut grass around town as needed.

Work on potholes in all areas as work orders come in (Airline, Clois Green, Ashley field, Holiday Ln, Travis St, Saluria Pl, Bredan Rd.

# **Parks Department supplemental worklog**

## Quarterly Report from 7-2-24 to 10-4-24

Maintained all City Parks bathrooms and grounds.

Maintained BCC as needed after events.

Sprayed weeds in area 1/2 /3 and started area 4 on curbing and easement.

Maintain ball fields at Wilson Park, rake and weed control.

Replaced outdated pier light on pier that was not working.

2 employees attended training to repair and maintain resilient safety surfacing located in several Parks.

Help set up and clean up before and after several events at Bayfront Park.

Trimmed several trees around the BCC.

Started repainting and repairing curbs at BCC.

Installed EWF beneath swing set and playscape next to basket court and removed existing material.

# **Utilities Department supplemental worklog**

## Accomplishments July 2024 to September for the utility's maintenance department

July 2024 11 sewer complaints 5 water leaks 3 main breaks replaced 1 hydrant replaced 480 feet of 2-inch water main. Mario attended wastewater collections course Ryan Chapman obtained class C wastewater operator license Bernard Adams obtained class D wastewater operator license. No state violations during the month.

July 2024 wastewater-maintained lift stations and upgraded wiring and continued daily checks.

Wastewater treatment plant continued daily routine maintenance and maintained compliance with process and control.

August 2024 8 sewer complaints 5 main breaks 10 water service line repairs 1 sewer line repairs 6 check for leaks no state violations during the month.

August 2024 wastewater-maintained lift stations, replace generator disconnect at brook hollow lift station wastewater treatment plant continued routine maintenance and stayed in compliance with process and control.

September 2024 12 sewer complaints 6 check for leaks 5 main breaks 2 hydrant replacements installed 4 valves replaced 24 cleanout sewer caps repaired 5 sewer clean outs no state violations.

September 2024 wastewater lift stations-maintained wastewater treatment maintenance and stayed in compliance.

## **COMMUNICATION**

**SUBJECT:** Consider request of the Chamber of Commerce for parade permit, traffic control assistance and closing off several streets, for the Annual “Lighted Christmas Parade” on Friday, December 06, 2024, beginning at 6:30 p.m. and also request waiver of any fees associated with the event. Presenter is Tania French

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## **INFORMATION:**



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**CITY OF PORT LAVACA**

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**CC MEETING:** October 14, 2024

**DATE:** 10/07/24

**TO:** Jody Weaver, Interim City Manager  
**cc:** Honorable Mayor and City Council Members

**FROM:** Tanya French, Events Coordinator

**SUBJECT:** Closure of streets for the Lighted Christmas Parade

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**BACKGROUND:**

The Port Lavaca Chamber of Commerce is requesting several city streets be closed on Friday, December 6, 2024, for the annual "Lighted Christmas Parade," beginning at 6:30. The parade begins at Sandcrab Stadium, travels down Sam Faubian Street, proceeds right onto Virginia Street, down to Main Street, turns left onto Main Street, proceeds down to Commerce Street, then crosses Commerce Street to the Bayfront Peninsula, where it ends.

The Port Lavaca Chamber of Commerce is requesting waiver of all fees associated with the event and also assistance with traffic control by the Police Department

**FINANCIAL IMPLICATIONS:**

**IMPACT ON COMMUNITY SUSTAINABILITY:**

**RECOMMENDATION:**

Staff recommends approval of this Request.

**ATTACHMENT(S):**

None

## **COMMUNICATION**

**SUBJECT:** Consider appointment/reappointment of member(s) to the Planning Board to fill an expired term and begin a new two-year term. Presenter is Derrick Smith

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### **INFORMATION:**

October 8, 2024

To Port Lavaca City Council:

It has been my privilege to sit on the Port Lavaca Planning Commission for the past 4 years.

My term will be expiring soon but I would very much like to be appointed again.

I believe everyone needs to do their part in order for Port Lavaca to continue to grow.

Sincerely,

Betty Birdwell

# COMMUNICATION

**SUBJECT:** Consider Engagement Letter from Pattillo, Brown & Hill, L.L.P. for Auditing Services of City's Financials for Fiscal Year ending September 30, 2024. Presenter is Brittney Hogan

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## INFORMATION:



July 1, 2024

City of Port Lavaca  
202 N. Virginia  
Port Lavaca, Texas 77979

You have requested that we audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Port Lavaca, Texas (the "Entity"), as of September 30, 2024, and for the year then ended, and the related notes to the financial statements, which collectively comprise the Entity's basic financial statements as listed in the table of contents.

In addition, we will audit the entity's compliance over major federal award programs for the period ended September 30, 2024. We are pleased to confirm our acceptance and our understanding of this audit engagement by means of this letter. Our audits will be conducted with the objectives of our expressing an opinion on each opinion unit and an opinion on compliance regarding the entity's major federal award programs. The objectives of our audit of the financial statements are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with auditing standards generally accepted in the United States of America (GAAS) and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States of America will always detect a material misstatement when it exists. Misstatements, including omissions, can arise from fraud or error and are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

The objectives of our compliance audit are to obtain sufficient appropriate audit evidence to form an opinion and report at the level specified in the governmental audit requirement about whether the entity complied in all material respects with the applicable compliance requirements and identify audit and reporting requirements specified in the governmental audit requirement that are supplementary to GAAS and *Government Auditing Standards*, if any, and perform procedures to address those requirements.

**OFFICE LOCATIONS**

**TEXAS** | Waco | Temple | Hillsboro | Houston  
**NEW MEXICO** | Albuquerque



Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, budgetary comparison information, and pension and other postemployment benefit related information be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the required supplementary information (RSI) in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist primarily of inquiries of management regarding their methods of measurement and presentation and comparing the information for consistency with management's responses to our inquiries. We will not express an opinion or provide any form of assurance on the RSI. The following RSI is required by accounting principles generally accepted in the United States of America. This RSI will be subjected to certain limited procedures but will not be audited:

- Management's Discussion and Analysis.
- Budgetary Schedules.
- Schedule of Changes in Net Pension Liability and Related Ratios.
- Schedule of Pension Contributions.
- Schedule of Changes in Net Other Post Employment Benefit (OPEB) Liability and Related Ratios.
- Schedule of OPEB Contributions.

Supplementary information other than RSI will accompany the Entity's basic financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the basic financial statements and certain additional procedures, including comparing and reconciling the supplementary information to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and additional procedures in accordance with auditing standards generally accepted in the United States of America. We intend to provide an opinion on the following supplementary information in relation to the financial statements as a whole:

- Combining Statements and Schedules.

Also, the document we submit to you will include the following other additional information that will not be subjected to the auditing procedures applied in our audit of the financial statements:

- Introductory Section.
- Statistical Section.

### **Schedule of Expenditures of Federal Awards**

We will subject the schedule of expenditures of federal awards to the auditing procedures applied in our audit of the basic financial statements and certain additional procedures, including comparing and reconciling the schedule to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and additional procedures in accordance with auditing standards generally accepted in the United States of America. We intend to provide an opinion on whether the schedule of expenditures of federal awards is presented fairly in all material respects in relation to the financial statements as a whole.

## Data Collection Form

Prior to the completion of our engagement, we will complete the sections of the Data Collection Form that are our responsibility. The form will summarize our audit findings, amounts and conclusions. It is management's responsibility to submit a reporting package including financial statements, schedule of expenditure of federal awards, summary schedule of prior audit findings and corrective action plan along with the Data Collection Form to the federal audit clearinghouse. The financial reporting package must be text searchable, unencrypted, and unlocked. Otherwise, the reporting package will not be accepted by the federal audit clearinghouse. We will assist you in the electronic submission and certification. You may request from us copies of our report for you to include with the reporting package submitted to pass-through entities.

The Data Collection Form is required to be submitted within the earlier of 30 days after receipt of our auditors' reports or nine months after the end of the audit period, unless specifically waived by a federal cognizant or oversight agency for audits. Data Collection Forms submitted untimely are one of the factors in assessing programs at a higher risk.

## Audit of the Financial Statements

We will conduct our audit in accordance with auditing standards generally accepted in the United States of America (U.S. GAAS), the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States of America; the audit requirements of Title 2 U.S. Code of Federal Regulations (CFR) Part 200 and *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance).

As part of an audit of financial statements in accordance with GAAS and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States of America we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. However, we will communicate to you in writing concerning any significant deficiencies or material weaknesses in internal control relevant to the audit of the financial statements that we have identified during the audit.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Conclude, based on the audit evidence obtained, whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Entity's ability to continue as a going concern for a reasonable period of time.

Because of the inherent limitations of an audit, together with the inherent limitations of internal control, an unavoidable risk that some material misstatements or noncompliance may not be detected exists, even though the audit is properly planned and performed in accordance with GAAS and *Government Auditing Standards* of the Comptroller General of the United States of America. Please note that the determination of abuse is subjective, and *Government Auditing Standards* does not require auditors to detect abuse.

Our responsibility as auditors is limited to the period covered by our audit and does not extend to any other periods.

We will issue a written report upon completion of our audit of the Entity's basic financial statements. Our report will be addressed to those charged with governance of the Entity. Circumstances may arise in which our report may differ from its expected form and content based on the results of our audit. Depending on the nature of these circumstances, it may be necessary for us to modify our opinions, add an emphasis-of-matter or other-matter paragraph(s) to our auditor's report, or if necessary, withdraw from the engagement. If our opinions on the basic financial statements are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or to issue a report as a result of this engagement.

In accordance with the requirements of *Government Auditing Standards*, we will also issue a written report describing the scope of our testing over internal control over financial reporting and over compliance with laws, regulations, and provisions of grants and contracts, including the results of that testing. However, providing an opinion on internal control and compliance over financial reporting will not be an objective of the audit and, therefore, no such opinion will be expressed.

### **Audit of Major Program Compliance**

Our audit of the Entity's major federal award program(s) compliance will be conducted in accordance with the requirements of the Single Audit Act, as amended; and the Uniform Guidance, and will include tests of accounting records, a determination of major programs in accordance with the Uniform Guidance and other procedures we consider necessary to enable us to express such an opinion on major federal award program compliance and to render the required reports. We cannot provide assurance that an unmodified opinion on compliance will be expressed. Circumstances may arise in which it is necessary for us to modify our opinion or withdraw from the engagement.

The Uniform Guidance requires that we also plan and perform the audit to obtain reasonable assurance about whether material noncompliance with applicable laws and regulations, the provisions of contracts and grant agreements applicable to major federal award programs, and the applicable compliance requirements occurred, whether due to fraud or error, and express an opinion on the entity's compliance based on the audit. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with GAAS, *Government Auditing Standards*, and the Uniform Guidance will always detect material noncompliance when it exists. The risk of not detecting material noncompliance resulting from fraud is higher than for that resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Noncompliance with the compliance requirements is considered material if there is a substantial likelihood that, individually or in the aggregate, it would influence the judgment made by a reasonable user of the report on compliance about the entity's compliance with the requirements of the federal programs as a whole.

As part of a compliance audit in accordance with GAAS and *Government Auditing Standards* of the Comptroller General of the United States of America, we exercise professional judgment and maintain professional skepticism throughout the audit. We also identify and assess the risks of material noncompliance, whether due to fraud or error, and design and perform audit procedures responsive to those risks.



Our procedures will consist of determining major federal programs and, performing the applicable procedures described in the U.S. Office of Management and Budget *OMB Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of the entity's major programs, and performing such other procedures as we consider necessary in the circumstances. The purpose of those procedures will be to express an opinion on the entity's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

Also, as required by the Uniform Guidance, we will obtain an understanding of the entity's internal control over compliance relevant to the audit in order to design and perform tests of controls to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each of the entity's major federal award programs. Our tests will be less in scope than would be necessary to render an opinion on these controls and, accordingly, no opinion will be expressed in our report. However, we will communicate to you, regarding, among other matters, the planned scope and timing of the audit and any significant deficiencies and material weaknesses in internal control over compliance that we have identified during the audit.

We will issue a report on compliance that will include an opinion or disclaimer of opinion regarding the entity's major federal award programs, and a report on internal controls over compliance that will report any significant deficiencies and material weaknesses identified; however, such report will not express an opinion on internal control.

### **Management's Responsibilities**

Our audit will be conducted on the basis that management and those charged with governance acknowledge and understand that they have responsibility:

1. For the preparation and fair presentation of the financial statements in accordance with accounting principles generally accepted in the United States of America;
2. For the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error;
3. For identifying, in its accounts, all federal awards received and expended during the period and the federal programs under which they were received;
4. For maintaining records that adequately identify the source and application of funds for federally funded activities;
5. For preparing the schedule of expenditures of federal awards (including notes and noncash assistance received) in accordance with the Uniform Guidance;
6. For designing, implementing, and maintaining effective internal control over federal awards that provides reasonable assurance that the entity is managing federal awards in compliance with federal statutes, regulations, and the terms and conditions of the federal awards;
7. For identifying and ensuring that the entity complies with federal laws, statutes, regulations, rules, provisions of contracts or grant agreements, and the terms and conditions of federal award programs, and implementing systems designed to achieve compliance with applicable federal statutes, regulations, and the terms and conditions of federal award programs;
8. For disclosing accurately, currently, and completely the financial results of each federal award in accordance with the requirements of the award;

9. For identifying and providing report copies of previous audits, attestation engagements, or other studies that directly relate to the objectives of the audit, including whether related recommendations have been implemented;
10. For taking prompt action when instances of noncompliance are identified;
11. For addressing the findings and recommendations of auditors, for establishing and maintaining a process to track the status of such findings and recommendations and taking corrective action on reported audit findings from prior periods and preparing a summary schedule of prior audit findings;
12. For following up and taking corrective action on current year audit findings and preparing a corrective action plan for such findings;
13. For submitting the reporting package and data collection form to the appropriate parties;
14. For making the auditor aware of any significant contractor relationships where the contractor is responsible for program compliance;
15. To provide us with:
  - a. Access to all information of which management is aware that is relevant to the preparation and fair presentation of the financial statements including the disclosures, and relevant to federal award programs, such as records, documentation, and other matters;
  - b. Additional information that we may request from management for the purpose of the audit;
  - c. Unrestricted access to persons within the entity from whom we determine it necessary to obtain audit evidence;
  - d. A written acknowledgement of all the documents that management expects to issue that will be included in the annual report and the planned timing and method of issuance of that annual report, if one is issued. This document would include more than an annual comprehensive financial report (ACFR) or annual financial report (AFR) and;
  - e. If applicable, a final version of the annual report, (including all the documents that, together, comprise the annual report) in a timely manner prior to the date of the auditor's report.
16. For adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the current year period(s) under audit are immaterial, both individually and in the aggregate, to the financial statements as a whole;
17. For acceptance of non-attest services, including identifying the proper party to oversee non-attest work;
18. For maintaining adequate records, selecting and applying accounting principles, and safeguarding assets;

19. For informing us of any known or suspected fraud affecting the entity involving management, employees with significant role in internal control and others where fraud could have a material effect on compliance;
20. For the accuracy and completeness of all information provided;
21. For taking reasonable measures to safeguard protected personally identifiable and other sensitive information; and
22. For confirming your understanding of your responsibilities as defined in this letter to us in your management representation letter.

With regard to the supplementary information referred to above, you acknowledge and understand your responsibility: (a) for the preparation of the supplementary information in accordance with the applicable criteria; (b) to provide us with the appropriate written representations regarding supplementary information; (c) to include our report on the supplementary information in any document that contains the supplementary information and that indicates that we have reported on such supplementary information; and (d) to present the supplementary information with the audited basic financial statements, or if the supplementary information will not be presented with the audited basic financial statements, to make the audited basic financial statements readily available to the intended users of the supplementary information no later than the date of issuance by you of the supplementary information and our report thereon.

With regard to the schedule of expenditures of federal awards referred to above, you acknowledge and understand your responsibility (a) for the preparation of the schedule of expenditures of federal awards in accordance with the Uniform Guidance, (b) to provide us with the appropriate written representations regarding the schedule of expenditures of federal awards, (c) to include our report on the schedule of expenditures of federal awards in any document that contains the schedule of expenditures of federal awards and that indicates that we have reported on such schedule, and (d) to present the schedule of expenditures of federal awards with the audited financial statements, or if the schedule will not be presented with the audited financial statements, to make the audited financial statements readily available to the intended users of the schedule of expenditures of federal awards no later than the date of issuance by you of the schedule and our report thereon.

As part of our audit process, we will request from management, written confirmation concerning representations made to us in connection with the audit.

We understand that your employees will prepare all confirmations we request and will locate any documents or invoices selected by us for testing.

If you intend to publish or otherwise reproduce the financial statements and make reference to our firm, you agree to provide us with printers' proofs or masters for our review and approval before printing. You also agree to provide us with a copy of the final reproduced material for our approval before it is distributed.

### **Non-attest Services**

We will also assist in preparing the financial statements, schedule of expenditures of federal awards, and related notes of the Entity in conformity with U.S. generally accepted accounting principles and the requirements of Title 2 U.S. Code of Federal Regulations (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance) based on information provided by you. These non-audit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. These services are limited to preparing the financial statements, schedule of expenditures of federal awards, and related notes of the Entity as previously outlined.

We will not assume management responsibilities on behalf of the Entity. However, we will provide advice and recommendations to assist management of the Entity in performing its responsibilities.

The Entity's management is responsible for (a) making all management decisions and performing all management functions; (b) assigning a competent individual to oversee the services; (c) evaluating the adequacy of the services performed; (d) evaluating and accepting responsibility for the results of the services performed; and (e) establishing and maintaining internal controls, including monitoring ongoing activities.

Our responsibilities and limitations of the engagement is limited to our preparation of the financial statements and related note disclosures and the schedule of expenditures of federal awards previously outlined. Our firm in its sole professional judgment, reserves the right to do any procedure or take any action that could be construed as making management decisions or assuming management responsibilities, including determining account coding and approving journal entries. Our firm will advise with regard to financial reporting, but the Entity must make all decisions with regard to those matters.

*Government Auditing Standards* require that we document an assessment of the skills, knowledge, and experience of management, should we participate in any form of preparation of the basic financial statements and related schedules or disclosures as these actions are deemed a non-audit service.

### **Engagement Administration, Fees and Timing**

We will schedule the engagement based in part on deadlines, working condition, and the availability of your key personnel. We will plan the engagement based on the assumption that your personnel will cooperate and provide assistance by performing tasks such as preparing requested schedules, retrieving supporting documents, and preparing confirmations. If for whatever reason your personnel are unavailable to provide the necessary assistance in a timely manner, it may substantially increase the work we have to do to complete the engagement within the established deadlines, resulting in an increase in fees over our original fee estimate.

The timing of our audit will be scheduled for performance and completion as follows:

Document internal control and preliminary tests	July 2024
Mail confirmations	October 2024
Perform year-end audit procedures	February 2025
Issue audit reports	March 2025

Paula Lowe is the engagement partner for the audit services specified in this letter. Her responsibilities include supervising Pattillo, Brown & Hill, LLP's services performed as part of this engagement and signing or authorizing another qualified firm representative to sign the audit report.

Our fees for these services will be at our standard hourly rates plus out-of-pocket cost (such as reports reproduction, word processing, postage, travel, copies, telephone, etc.) except that we agree that our gross fee, including expenses, will not exceed \$52,000. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes 30 days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been

completed upon written notification of termination, even if we have not completed our report(s). You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional cost.

### **Other Matters**

During the course of the engagement, we may communicate with you or your personnel via fax or email, and you should be aware that communication in those mediums contains a risk of misdirected or intercepted communications. In addition to fax and email, our firm also exchanges data over the internet using other methods (such as portals) or store electronic data via software applications hosted remotely through a third-party vendor's secured portal and/or cloud.

Regarding the electronic dissemination of audited financial statements, including financial statements published electronically on your Internet website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

Professional standards prohibit us from being the sole host and/or the sole storage for your financial and non-financial data. As such, it is your responsibility to maintain your original data and records and we cannot be responsible to maintain such original information. By signing this engagement letter, you affirm that you have all the data and records required to make your books and records complete.

Our firm may transmit confidential information that you provided us to third parties in order to facilitate delivering our services to you. For example, such transmissions might include, but not be limited to investment information to verify valuation. We have obtained confidentiality agreements with all our service providers to maintain the confidentiality of your information and we will take reasonable precautions to determine that they have the appropriate procedures in place to prevent the unauthorized release of confidential information to others. We will remain responsible for the work provided by any third-party service providers used under this agreement. By your signature below, you consent to having confidential information transmitted to entities outside the firm. Please feel free to inquire if you would like additional information regarding the transmission of confidential information to entities outside the firm.

The audit documentation for this engagement is the property of Pattillo, Brown & Hill, LLP and constitutes confidential information. However, we may be requested to make certain audit documentation available to federal or state agencies and the U.S. Government Accountability Office pursuant to authority given to it by law or regulation, or to peer reviewers. If requested, access to such audit documentation will be provided under the supervision of Pattillo, Brown & Hill's personnel. Furthermore, upon request, we may provide copies of selected audit documentation to these agencies and regulators. The regulators and agencies may intend, or decide, to distribute the copies of information contained therein to others, including other governmental agencies.

Further, we will be available during the year to consult with you on financial management and accounting matters of a routine nature.

During the course of the audit, we may observe opportunities for economy in, or improved controls over, your operations. We will bring such matters to the attention of the appropriate level of management, either orally or in writing.

We agree to retain our audit documentation or work papers for a period of at least five years from the date of our report.

You agree to inform us of facts that may affect the financial statements of which you may become aware during the period from the date of the auditor's report to the date the financial statements are issued.

At the conclusion of our audit engagement, we will communicate to management and those charged with governance the following significant findings from the audit:

- Our view about the qualitative aspects of the entity's significant accounting practices;
- Significant difficulties, if any, encountered during the audit;
- Uncorrected misstatements, other than those we believe are trivial, if any;
- Disagreements with management, if any;
- Other findings or issues, if any, arising from the audit that are, in our professional judgment, significant and relevant to those charged with governance regarding their oversight of the financial reporting process;
- Material, corrected misstatements that were brought to the attention of management as a result of our audit procedures;
- Representations we requested from management;
- Management's consultations with other accountants, if any; and
- Significant issues, if any, arising from the audit that were discussed, or the subject of correspondence, with management.

In accordance with the requirements of *Government Auditing Standards*, we have attached a copy of our latest external peer review report of our firm for your consideration and files.

Please sign and return the attached copy of this letter to indicate your acknowledgment of, and agreement with, the arrangements for our audit of the financial statements, compliance over major federal award programs including our respective responsibilities.

We appreciate the opportunity to be your financial statement auditors and look forward to working with you and your staff.

Respectfully,  
Pattillo, Brown & Hill, L.L.P.



Paula Lowe, CPA  
Waco, Texas  
RESPONSE:

This letter correctly sets forth our understanding.

Acknowledged and agreed on behalf of the City of Port Lavaca, Texas by:

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

## Report on the Firm's System of Quality Control

December 9, 2022

To the Partners of Pattillo Brown & Hill, LLP  
and the National Peer Review Committee

We have reviewed the system of quality control for the accounting and auditing practice of Pattillo Brown & Hill, LLP (the firm) in effect for the year ended May 31, 2022. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants (Standards).

A summary of the nature, objectives, scope, limitations of, and the procedures performed in a System Review as described in the Standards may be found at [www.aicpa.org/prsummary](http://www.aicpa.org/prsummary). The summary also includes an explanation of how engagements identified as not performed or reported on in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

### Firm's Responsibility

The firm is responsible for designing and complying with a system of quality control to provide the firm with reasonable assurance of performing and reporting in conformity with the requirements of applicable professional standards in all material respects. The firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported on in conformity with the requirements of applicable professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

### Peer Reviewer's Responsibility

Our responsibility is to express an opinion on the design of and compliance with the firm's system of quality control based on our review.

### Required Selections and Considerations

Engagements selected for review included engagements performed under *Government Auditing Standards*, including compliance audits under the Single Audit Act; an audit of an employee benefit; and an audit performed under FDICIA.

As a part of our peer review, we considered reviews by regulatory entities as communicated by the firm, if applicable, in determining the nature and extent of our procedures.

### Opinion

In our opinion, the system of quality control for the accounting and auditing practice of Pattillo Brown & Hill, LLP in effect for the year ended May 31, 2022, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. Pattillo Brown & Hill, LLP has received a peer review rating of *pass*.

***Ericksen Krentel, LLP***

Certified Public Accountants



# COMMUNICATION

**SUBJECT:** Consider lease at Nautical Landings Suite 4 to Something More Media.  
Presenter is Jody Weaver

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## INFORMATION:

CITY OF PORT LAVACA

COUNCIL MEETING: OCTOBER 14, 2024

AGENDA ITEM:

DATE: 10.4.2024

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: JODY WEAVER, INTERIM CITY MANAGER

SUBJECT: New Lease of Suite 4 Nautical Landings Office Building to Something More Media

We have been working with the Port Commission to standardize the rent of office space at the Nautical Landings Office Building and provide calculations and backup for all additional costs to be reimbursed by the tenant. The standard rent has been established as \$1.25/sf plus appropriate reimbursement for trash, electricity, water/sewer/GBRA fee, and janitorial if applicable.

Attached is a new lease agreement for Something More Media (Tania French) that if approved will be effective as of October 1, 2024.

The proposed New Lease amount approved and recommended by the Port Commission is \$967.50/month. This is an increase of \$274.37/month (+40%) above her previous rent amount. Part of the reason for the significant increase is that previously she has always been provided a level of discount to her lease. This discount was to acknowledge that it is a benefit to the City to have her, as the City Events Coordinator, to be officed in close proximity to Bayfront Park and downtown, where most of our events occur. In addition, she uses this space routinely to store materials and equipment for the benefit of City events and it is noted that the City's fee for Events Coordination has not changed since 2018. As such, Tania is requesting consideration of a discount be given to her new monthly rental fee.

In keeping with previous thinking, I proposed a \$160/month discount, which is about a 20% discount to the base rent and still provides over \$1/sf (\$1.04/sf). No discounts are proposed to the reimbursements for services.

**Financial Implications:**

Additional annual revenue without discount =  $\$274.37 \times 12 = \$3,292.44$

Additional annual revenue with discount =  $\$114.37 \times 12 = \$1,372.44$

Difference = \$1,920.00

**Recommendation:**

The Port Commission's recommendation was to deny the request for a discount but stated that should the Council vote to grant it, that \$160/mo. be transferred from the General Fund to the Ports and Harbors Fund each month.

Attached:

- Proposed Office Lease for Suite 4 Nautical Landings Office Building
- Current Rent calculation sheet for Nautical Landings Office Building

**Office Lease**

**Date:** October 1, 2024

**Landlord:**

CITY OF PORT LAVACA, TEXAS, a Texas home rule municipality  
202 N. Virginia  
Port Lavaca, TX 77979

**Tenant:**

**TANIA FRENCH DBA  
SOMETHING MORE MEDIA**  
106 South Commerce St. Suite 4  
Port Lavaca, Texas 77979

**Premises:**

Approximate square feet: 597 sf (office) + 25 sf (restroom) = 622 net square feet

Name of Building: Nautical Landings

Street address/suite: Suite 4

City, state, zip: Port Lavaca, Texas 77979

**Term (months):** 12 with a one (1) year option to extend upon 90 days advance written notice

**Commencement Date:** October 1, 2024

**Termination Date:** September 30, 2025

**Monthly payments due:**

Premises lease at \$1.25/sf:	\$777.50
Trash Service:	<u>\$30.00</u>
Subtotal rent:	\$807.50
Electricity:	\$110.00
Water/sewer/GBRA fee:	<u>\$ 50.00</u>
Total:	\$967.50
Proposed discount:	(\$160.00) * 20% of Subtotal rent. It is advantageous for City Events Tania to be officed near Bayfront Park for event coordination and temporary storage of materials and supplies.
Total monthly rent payment with discount:	<b>\$807.50</b>

Rent shall be adjusted on October 1<sup>st</sup> each year by the increase of the Municipal Cost Index as of the latest date it was published prior to October 1<sup>st</sup>. City may give a courtesy notice of any increase annually, however failure to give such notice does not relieve Tenant of the obligation to pay such increases.

**Permitted Use:** Business Office Establishment

**Tenant's Electricity Share:** \$110/month (*ref Section B.1.g.i*)

**Tenant's Water/Sewer/GBRA raw water fee Share:** \$50/month (*ref Section B.1.g.ii*)

**Tenant's Trash Disposal Service Share:** \$30/month (*ref Section B.1.g.iii*)

**Tenant's Insurance:** As required by Insurance Addendum

**Landlord's Insurance:** As required by Insurance Addendum

**Tenant's Rebuilding Obligations:** If the Premises are damaged by fire or other elements, Tenant will be responsible for repairing or rebuilding the following leasehold improvements: All partitions, walls, ceiling systems, wiring, light fixtures, floors, finishes, wall coverings, floor coverings, signs, doors, hardware, windows, window coverings, plumbing, heating, ventilating, and air-conditioning equipment, and other improvements originally installed in the Premises by Tenant.

**A. Definitions**

A.1. "Agent" means agents, contractors, employees, licensees, and, to the extent under the control of the principal, invitees.

~~A.2. "Building Operating Hours" means 8:00 A.M. to 6:00 P.M. Monday through Friday, except holidays.~~

A.3. "Common Areas" means all facilities and areas of the Building and Parking Facilities and the related land that are intended and designated by Landlord from time to time for the common, general, and nonexclusive use of all tenants of the Building. Landlord has the exclusive control over and right to manage the Common Areas.

A.4. "Essential Services" means the following services: (a) air-conditioning and heating to the Premises reasonable for the Permitted Use (exclusive of air-conditioning or heating for electronic data-processing or other specialized equipment) during Building Operating Hours and at such other times at such additional cost as Landlord and Tenant may agree on; (b) hot and cold water for lavatory and drinking purposes; (c) electric current for normal office machines and the Building's standard lighting reasonable for the Permitted Use; and (d) lighting in Common Areas and fluorescent lights in the Building's standard light fixtures on the Premises.

A.5. "Injury" means (a) harm to or impairment or loss of property or its use, (b) harm to or death of a person, or (c) "personal and advertising injury" as defined in the form of liability insurance Tenant is required to maintain.

A.6. "Parking Facility" means the common area parking located on the Premises.

A.7. "Rent" means Base Rent plus any other amounts of money payable by Tenant to Landlord.

**B. Tenant's Obligations**

**B.1. Tenant agrees to -**

*B.1.a.* Lease the Premises for the entire Term beginning on the Commencement Date and ending on the Termination Date.

*B.1.b.* Accept the Premises in their present condition "AS IS," the Premises being currently suitable for the Permitted Use.

*B.1.c.* Obey (i) all laws relating to Tenant's use, maintenance of the condition, and occupancy of the Premises and Tenant's use of any Common Areas in the Building; (ii) any requirements imposed by utility companies serving or insurance companies covering the Premises or Building; and (iii) any rules and regulations for the Building and Common Areas adopted by Landlord.

*B.1.d.* Pay monthly, in advance, without demand, on the first day of the month, the Base Rent to Landlord at Landlord's Address.

*B.1.e.* Pay a late charge of 10 percent of any Rent not received by Landlord by the tenth day after it is due.

*B.1.f.* Obtain and pay for all utility services used by Tenant and not provided by Landlord.

*B.1.g.i.* **Electricity service:** Tenant shall reimburse Landlord directly for its electric service with a monthly sum of **\$110.00**, being a mutually agreed upon estimate of the average cost of electricity used monthly, based upon an energy rate of **\$0.06287/kWh**. Such payment for electricity is due on the first day of the month and is subject to a late charge of 10 percent, if not received by Landlord by the tenth day after its due. This monthly reimbursement amount will be reviewed annually and adjusted per any percentage change in the energy rate being paid by Landlord.

*B.1.g.ii.* **Water/Sewer service and GBRA raw water fee:** Tenant shall reimburse Landlord directly for its water and sewer service and GBRA raw water fee with a monthly sum of **\$50.00**, being a mutually agreed upon estimate of the average cost of water and sewer services and GBRA raw water fee used monthly, based upon the water, sewer, and GBRA raw water fee rates in effect on the beginning date of this lease. Such payment for water and sewer service and GBRA raw water fee is due on the first day of the month and is subject to a late charge of 10 percent, if not received by Landlord by the tenth day after its due. This monthly reimbursement amount will be reviewed annually and adjusted per any percentage change in the water, sewer, and GBRA raw water fee rate being paid by Landlord.

*B.1.g.iii. **Trash Disposal:*** Tenant shall reimburse Landlord directly for trash disposal services (use of dumpster) with a monthly sum of **\$30.00**, being a mutually agreed upon compensation for these services. Such payment for these services is due on the first day of the month and is subject to a late charge of 10 percent, if not received by Landlord by the tenth day after its due. This monthly reimbursement amount will be reviewed annually and adjusted per any percentage change in the cost of trash disposal service services paid by Landlord.

*B.1.h.* Allow Landlord to enter the Premises to perform Landlord's obligations, inspect the Premises, and show the Premises to prospective purchasers or tenants.

*B.1.i.* Repair, replace, and maintain any part of the Premises that Landlord is not obligated to repair, replace, or maintain, normal wear excepted.

*B.1.j.* Submit in writing to Landlord any request for repairs, replacement, and maintenance that are the obligations of Landlord.

*B.1.k.* Vacate the Premises and return all keys to the Premises on the last day of the Term.

*B.1.l.* INDEMNIFY, DEFEND, AND HOLD LANDLORD AND ITS RESPECTIVE AGENTS, HARMLESS FROM ANY INJURY (AND ANY RESULTING OR RELATED CLAIM, ACTION, LOSS, LIABILITY, OR REASONABLE EXPENSE, INCLUDING ATTORNEY'S FEES AND OTHER FEES AND COURT AND OTHER COSTS) OCCURRING IN ANY PORTION OF THE PREMISES IF CAUSED IN WHOLE OR IN PART BY THE ACTS OR OMISSIONS OF TENANT OR ITS AGENTS, INCLUDING IN WHOLE OR IN PART BY THE NEGLIGENT ACTS OR OMISSIONS OF TENANT OR ITS AGENTS. **THE INDEMNITY CONTAINED IN THIS PARAGRAPH (i) IS INDEPENDENT OF TENANT'S INSURANCE, (ii) WILL NOT BE LIMITED BY COMPARATIVE NEGLIGENCE STATUTES OR DAMAGES PAID UNDER THE WORKERS' COMPENSATION ACT OR SIMILAR EMPLOYEE BENEFIT ACTS, (iii) WILL SURVIVE THE END OF THE TERM, AND (iv) WILL APPLY EVEN IF AN INJURY IS CAUSED IN PART BY THE ORDINARY NEGLIGENCE OR STRICT LIABILITY OF LANDLORD BUT WILL NOT APPLY TO THE EXTENT AN INJURY IS CAUSED IN WHOLE OR IN PART BY THE GROSS NEGLIGENCE OR WILLFUL MISCONDUCT OF LANDLORD, LIENHOLDER, OR THEIR RESPECTIVE AGENTS.**

*B.2. Tenant agrees not to -*

*B.2.a.* Use the Premises for any purpose other than the Permitted Use.

*B.2.b.* Create a nuisance.

*B.2.c.* Interfere with any other tenant's normal business operations or Landlord's management of the Building.

*B.2.d.* Permit any waste.

*B.2.e.* Use the Premises in any way that would increase insurance premiums, or void insurance on the Building.

*B.2.f.* Change Landlord’s lock system.

*B.2.g.* Alter the Premises.

*B.2.h.* Allow a lien to be placed on the Premises.

*B.2.i.* Assign this lease or sublease any portion of the Premises without Landlord’s written consent. Any assignment shall be void and of no effect. If City does consent to an assignment, Tenant herein shall not be relieved of any responsibility under this Lease.

*B.2.j.* Smoking, vaping, and/or chewing tobacco products on the Premises or in the common area is strictly prohibited.

**C. Landlord’s Obligations**

*C.1. Landlord agrees to -*

*C.1.a.* Lease to Tenant the Premises for the entire Term beginning on the Commencement Date and ending on the Termination Date.

*C.1.b.* Obey all laws relating to Landlord’s operation of the Building and Common Areas.

*C.1.c.* Provide the Essential Services.

*C.1.d.* Repair, replace, and maintain the (i) roof, (ii) foundation, (iii) Common Areas, (iv) structural soundness of the exterior walls, doors, corridors, and windows, and (v) other structures or equipment serving the Premises.

*C.1.e.* TO THE EXTENT ALLOWED BY TEXAS LAW, BUT NOT OTHERWISE, INDEMNIFY, DEFEND, AND HOLD TENANT HARMLESS FROM ANY INJURY AND ANY RESULTING OR RELATED CLAIM, ACTION, LOSS, LIABILITY, OR REASONABLE EXPENSE, INCLUDING ATTORNEY’S FEES AND OTHER FEES AND COURT AND OTHER COSTS, OCCURRING IN ANY PORTION OF THE COMMON AREAS. **THE INDEMNITY CONTAINED IN THIS PARAGRAPH (i) IS INDEPENDENT OF LANDLORD’S INSURANCE, (ii) WILL NOT BE LIMITED BY COMPARATIVE NEGLIGENCE STATUTES OR DAMAGES PAID UNDER THE WORKERS’ COMPENSATION ACT OR SIMILAR EMPLOYEE BENEFIT ACTS, (iii) WILL SURVIVE THE END OF THE TERM, AND (iv) WILL APPLY IF CAUSED IN WHOLE OR IN PART BY THE ACTS OR OMISSIONS OF LANDLORD OR ITS AGENTS, INCLUDING IN WHOLE OR IN PART BY THE NEGLIGENT ACTS OR OMISSIONS OF LANDLORD OR ITS AGENTS, EVEN IF AN INJURY IS CAUSED IN PART BY THE ORDINARY NEGLIGENCE OR STRICT LIABILITY OF TENANT BUT WILL NOT APPLY TO THE EXTENT AN INJURY IS CAUSED IN WHOLE OR IN PART BY THE**

**GROSS NEGLIGENCE OR WILLFUL MISCONDUCT OF TENANT.**

**C.2. Landlord agrees not to -**

*C.2.a.* Interfere with Tenant's possession of the Premises as long as Tenant is not in default.

*C.2.b.* Unreasonably withhold consent to a proposed assignment or sublease.

**D. General Provisions**

**Landlord and Tenant agree to the following:**

*D.1. Alterations.* Any physical additions or improvements to the Premises made by Tenant will become the property of Landlord and must be ADA compliant. Landlord may require that Tenant, at the end of the Term and at Tenant's expense, remove any physical additions and improvements, repair any alterations, and restore the Premises to the condition existing at the Commencement Date, normal wear excepted.

*D.2. Signage.* Landlord shall allow Tenant to place regulatory agency mandated signage (stickers) on or near the front entrance of the Premises.

*D.3. Abatement.* Tenant's covenant to pay Rent and Landlord's covenants are independent. Except as otherwise provided, Tenant may not abate Rent for any reason.

*D.4. Insurance.* Tenant and Landlord will maintain the respective insurance coverages described in the attached Insurance Addendum.

*D.5. Release of Claims/Subrogation.* LANDLORD AND TENANT RELEASE EACH OTHER, AND THEIR RESPECTIVE AGENTS, FROM ALL CLAIMS OR LIABILITIES FOR DAMAGE TO THE PREMISES OR BUILDING, DAMAGE TO OR LOSS OF PERSONAL PROPERTY WITHIN THE BUILDING, AND LOSS OF BUSINESS OR REVENUES THAT ARE INSURED BY THE RELEASING PARTY'S PROPERTY INSURANCE OR THAT WOULD HAVE BEEN INSURED BY THE REQUIRED INSURANCE IF THE PARTY FAILS TO MAINTAIN THE PROPERTY COVERAGES REQUIRED BY THIS LEASE. THE PARTY INCURRING THE DAMAGE OR LOSS WILL BE RESPONSIBLE FOR ANY DEDUCTIBLE OR SELF-INSURED RETENTION UNDER ITS PROPERTY INSURANCE. LANDLORD AND TENANT WILL NOTIFY THE ISSUING PROPERTY INSURANCE COMPANIES OF THE RELEASE SET FORTH IN THIS PARAGRAPH AND WILL HAVE THE PROPERTY INSURANCE POLICIES ENDORSED, IF NECESSARY, TO PREVENT INVALIDATION OF COVERAGE. THIS RELEASE WILL NOT APPLY IF IT INVALIDATES THE PROPERTY INSURANCE COVERAGE OF THE RELEASING PARTY. **THE RELEASE IN THIS PARAGRAPH WILL APPLY EVEN IF THE DAMAGE OR LOSS IS CAUSED IN WHOLE OR IN PART BY THE ORDINARY NEGLIGENCE OR STRICT LIABILITY OF THE RELEASED PARTY OR ITS AGENTS BUT WILL NOT APPLY TO THE EXTENT THE DAMAGE OR LOSS IS CAUSED IN WHOLE OR IN PART BY THE**



**GROSS NEGLIGENCE OR WILLFUL MISCONDUCT OF THE RELEASED PARTY OR ITS AGENTS.**

*D.6. Casualty/Total or Partial Destruction*

*D.6.a.* If the Premises are damaged by casualty and can be restored within ninety days, Landlord will, at its expense, restore the roof, foundation, Common Areas, and structural soundness of the exterior walls of the Premises and any leasehold improvements within the Premises that are not within Tenant's Rebuilding Obligations to substantially the same condition that existed before the casualty and Tenant will, at its expense, be responsible for replacing any of its damaged furniture, fixtures, and personal property and performing Tenant's Rebuilding Obligations. If Landlord fails to complete the portion of the restoration for which Landlord is responsible within ninety days from the date of written notification by Tenant to Landlord of the casualty, Tenant may terminate this lease by written notice delivered to Landlord before Landlord completes Landlord's restoration obligations.

*D.6.b.* If the Premises cannot be restored within ninety days, Landlord has an option to restore the Premises. If Landlord chooses not to restore, this lease will terminate. If Landlord chooses to restore, Landlord will notify Tenant of the estimated time to restore and give Tenant an option to terminate this lease by notifying Landlord within ten days. If Tenant does not terminate this lease, the lease will continue and Landlord will restore the Premises as provided in D.6.a. above.

*D.6.c.* To the extent the Premises are untenantable after the casualty, the Rent will be adjusted as may be fair and reasonable.

*D.7. Uniform Commercial Code.* Tenant grants Landlord a security interest in Tenant's personal property now or subsequently located on the Premises. This lease is a security agreement under the Uniform Commercial Code. Landlord may file financing statements or continuation statements to perfect or continue the perfection of the security interest.

*D.8. Default by Landlord/Events.* Defaults by Landlord are failing to comply with any provision of this lease within thirty days after written notice and failing to provide Essential Services to Tenant within ten days after written notice.

*D.9. Default by Landlord/Tenant's Remedies.* Tenant's remedies for Landlord's default are to sue for damages and, if Landlord does not provide an Essential Service within thirty days after default, terminate this lease.

*D.10. Default by Tenant/Events.* Defaults by Tenant are (a) failing to pay Rent timely, (b) abandoning the Premises or vacating a substantial portion of the Premises, and (c) failing to comply within ten days after written notice with any provision of this lease other than the defaults set forth in (a) and (b).

*D.11. Default by Tenant/Landlord's Remedies.* Landlord's remedies for Tenant's default are to (a) enter and take possession of the Premises and either sue for Rent as it accrues or

accelerate all rent due under this lease and sue; (b) enter and take possession of the Premises, after which Landlord may relet the Premises on behalf of Tenant and receive the Rent directly by reason of the reletting, and Tenant agrees to reimburse Landlord for any expenditures made in order to relet; (c) enter the Premises and perform Tenant's obligations; and (d) terminate this lease by written notice and sue for damages. Landlord may enter and take possession of the Premises by self-help, by picking or changing locks if necessary, and may lock out Tenant or any other person who may be occupying the Premises, until the default is cured, without being liable for damages.

*D.12. Default/Waiver.* All waivers must be in writing and signed by the waiving party. Landlord's failure to enforce any provisions of this Lease or its acceptance of late installments of Rent will not be a waiver and will not estop Landlord from enforcing that provision or any other provision of this Lease in the future.

*D.13. Holdover.* If Tenant does not vacate the Premises following termination of this lease, Tenant will become a tenant at will and must vacate the Premises on receipt of notice from Landlord. No holding over by Tenant, whether with or without the consent of Landlord, will extend the Term.

*D.14. Attorney's Fees.* If either party retains an attorney to enforce this lease, the party prevailing in litigation is entitled to recover reasonable attorney's fees and other fees and court and other costs.

*D.15. Venue.* Exclusive venue is in the county in which the Premises are located.

*D.16. Entire Agreement.* This lease, its exhibits, addenda and riders, are the entire agreement of the parties concerning the lease of the Premises by Landlord to Tenant. There are no representations, warranties, agreements, or promises pertaining to the Premises or the lease of the Premises by Landlord to Tenant, and Tenant is not relying on any statements or representations of any agent of Landlord, that are not in this lease and any exhibits, addenda, and riders.

*D.17. Amendment of Lease.* This lease may be amended only by an instrument in writing signed by Landlord and Tenant.

*D.18. Limitation of Warranties.* THERE ARE NO IMPLIED WARRANTIES OF MERCHANTABILITY, OF FITNESS FOR A PARTICULAR PURPOSE, OR OF ANY OTHER KIND ARISING OUT OF THIS LEASE, AND THERE ARE NO WARRANTIES THAT EXTEND BEYOND THOSE EXPRESSLY STATED IN THIS LEASE.

*D.19. Notices.* Any notice required or permitted under this lease must be in writing. Any notice required by this lease will be deemed to be given (whether received or not) the earlier of receipt or three business days after being deposited with the United States Postal Service, postage prepaid, certified mail, return receipt requested, and addressed to the intended recipient at the address shown in this lease. Notice may also be given by regular mail, personal delivery, courier delivery, or e-mail and will be effective when received. Any address for notice may be changed by written notice given as provided herein.

D.20. *Use of Common Areas.* Tenant will have the nonexclusive right to use the Common Areas subject to any reasonable rules and regulations that Landlord may prescribe.

D.21. *Abandoned Property.* Landlord may retain, destroy, or dispose of any property left on the Premises at the end of the Term.

**E. Special Provisions**

The Landlord and Tenant agree that, provided and on condition that (1) the Tenant is in possession of the Premises; (2) this Lease is not previously canceled or terminated as in this Lease provided, by operation of law or otherwise; (3) the Tenant has faithfully complied with and performed all the covenants and conditions in the Lease on its part to be performed during the original term hereof; and (4) Tenant is not in default at the time of the exercise of this option to extend, the parties hereto covenant and agree that the Tenant shall have the option to renew the original term of this Lease for one (1) additional year (hereafter referred to as the Renewal Term) by Tenant giving to Landlord written notice of its exercise of this Option to Extend at least 90 days prior to the expiration of the original term. In the event that Tenant shall fail to exercise this Option to Extend, then this Option shall be null, void, and of no effect, effective at the end of the day, September 30, 2025, it being understood that the time for Tenant to exercise this option to extend shall be of the essence. Upon the giving of the Notice above referred to, this Lease shall be deemed to have been renewed for a term of one year immediately following the expiration of the original term, without the necessity of the execution of any further instrument or instruments, upon the same terms and conditions, covenants and agreements as are contained in this Lease. For the additional term on one year, the rent shall be the increased by the Municipal Cost Index as most recently published prior to October 1, 2025. City may give a courtesy notice of any increase, however failure to give such notice does not relieve Tenant of the obligation to pay such increases.

City of Port Lavaca, Texas,  
a Texas Home Rule Municipality

\_\_\_\_\_  
John D. "Jack" Whitlow, Mayor

(TENANT)

\_\_\_\_\_  
Printed Name: \_\_\_\_\_

**NAUTICAL LANDINGS OFFICE BUILDING LEASES: OCTOBER 2024**

Suite 1D PL Plumbing 268 sf			NEW LEASE RATE Nov 1, 2024		OK
Rent:	\$ 0.83 /sf	\$ 222.22	1.25 /sf	\$ 335.00	
Trash Service		\$ 30.00		\$ 30.00	
Janitorial:		\$ 110.00		\$ 140.00	
<b>Subtotal rent</b>		<b>\$ 362.22</b>		<b>\$ 505.00</b>	
Water/Sewer/GBRA fee		\$ 25.00		\$ 25.00	
Elect:	\$ 0.44 /sf	\$ 118.10		\$ 160.00	
<b>TOTAL</b>	<b>\$ 1.89 /sf</b>	<b>\$ 505.32</b>	<b>\$ 2.57 /sf</b>	<b>\$ 690.00</b>	<b>\$ 184.68 increase</b>
Suite 1E/F ALLIED 320 sf					
Rent:	\$ 1.250 /sf	\$ 400.00	<u>With OCT 1 MCI increase ...</u>		
Trash service		\$ 30.00	\$ 550.80		
Janitorial:		\$ 110.00	\$ 26.58		
<b>Subtotal rent</b>		<b>\$ 540.00</b>	<b>\$154.19</b>		
Water/Sewer/GBRA fee		\$ 25.00	\$ 731.57	\$ 21.57	increase
Elect:	\$ 0.450 /sf	\$ 145.00	\$ 2.29 /sf		
<b>TOTAL</b>	<b>\$ 2.219 /sf</b>	<b>\$ 710.00</b>			
Suite 2 Spiretek 1440 sf					
Rent:	\$ 1.250 /sf	\$ 1,800.00	<u>With OCT 1 MCI increase ...</u>		
Trash Service:		\$ 30.00	\$ 1,978.80		
Restrooms /breakroom Janitorial:		\$ 110.00	\$31.90		
<b>Subtotal Rent:</b>	<b>\$ 1.35</b>	<b>\$ 1,940.00</b>	<b>\$329.00</b>	\$ 329.02	
Water/sewer/GBRA fee		\$ 30.00	\$2,339.70	\$129.70	increase
Elect:	\$ 0.167 /sf	\$ 240.00	\$1.62 /sf		
<b>TOTAL</b>	<b>\$ 1.53</b>	<b>\$ 2,210.00</b>			
<i>* increase on Oct 1 per MCI</i>					
Suite 3 Edward Jones 1055 sf					
Rent:	\$ 1.120 /sf	\$ 1,181.11			
Elect:	\$ 0.176 /sf	\$ 186.20			
Water/sewer/GBRA:		\$ 31.15			
<b>TOTAL</b>	<b>\$ 1.33</b>	<b>\$ 1,398.46</b>			
<i>4% annual increase for Yr 2 thru 5</i>					
Suite 4 SMM 622 sf			Proposed NEW LEASE RATE OCT 1		
Rent:	\$ 0.939 /sf	\$ 583.86	1.25 /sf	\$ 777.50	
Trash Service:				\$ 30.00	
			\$ 1.30 /sf	\$ 807.50	
Elect:	\$ 0.130 /sf	\$ 81.13	\$ 0.18 /sf	\$ 110.00	
Water/sewer/GBRA:		\$ 28.14		\$ 50.00	
<b>TOTAL</b>	<b>\$ 1.11</b>	<b>\$ 693.13</b>	<b>\$ 1.56 /sf</b>	<b>\$ 967.50</b>	<b>\$ 274.37 increase</b>
<b>Proposed Total rent with \$160 discount:</b>			<b>\$ 1.30 /sf</b>	<b>\$ 807.50</b>	<b>\$ 114.37 increase</b>

Suite 5	Bay Ltd	1160 sf	NEW LEASE RATE Nov 1		OK
Rent:	\$	1.187 /sf	\$	1,376.91	
Trash Service:			1.25 /sf	\$ 1,450.00	
Subtotal Rent:				\$ 30.00	
Elect:	\$	0.193 /sf	\$	224.39	
Water/sewer/GBRA fee:			\$	1.28	\$ 1,480.00
TOTAL	\$	1.40 /sf	\$	1,629.44	
			\$	0.21 /sf	\$ 240.00
				\$ 50.00	
			\$	1.53 /sf	\$ 1,770.00 \$ 140.56 increase

Avg Elect. North end:	\$761				\$ 865.20	
Avg Elect. South end:	\$333				\$ 305.00	\$ (28.00)

Avg water/sewer North end:	\$204		\$ 117.43	\$ (86.47) (Dayroom)
Avg water/sewer South end:	\$76		\$ 80.00	\$ 4.00

Janitorial south end \$340+ 75/month = \$ 415.00 /3 \$ 138.33

Janitorial Day Room (Marina) \$280+65/month \$ 345.00

		current rate	current rate	
<b>Gexa electric cost rate increase</b>		0.04586	0.06287	1.371
Trash	monthly divided by 9	\$ 27.18	\$ 29.15	1.072479765
	\$270 \$30.00	\$ 11.46	\$ 13.65	1.191099476
6 6 tenants		\$ 27.02	\$ 27.02	=
1 Day room		\$ 65.66	\$ 69.82	1.063
1 Jim's office				
1 Other				

# COMMUNICATION

**SUBJECT:** Consider Second and Final reading of an Ordinance (S-4-24) of the City of Port Lavaca regarding compensation of Mayor and Council Members; and providing an effective date. Presenter is Jody Weaver

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## INFORMATION:

**ORDINANCE #S-4-24**

*Modification of Compensation of the Mayor and Each Council Member*

AN ORDINANCE OF THE CITY OF PORT LAVACA, TEXAS PROVIDING FOR COMPENSATION OF THE MAYOR AND EACH COUNCIL MEMBER; PROVIDING FOR THE FOLLOWING RULES; STANDARDS; PROCEDURES; AND SEVERABILITY; REPEALING ANY CONFLICTING ORDINANCES; AND SETTING AN EFFECTIVE DATE

WHEREAS, the City Council of the City of Port Lavaca (“City Council”) possesses and may exercise the full power of local self-government and has all powers possible and lawful for a Home Rule City not possess under the Constitution and laws of the State of Texas;

WHEREAS, the City Council has the authority to provide compensation to its elected officers pursuant to Section 141.004 of the Local Government Code (the “Code”);

WHEREAS, the City of Port Lavaca Home Rule Charter (the “Charter”), adopted in November of 2007 provides compensation for the Mayor in the amount of \$600.00 per month and for each Council Member a compensation of \$300.00 per month;

WHEREAS, the Charter provides that such compensation may be increased by ordinance by an amount no greater than ten percent of the current compensation in any fiscal year.

WHEREAS, the Charter provides that any such increase in compensation shall not take effect until the commencement of the terms of Mayor and/or Council Members elected at the next regular election;

WHEREAS, the term of the office of Mayor shall expire in May of 2026;

WHEREAS, the terms of Council Member District 4 and Council Member District 5 shall expire in May of 2025;

WHEREAS, the terms of Council Member District 1 and Council Member District 3 shall expire in May of 2026;

WHEREAS, the terms of Council Member District 2 and Council Member District 6 shall expire in May of 2027;

WHEREAS, the Municipal Cost Index (MCI), developed by the American City & County, published in November 2007 was 198.7 and the latest published MCI in July 2024 is 316.66, being a factor of 1.59;

WHEREAS, the maximum amount the council could increase the compensation received would be by a factor of ten percent (10%) per fiscal year times seventeen (17) years in addition to factoring in the amount of increase into the seventeen years.

WHEREAS, the City Council has determined that an increase in the compensation of the Mayor and each Council Member, as provided by in the Charter, is in the best interest of the City and its residents.

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

**Section I Findings of Fact**

- 1. The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

**Section II Enactment**

- 2. The compensation to each officer shall be increased by ten percent (10%) which amount is the following enactment of this ordinance in accordance with the rules stated above.
- 3. Compensation to each office shall be increased as follows:
  - a) Mayor, beginning June 1, 2026, shall be \$660.00;
  - b) Council Member District 4 and Council Member District 5, beginning June 1, 2025, shall be \$330.00;
  - c) Council Member District 1 and Council Member District 3, beginning June 1, 2026, shall be \$330.00;
  - d) Council Member District 2 and Council Member District 6, beginning June 1, 2027, shall be \$330.00.

**Section III Severability**

Should any paragraph, sentence, subdivision, clause, phrase, or section of this ordinance be adjudged or held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part of provision thereof, other than the part so declared to be invalid, illegal or unconstitutional.

**Section IV Repealer**

All ordinances or parts of ordinances that are in conflict with this Ordinance are all hereby repealed.

**Section V Effective Date**

This ordinance shall take effect immediately from and after its passage and the publication of the caption, and the City Secretary is hereby authorized and directed to publish the caption of this Ordinance in the manner and for the length of time prescribed by law.



FIRST READING this 9<sup>th</sup> day of September, 2024.

\_\_\_\_\_  
Jack Whitlow, Mayor

SECOND AND FINAL READING this 14<sup>th</sup> day of October, 2024.

\_\_\_\_\_  
Jack Whitlow, Mayor

APPROVED AND ADOPTED this 14th day of October, 2024.

\_\_\_\_\_  
Jack Whitlow, Mayor

ATTEST:

\_\_\_\_\_  
Mandy Grant, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Anne Marie Odefey, City Attorney

RECORD OF VOTE

	First Reading	Second and Final	Passed and Approved
Councilman Aguirre	Aye		
Councilman Dent	Nay		
Councilman Tippit	Aye		
Councilwoman Padron	Nay		
Councilman Ward	Aye		
Councilman Burke	Nay		
Mayor Whitlow, Tie Breaker	Aye		

Record of approval by City Council: City Council Minute Records, Volume 3-I, Page \_.

## **COMMUNICATION**

**SUBJECT:** Consider Second and Final reading of an Ordinance (G-9-24) of the City of Port Lavaca amending the Code of Ordinances, Appendix A - Fees, Rates and Changes, Chapter 54 Waterways Fees; and providing an effective date. Presenter is Jody Weaver

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## **INFORMATION:**

**ORDINANCE #G-9-24**

AN ORDINANCE AMENDING THE ORDINANCE CODIFIED AND DESCRIBED IN THE CITY OF PORT LAVACA CODE OF ORDINANCES AS PART II, APPENDIX A – FEES, RATES AND CHARGES; AND PROVIDING AN EFFECTIVE DATE

ARTICLE I. GENERAL

WHEREAS, the City Council on March 12, 2012 approved and adopted Ordinance Number G-1-12 which is codified and described in the City of Port Lavaca Code of Ordinances as Part II, Appendix A – Fees, Rates and Charges; and

WHEREAS, the City of Port Lavaca staff has evaluated current fees, rates and charges and find the need to make some amendments and changes.

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

ARTICLE II. FEES TO BE AMENDED

The fees, rates and charges to be amended are in the Chapters listed below and described in full in the attached Exhibit “A”. Text that remains unchanged will be in black-colored letters, text that is new will be identified by bold red-colored letters and all text to be deleted, if any, will be identified as blue-colored letters with strikethroughs, and both highlighted in yellow:

- Chapter 54: Waterways
  - Dockage for all self-propelled and non-self-propelled vessels
  - Fleeting and Mooring Rates per Day
  - Commercial Vessel Dockage Rate

ARTICLE III.- EFFECTIVE DATE

This ordinance shall become effective upon adoption by City Council.

FIRST READING this 9<sup>th</sup> day of September, 2024.

\_\_\_\_\_  
Jack Whitlow, Mayor

SECOND AND FINAL READING this 14<sup>th</sup> day of October, 2024.

\_\_\_\_\_  
Jack Whitlow, Mayor

APPROVED AND ADOPTED this 14th day of October, 2024.

\_\_\_\_\_  
Jack Whitlow, Mayor

ATTEST:

\_\_\_\_\_  
Mandy Grant, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
Anne Marie Odefey, City Attorney

RECORD OF VOTE

	First Reading	Second and Final	Passed and Approved
Councilman Aguirre	Aye		
Councilman Dent	Aye		
Councilman Tippit	Aye		
Councilwoman Padron	Aye		
Councilman Ward	Aye		
Councilman Burke	Aye		

Record of approval by City Council: City Council Minute Records, Volume 3-I, Page \_.

CITY OF PORT LAVACA - PART II - CODE OF ORDINANCES  
APPENDIX A—FEES, RATES AND CHARGES

Section VIII. Item #8.

EXHIBIT A

CHAPTER 54 - WATERWAYS

Section Number	Subject	Fee Amount
	<i>Tariffs:</i>	
	○ Oysters per sack	\$0.00
	○ Oysters per barrel	\$0.00
	○ Shrimp per ton	\$0.00
	○ Crude/condensate per barrel	\$0.125
	○ Bulk product liquid or dry per ton	\$0.79
	<b>Public Dock Space:</b>	
	○ <del>Per day per barge up to 200 LF</del>	<del>\$200.00</del>
	○ <del>Per day per barge greater than 200 LF</del>	<del>\$250.00</del>
	<b>Dockage for all self-propelled and non-self-propelled vessels shall be based on Length Overall (LOA) in feet per Day as follows:</b>	
	○ 74 ft. or less	<b>\$75.00</b>
	○ 75 ft to 100 ft	<b>\$125.00</b>
	○ 101 ft to 200 ft	<b>\$200.00</b>
	○ 201 LF or greater	<b>\$250.00</b>
	<b>Fleeting and Mooring (Charges in locations approved by the Harbor Master per Day)</b>	
	○ Regulation Barges (10,000 barrel capacity)	<b>\$175.00</b>
	○ Over-sized Barges (exceeding 35 ft x 200 ft)	<b>\$250.00</b>
	○ All other fleeted vessels, equipment or materials	<b>\$250.00</b>
	Commercial <b>Fishing</b> Vessel Dockage Rate: <b>(available only for leases of one year or greater unless otherwise approved by City Council)</b>	
	○ First 25 ft. in length per month	\$175.00
	○ For each additional foot of length > 25 ft. per month	\$5.00
	Harbor of Refuge	
	○ Dockage Space - LF/month	\$4.00
	○ Use of Rail Spur - LS/month	\$1,000.00
	Marina Rates:	
	○ Dockage Space - LF/month	\$6.30
	○ 110 v. 30-amp Connection - per month	\$52.50
	○ 220 v. 50-amp Connection - per month	\$105.00

CITY OF PORT LAVACA - PART II - CODE OF ORDINANCES  
APPENDIX A—FEES, RATES AND CHARGES

Section VIII. Item #8.

	Water and Trash (Included in all rentals)	
	○ Transient rate < 35 ft.	\$15.75
	○ Transient rate > 35 ft.	\$21.00

(Ord. No. [G-1-19](#), art. II, 1-14-2019; Ord. No. [G-4-20](#), art. II, 9-14-2020; Ord. No. [G-3-21](#), art. II, 5-10-2021; Ord. No. [G-4-21](#), art. II, 9-20-2021; [G-7-23](#), art. II (Exh. A), 9-11-2023)

# COMMUNICATION

**SUBJECT:** Consider Resolution No. R-101424-1 of the City of Port Lavaca – City Hall  
Master Plan Phase 3: Interior Renovations & Site Work for Construction Procurement Method.  
Presenter is Jody Weaver

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## INFORMATION:

**RESOLUTION NO. R-101424-1  
CONSTRUCTION PROCUREMENT METHOD  
CITY OF PORT LAVACA – CITY HALL MASTER PLAN –  
PHASE 3: INTERIOR RENOVATIONS & SITE WORK**

**WHEREAS**, Section 2269.056(a), of the Texas Government Code states that the governing body of a governmental entity that considers a construction contract using a method authorized by this chapter other than competitive bidding must, before advertising, determine which method provides the best value for the governmental entity, and

**WHEREAS**, the City of Port Lavaca City Council has determined that the construction procurement method specified under SUBCHAPTER D. COMPETITIVE SEALED PROPOSAL METHOD of CHAPTER 2269. CONTRACTING AND DELIVERY PROCEDURES FOR CONSTRUCTION PROJECTS of the Texas Government Code provides the best value for the City of Port Lavaca for the construction project titled “City Hall Master Plan – Phase 3: Interior Renovations & Site Work”

**THEREFORE LET IT BE RESOLVED** by the City of Port Lavaca City Council that the Council has decided to use the Competitive Sealed Proposal process as specified under SUBCHAPTER D. COMPETITIVE SEALED PROPOSAL METHOD of CHAPTER 2269. CONTRACTING AND DELIVERY PROCEDURES FOR CONSTRUCTION PROJECTS of the Texas Government Code for the construction project titled “City Hall Master Plan – Phase 3: Interior Renovations & Site Work”.

**PASSED AND ADOPTED on this 14th day of October 2024.**

\_\_\_\_\_  
Jack Whitlow, Mayor

ATTEST:

\_\_\_\_\_  
Mandy Grant, City Secretary



# COMMUNICATION

**SUBJECT:** Consider Resolution No. R-101424-2 of the City of Port Lavaca – City Hall Master Plan Phase 3: Interior Renovations & Site Work for Prevailing Wage Rate. Presenter is Jody Weaver

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## INFORMATION:

**RESOLUTION NO. R-101424-2  
PREVAILING WAGE RATE  
CITY OF PORT LAVACA – CITY HALL MASTER PLAN –  
PHASE 3: INTERIOR RENOVATIONS & SITE WORK**

**WHEREAS**, Section 2258.022(a), of the Texas Government Code states: For a contract for a public work awarded by a political subdivision of the state, the public body shall determine the general prevailing rate of per diem wages in the locality in which the public work is to be performed for each craft or type of worker needed to execute the contract and the prevailing rate for legal holiday and overtime work, and

**WHEREAS**, Section 2258.022(a) of the Texas Government Code Subsections (1) and (2) go on to state the public body’s options in fulfilling its statutory responsibility of determining prevailing wage rates as being: (1) conducting a survey of the wages received by classes of workers employed on projects of a character similar to the contract work in the political subdivision of the state in which the public work is to be performed; or (2) using the prevailing wage rate as determined by the United States Department of Labor in accordance with the Davis-Bacon Act (40 U.S.C. Section 276a et seq.), and its subsequent amendments;

**NOW THEREFORE BE IT RESOLVED** that the City of Port Lavaca City Council hereby selects Section 2258.022(a), Subsection (2) of the Texas Government Code as its option in determining the general prevailing rate of per diem wages in the locality in which the public work is to be performed for each craft or type of worker needed to execute the contract and the prevailing rate for legal holiday and overtime work as determined by the United States Department of Labor in accordance with the Davis-Bacon Act (40 U.S.C. Section 276a et seq.), and its subsequent amendments as can be found on the following web site ([www.wdol.gov/dba.aspx#0](http://www.wdol.gov/dba.aspx#0)), for the construction project titled “ City Hall Master Plan – Phase 3: Interior Renovations & Site Work”.

**PASSED AND ADOPTED** on this 14th day of October 2024.

\_\_\_\_\_  
Jack Whitlow, Mayor

ATTEST:

\_\_\_\_\_  
Mandy Grant, City Secretary

# COMMUNICATION

**SUBJECT:** Consider Resolution No. R-101424-3 of the City of Port Lavaca – City Hall Master Plan Phase 3: Interior Renovations & Site Work for Delegation of Authority. Presenter is Jody Weaver

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## INFORMATION:

**RESOLUTION NO. R-101424-3  
DELEGATION OF AUTHORITY  
CITY OF PORT LAVACA – CITY HALL MASTER PLAN –  
PHASE 3: INTERIOR RENOVATIONS & SITE WORK**

**WHEREAS**, Section 2269.053(a), of the Texas Government Code provides that the governing body of a governmental entity may delegate its authority under this chapter regarding an action authorized or required by this chapter to a designated representative, committee, or other, and

**WHEREAS**, The City of Port Lavaca City Council wishes to delegate its authority under SUBCHAPTER D. COMPETITIVE SEALED PROPOSAL METHOD of CHAPTER 2269; CONTRACTING AND DELIVERY PROCEDURES FOR CONSTRUCTION PROJECTS, SECTION 2269.155, SELECTION OF OFFEROR, of the Texas Government Code to the designated person of Jody Weaver, Interim City Manager, as authorized by Section 2269.053(a), of the Texas Government Code as it relates to the selection of an Offeror as prescribed under Section 2269.155 of the Texas Government Code for the construction project titled “City Hall Master Plan – Phase 3: Interior Renovations & Site Work”;

**NOW THEREFORE BE IT RESOLVED** that the City of Port Lavaca City Council hereby delegates its authority under SUBCHAPTER D. COMPETITIVE SEALED PROPOSAL METHOD of CHAPTER 2269; CONTRACTING AND DELIVERY PROCEDURES FOR CONSTRUCTION PROJECTS, SECTION 2269.155, SELECTION OF OFFEROR, of the Texas Government Code to the designated person of Jody Weaver, Interim City Manager, as authorized by Section 2269.053(a), of the Texas Government Code as it relates to the selection of an Offeror as prescribed under SECTION 2269.155, SELECTION OF OFFEROR of the Texas Government Code for the construction project titled “City Hall Master Plan – Phase 3: Interior Renovations & Site Work”, and

**THEREFORE LET IT BE FURTHER RESOLVED** by the City of Port Lavaca City Council that it desires for Jody Weaver, Interim City Manager, within the scope of the authority delegated to her under Section 2269.155, SELECTION OF OFFEROR of the Texas Government Code for the construction project titled “City Hall Master Plan – Phase 3: Interior Renovations & Site Work” to form a committee of her choosing, which may, but not necessarily, include some members of the City Council of the City of Port Lavaca in numbers not establishing a quorum of the Council, to advise her in the selection process for Construction Services for the selection of an Offeror as prescribed under Section 2269.155 of the Texas Government Code for said construction project and bring her recommended selection to the City of Port Lavaca City Council for final approval.

**PASSED AND ADOPTED on this 14th day of October 2024.**

\_\_\_\_\_  
Jack Whitlow, Mayor

ATTEST:

\_\_\_\_\_  
Mandy Grant, City Secretary

# COMMUNICATION

**SUBJECT:** Consider Resolution No. R-101424-4 of the City of Port Lavaca – City Hall Master Plan Phase 3: Interior Renovations & Site Work for Selection Committee and Proposal Ranking Criteria. Presenter is Jody Weaver

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## INFORMATION:

**RESOLUTION NO. R-101424-4  
SELECTION COMMITTEE & PROPOSAL RANKING CRITERIA  
CITY OF PORT LAVACA – CITY HALL MASTER PLAN –  
PHASE 3: INTERIOR RENOVATIONS & SITE WORK**

**WHEREAS**, Section 2269.053(a), of the Texas Government Code provides that the governing body of a governmental entity may delegate its authority under this chapter regarding an action authorized or required by this chapter to a designated representative, committee, or other, and

**WHEREAS**, the City of Port Lavaca City Council by resolution adopted on July 25<sup>th</sup> 2022 did delegate its authority under SUBCHAPTER D. COMPETITIVE SEALED PROPOSAL METHOD of CHAPTER 2269; CONTRACTING AND DELIVERY PROCEDURES FOR CONSTRUCTION PROJECTS, SECTION 2269.155, SELECTION OF OFFEROR, of the Texas Government Code to the designated person of Jody Weaver, Interim City Manager as authorized by Section 2269.053(a), of the Texas Government Code as it relates to the selection of an Offeror as prescribed under Section 2269.155 of the Texas Government Code for the construction project titled “City Hall Master Plan – Phase 3: Interior Renovations & Site Work”;

**AND WHEREAS** the City of Port Lavaca City Council stated in that resolution that its desire was for Jody Weaver, Interim City Manager within the scope of the authority delegated to her under Section 2269.155, SELECTION OF OFFEROR of the Texas Government Code for the construction project titled “City Hall Master Plan – Phase 3: Interior Renovations & Site Work” to form a committee of her choosing, including but not limited to some members of the City Council of the City of Port Lavaca, to advise her in the selection process for Construction Services for the selection of an Offeror as prescribed under Section 2269.155 of the Texas Government Code for said construction project and bring her recommended selection to the City Council of the City of Port Lavaca for final approval.

**NOW THEREFORE BE IT RESOLVED** by Jody Weaver, Interim City Manager, that she hereby appoints the following committee to advise her in the selection process for Construction Services for the selection of an Offeror as prescribed under Section 2269.155 of the Texas Government Code and as directed by the City Council of the City of Port Lavaca:

- |                |                                  |
|----------------|----------------------------------|
| Jody Weaver    | Interim City Manager             |
| Brittney Hogan | Finance Director                 |
| Karen Hill     | Utility Billing Supervisor       |
| Derrick Smith  | Director of Development Services |
| Tim Dent       | Councilman                       |
| Brian Parker   | Architect’s Project Manager      |

**NOW THEREFORE LET IT BE FURTHER RESOLVED** by Jody Weaver, Interim City Manager, that she has chosen the following criteria for the committee as a corporate body to consider in the selection of an Offeror submitting a proposal on this project along with the stated weighting of each of the criteria:

Price	50%
Offeror's Qualifications	40%
Time	10%

**PRESENTED FOR THE RECORD** to the City Council of the City of Port Lavaca by Jody Weaver, City Manager, on this **14<sup>th</sup> day of October 2024**.

\_\_\_\_\_  
Jack Whitlow, Mayor

\_\_\_\_\_  
Jody Weaver,  
Interim City Manager

ATTEST:

\_\_\_\_\_  
Mandy Grant, City Secretary

# COMMUNICATION

**SUBJECT:** Consider award of construction bid for the replacement of the Ann Street lift station. Presenter is Wayne Shaffer

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## INFORMATION:



CITY OF PORT LAVACA

**CC MEETING:**

**AGENDA ITEM #**

**DATE:** October 14, 2024

**TO:** JODY WEAVER, INTERIM CITY MANAGER  
**cc:** HONORABLE MAYOR AND CITY COUNCIL MEMBERS

**FROM:** WAYNE SHAFFER, PUBLIC WORKS DIRECTOR 

**SUBJECT: Recommendation for Ann Street Lift Station Replacement**

**BACKGROUND:** As part of our ongoing Maintenance and rehab of the sanitary sewer system we advertised for bids for the replacement of Ann St lift station due by 2:30 pm Oct. 2nd. We received only one bid for the Ann Street Lift Station project. Lester Contracting \$816,650.00 with completion in 365 calendar days.

**FINANCIAL IMPLICATIONS:** This will come out of the PUF construction account.

**IMPACT ON COMMUNITY SUSTAINABILITY:** This is one of the lift stations outlined in the Sanitary sewer lift station assessment as being in poor condition. It is currently operational, however it is prone to failure and has several electrical issues.

**RECOMMENDATION:** Staff recommends awarding the Lester Contracting, Inc. for the bid amount of \$816,650.00 to be completed in 365 calendar days.

**ATTACHMENTS:** Bid Tabulation.

BID TABULATION					
CITY OF PORT LAVACA					
ANN STREET LIFT STATION REPLACEMENT					
BID OPENING: OCTOBER 2, 2024					
				Lester Contracting, Inc.	
ITEM NO.	DESCRIPTION	ESTIMATED QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE
<b>BASE BID</b>					
<b>GENERAL</b>					
1.	Mobilization, Insurance and Bonds	1	LS	\$ 50,000.00	\$ 50,000.00
2.	Barricading & Traffic Control (Furnish, Install, Maintain & Remove Signs & Warning Devices) (Includes Flagmen, Traffic Handling & Temporary Striping)	1	LS	\$ 5,000.00	\$ 5,000.00
3.	Construction Staking	1	LS	\$ 5,000.00	\$ 5,000.00
4.	Dewatering per Section 01563	1	LS	\$ 50,000.00	\$ 50,000.00
5.	Project Sign (4' x 8')	1	EA	\$ 850.00	\$ 850.00
<b>SUBTOTAL GENERAL</b>					<b>\$ 110,850.00</b>
<b>DEMOLITION</b>					
6.	Remove & Dispose of Existing Lift Station (Including, but not limited to, structures, pumps, valves, piping, and controls)	1	LS	\$ 50,000.00	\$ 50,000.00
7.	Remove & Dispose of Existing Fence	38	LF	\$ 50.00	\$ 1,900.00
8.	Remove & Dispose of Existing Sanitary Sewer Main	24	LF	\$ 80.00	\$ 1,920.00
<b>SUBTOTAL DEMOLITION</b>					<b>\$ 53,820.00</b>
<b>PAVEMENT IMPROVEMENTS</b>					
9.	Concrete Pavement (Commercial) (6" Thick, Class A)	190	SF	\$ 25.00	\$ 4,750.00
<b>SUBTOTAL PAVEMENT IMPROVEMENTS</b>					<b>\$ 4,750.00</b>
<b>SANITARY SEWER IMPROVEMENTS</b>					
10.	Sanitary Sewer Force Main (6") (PVC) (Asphalt Paved Areas)	32	LF	\$ 100.00	\$ 3,200.00
11.	Sanitary Sewer Force Main (8") (PVC) (Non-Paved Areas)	4	LF	\$ 200.00	\$ 800.00
12.	Sanitary Sewer Force Main (8") (PVC) (Gravel Paved Areas)	50	LF	\$ 95.00	\$ 4,750.00
13.	Sanitary Sewer Force Main (8") (PVC) (Asphalt Paved Areas)	160	LF	\$ 100.00	\$ 16,000.00
14.	Sanitary Sewer Force Main (8") (PVC) (Concrete Paved Areas)	4	LF	\$ 255.00	\$ 1,020.00
15.	Sanitary Sewer Main (12") (10' - 15' Cut) (Gravel Paved Areas)	47	LF	\$ 500.00	\$ 23,500.00
16.	Force Main Fitting (Bend) (8") (90 Deg)	2	EA	\$ 885.00	\$ 1,770.00
17.	Force Main Fitting (Bend) (6") (45 Deg)	4	EA	\$ 750.00	\$ 3,000.00
18.	Force Main Fitting (Reducer) (8" x 6")	2	EA	\$ 765.00	\$ 1,530.00

BID TABULATION					
CITY OF PORT LAVACA					
ANN STREET LIFT STATION REPLACEMENT					
BID OPENING: OCTOBER 2, 2024					
Lester Contracting, Inc.					
ITEM NO.	DESCRIPTION	ESTIMATED QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE
19.	Sanitary Sewer Manhole (Fiberglass) (0' - 5')	1	EA	\$ 9,500.00	\$ 9,500.00
20.	Sanitary Sewer Manhole (Fiberglass) (10' - 15')	2	EA	\$ 19,500.00	\$ 39,000.00
21.	Locate & Connect to Existing 6" Force Main	2	EA	\$ 2,550.00	\$ 5,100.00
22.	Locate & Connect to Existing 8" Sanitary Sewer Main	1	EA	\$ 1,675.00	\$ 1,675.00
23.	Locate & Connect to Existing 12" Sanitary Sewer Main	1	EA	\$ 3,750.00	\$ 3,750.00
24.	Trench Excavation Protection (Sanitary Sewer Main & Services) (> 5' Cut)	47	LF	\$ 95.00	\$ 4,465.00
<b>SUBTOTAL SANITARY SEWER IMPROVEMENTS</b>					<b>\$ 119,060.00</b>
<b>ANN STREET LIFT STATION IMPROVEMENTS</b>					
25.	Ann Street Lift Station (Including all site improvements, trench safety/shoring, 1 lift station structure, access hatch, and lift station components)	1	LS	\$ 250,000.00	\$ 250,000.00
26.	Ann Street Lift Station Pumps (NP3102 MT 3~ Adaptive 463 as manufactured by Flygt) (Including all pump equipment and components) (3 required)	1	LS	\$ 150,000.00	\$ 150,000.00
27.	Ann Street Lift Station Yard Piping (Including all pipe, fittings, piping equipment, pipe supports, bracing, and fasteners)	1	LS	\$ 50,000.00	\$ 50,000.00
28.	Ann Street Lift Station Electrical Improvements (Including all equipment and components, wiring and conduit, lift station control panel, meter pedestal, and panel rack)	1	LS	\$ 65,000.00	\$ 65,000.00
29.	Site Fence (6' fence with barbed wire security extension)	86	LF	\$ 95.00	\$ 8,170.00
30.	Site Fence Double Gate (18' wide) (6' fence with barbed wire security extension)	1	EA	\$ 5,000.00	\$ 5,000.00
<b>SUBTOTAL ANN STREET LIFT STATION IMPROVEMENTS</b>					<b>\$ 528,170.00</b>
<b>TOTAL BASE BID</b>					<b>\$ 816,650.00</b>
<b>CALENDAR DAYS TO SUBSTANTIAL COMPLETION</b>					<b>365</b>



October 10, 2024

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

RE: Recommendation of Award  
U.E. Job No. E26133.00  
Ann Street Lift Station Replacement  
Port Lavaca, Texas

Dear Ms. Weaver:

On October 2, 2024 at 2:30 p.m., public bids were opened for the Ann Street Lift Station Replacement. The following bid was received:

Bidder	Total Base Bid	Calendar Days to Substantial Completion
Lester Contracting, Inc.	\$816,650.00	365

I recommend that the contract for the aforementioned project be awarded to Lester Contracting, Inc. for the Total Base Bid. (See attached Bid Tabulation)

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

Sincerely,

Matt A. Glaze, P.E.  
Vice President

MAG/dmf

Attachment

BID TABULATION					
CITY OF PORT LAVACA					
ANN STREET LIFT STATION REPLACEMENT					
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				Lester Contracting, Inc.	
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<b>BASE BID</b>					
<b>GENERAL</b>					
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2.	Barricading & Traffic Control (Furnish, Install, Maintain & Remove Signs & Warning Devices) (Includes Flagmen, Traffic Handling & Temporary Striping)	1	LS	\$ 5,000.00	\$ 5,000.00
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<b>DEMOLITION</b>					
6.	Remove & Dispose of Existing Lift Station (Including, but not limited to, structures, pumps, valves, piping, and controls)	1	LS	\$ 50,000.00	\$ 50,000.00
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BID TABULATION					
CITY OF PORT LAVACA					
ANN STREET LIFT STATION REPLACEMENT					
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<b>SUBTOTAL ANN STREET LIFT STATION IMPROVEMENTS</b>					<b>\$ 528,170.00</b>
<b>TOTAL BASE BID</b>					<b>\$ 816,650.00</b>
<b>CALENDAR DAYS TO SUBSTANTIAL COMPLETION</b>					<b>365</b>

# COMMUNICATION

**SUBJECT:** Consider agreement between the City of Port Lavaca and Public Sector Personnel Consultants, Inc. (PSPC) to conduct a Classification and Compensation Study. Presenter is Brittney Hogan

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## INFORMATION:

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**CITY OF PORT LAVACA**

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**COUNCIL MEETING: OCTOBER 14, 2024**

**DATE:** 10/04/2024

**TO:** HONORABLE MAYOR AND CITY COUNCIL MEMBERS

**FROM:** BRITTNEY HOGAN, FINANCE DIRECTOR

**SUBJECT: CONSIDER AGREEMENT WITH PUBLIC SECTOR PERSONNEL CONSULTANTS, INC. (“PSPC”) TO CONDUCT CLASSIFICATION AND COMPENSATION STUDY**

---

**BACKGROUND:**

It has been the policy of the City of Port Lavaca to perform every sixth (6<sup>th</sup>) year a salary survey with a third party to review and recommend changes to the City’s job descriptions and salaries. The last survey performed by a third party was performed in 2020 with the final report dated January 2021. Please keep in mind that the last third-party survey performed in 2020 did not include any review to the City’s job descriptions.

Since 2020 there have been internal changes and reclassifications to job descriptions that were included in our list of FTEs. We are also expecting a decrease in our Police Dispatcher positions in January 2025 which will bring our total FTE count for full-time positions from 100 to 97. In addition, the City has added 4 positions to our list of full-time employees (FTE) since 2020, which include:

- Camp Host (Beach)
- Mental Health Officer (Police)
- Capital Projects/Grant Coordinator (Finance)
- Administrative Assistant to Ports & Harbors (Ports & Harbor)

The goal of this compensation study is to ensure that the City maintains its competitiveness within the area, help recruit and retain qualified professionals for the City, and to help make informed decisions concerning job titles and descriptions.

**Recommendation:**

Staff recommends council approve the professional services agreement with Public Sector Personnel Consultants, Inc. which will not exceed \$37,500 to conduct the City’s classification and compensation study for FY2024-2025.



# COMMUNICATION

SUBJECT: Announcement by Mayor that City Council will retire into closed session:

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## INFORMATION:

- 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
- To deliberate the purchase, exchange, lease or value of Real Property (Deliberation in an Open Meeting would have a detrimental effect on the position of the Governmental Body in negotiations with a third party), in accordance with Title 5, Chapter 551, Section 551.072 of the Texas Government Code). Presenter is Mayor Whitlow



# COMMUNICATION

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

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## INFORMATION:

