



CITY COUNCIL REGULAR MEETING

Monday, August 09, 2021 at 6:30 PM

City Council Chambers | 202 N. Virginia Street, Port Lavaca TX 77979

PUBLIC NOTICE OF MEETING

The following item will be addressed at this or any other meeting of the city council upon the request of the mayor, any member(s) of council and/or the city attorney:

Announcement by the mayor that council will retire into closed session for consultation with city attorney on matters in which the duty of the attorney to the city council under the Texas disciplinary rules of professional conduct of the state bar of Texas clearly conflicts with the open meetings act (title 5, chapter 551, section 551.071(2) of the Texas government code).

(All matters listed under the consent agenda item are routine by the city council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.)

AGENDA

Council will consider/discuss the following items and take any action deemed necessary.

COVID-19 MEETING PROCEDURE

Public notice is hereby given that the City Council of the City of Port Lavaca, Texas, will hold a regular meeting Monday, August 09, 2021 beginning at 6:30 p.m., at the regular meeting place in Council Chambers at City Hall, 202 North Virginia Street, Port Lavaca, Texas to consider the following items of business:

Due to COVID-19 concerns, social distancing guidelines will be encouraged for in-person attendance. The meeting will also be available via the video conferencing application "ZOOM".

Join

Zoom

Meeting:

<https://us02web.zoom.us/j/85265917598?pwd=b2x4bUo2aEJUZY9wUnFnd1A0ZEtFZz09>

Meeting ID: 852 6591 7598

Passcode: 263130

One tap mobile

+13462487799,,85265917598#,,, *263130# US (Houston)

Dial by your location

+1 346 248 7799 US (Houston)

I. ROLL CALL

II. CALL TO ORDER**III. INVOCATION****IV. 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.***VII. CONSENT AGENDA** - *Council will consider/discuss the following items and take any action deemed necessary*A. **Minutes of July 12, 2021 Regular Meeting**B. Minutes of July 26, 2021 Special and WorkshopC. Payment of Invoices Exceeding \$1,500D. Receive monthly Financial Highlight Report**VIII. ACTION ITEMS** - *Council will consider/discuss the following items and take any action deemed necessary*

1. Receive Budget Report from the Guadalupe-Blanco River Authority (GBRA) for the Port Lavaca Water Treatment Plant for the 2022 Fiscal Year. Presenter is Stephanie Shelly
2. Consider request of United Way of Calhoun County for use of the Bayfront Peninsula Park for their 8th annual family day on Saturday, September 18, 2021 and waiver of any fees associated with the event. Presenter is Wayne Shaffer
3. Consider award of bid for the “Motel 6 Sewer Main Replacement” Project to Lester Contracting in the amount of \$37,750.00 as the low bidder. Presenter is Wayne Shaffer
4. Review and discuss No New Revenue (NNR) and Voter Approval Rate (VAR) for 2021 Tax Year. Presenter is Susan Lang
5. Consider Resolution No. R-080921-1 of the City of Port Lavaca to adopt the City’s Financial Management and Budgetary Policies for 2021-2022 fiscal year. Presenter is Susan Lang
6. Consider Resolution No. R-080921-2 of the City of Port Lavaca appointing a Chief Appraiser to Calculate Taxes for 2021. Presenter is Susan Lang
7. Consider approval of a conceptual restaurant & retail development, Big Daddy’s Bar and Grill with gift shop to be located north of SH 35 and east of Village Road. This property is not platted at this time, but will be approximately 2 acres, being a portion of the remainder of a 19.322-acre tract of land conveyed to Port Lavaca Investors, LTD., recorded in volume 67, page 943 in official records of Calhoun County, Texas. Presenter is Jessica Carpenter
8. Consider approval of a conceptual fast-food restaurant with a drive-thru, Burger King, to be generally located north of Travis Street and south of Tiny Browning Boulevard on SH 35 N. Presenter is Jessica Carpenter

9. Consider approval of K's Sno-Cone Hut, to be located at 449 Broadway Street, within the city limits of Port Lavaca. This site is generally located west of Broadway Street and east of Commerce Street just north of the intersection of Broadway and Commerce. The property identification number is 91079. The legal description for this parcel is North End, Block C, Lot A, Port Lavaca, Texas. Presenter is Jessica Carpenter
10. Consider approval of a conceptual plan for a proposed medium-density residential four-plex development. Legal description is Rafei Subdivision (Port Lavaca), Lot 1 and Lot 2, Property identification number 86471 and 86472. Presenter is Jessica Carpenter
11. Consider approval of a 3-lot preliminary minor plat, Howlett's Subdivision. Generally located at the northeast corner of Austin Street and Henry Barber Way. The legal description for this parcel is A0137 Samuel Shupe, Tract Pt 54, Acres 3.671. The property identification for this site is 40677. Presenter is Jessica Carpenter
12. Consider approval for a Variance Request for a corner lot that shall have a minimum ten-foot setback on the side street, but the setback is 7-feet 6-inches for an open walled carport on a corner lot side street. The carport is under construction at the location of 1323 Algee Drive. Presenter is Jessica Carpenter
13. Consider recommendation of the Port Commission to approve a 2-year ground lease agreement with Ausencio Rubio Rayna DBA Poor Boy Bait for a 40'x100' tract + adjacent space to dock 2 shrimp boats at Smith Harbor. Presenter is Jody Weaver
14. Consider amendment to the Lease with Helena Chemical to provide for the scheduled annual rent rate increase, effective 8-1-2021, to be 5% instead of based upon the Municipal Cost index. Presenter is Jody Weaver
15. Discuss the proposed allowance for salary increases based upon a percentage of FY 2020-2021 salary expense. Presenter is Jody Weaver
16. Discuss proposed amendments to the Ordinance described as Appendix A – Fees, Rates and Charges. Presenter is Jody Weaver
17. 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
18. 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, August 09, 2021**, beginning at 6:30 p.m., was posted at city hall, easily accessible to the public, as of **5:00 p.m. Friday, August 06, 2021**.

/s/ **Mandy Grant**, *City Secretary*

ADA NOTICE

The Port Lavaca City Hall and Council Chambers are wheelchair accessible. Access to the building is available at the primary north entrance facing Mahan Street. Special parking spaces are located in the Mahan Street parking area. In compliance with the Americans with Disabilities Act, the City of Port Lavaca will provide for reasonable accommodations for persons attending meetings. To better serve you, requests should be received 24 hours prior to the meetings. Please contact City Secretary Mandy Grant at (361) 552-9793 Ext. 230 for assistance.

COMMUNICATION

SUBJECT: Minutes of July 12, 2021 Regular Meeting

INFORMATION:



CITY COUNCIL REGULAR MEETING

Monday, July 12, 2021 at 6:30 PM

City Council Chambers | 202 N. Virginia Street, Port Lavaca TX 77979

MINUTES

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

On this the 12th day of July, 2021, the City Council of the City of Port Lavaca, Texas, convened in a regular session at 6:30 p.m. at the regular meeting place in Council Chambers at City Hall, 202 North Virginia Street, Port Lavaca, Texas, with the following members in attendance:

Jack Whitlow	Mayor
Jerry Smith (via Zoom)	Councilman, District 1
Tim Dent	Councilman, District 2
Allen Tippit	Councilman, District 3
Rosie G. Padron	Councilwoman, District 4, Mayor Pro Tem
Jim Ward	Councilman, District 5
Ken Barr	Councilman, District 6

And with the following absent:

None

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

- I. CALL TO ORDER
 - Mayor Whitlow called the meeting to order at 6:38 p.m. and presided.
- II. INVOCATION
 - Former Councilman Floyd Felder gave the invocation.
- III. PLEDGE OF ALLEGIANCE
 - Mayor Whitlow – Pledge of Allegiance.
- IV. PRESENTATION(S)
 - None

V. COMMENTS FROM THE PUBLIC - *Limited to 3 minutes per individual unless permission to speak longer is received in advance. You may make public comments as you would at a meeting on Zoom by logging on with your computer and/or smart phone as described in the zoom invitation below or on Facebook Live through the comment section, which will be monitored and answered. As appropriate.*

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

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

- A. Minutes of June 14, 2021 Regular Meeting**
- B. Minutes of June 28, 2021 Special Meeting**
- C. Payment of Invoices Exceeding \$1,500**

Motion made by Councilman District 6 Barr

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

THAT, in accordance with recommendation of staff, Council hereby approves all consent agenda items as listed:

Seconded by Councilman District 5 Ward

Voting Yea:

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

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

- Consider nomination to the Golden Crescent Regional Planning Commission (GCRPC) Regional Economic Development Advisory Committee (REDAC) and nomination to the Regional Health and Human Services Advisory Committee (RHHSAC) for 2022 FY. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council that there was a vacancy to the Golden Crescent Regional Planning Commission (GCRPC) Regional Economic Development Advisory Committee (REDAC) and Councilman Tippit had previously expressed a desire to serve on it. She advised that Councilman Tippit was currently serving on the Regional Health and Human Services Advisory Committee (RHHSAC) and this would create a vacancy should he be moved to the REDAC for the 2022 fiscal year.

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 nominates Councilman Allen Tippit to the Golden Crescent Regional Planning Commission (GCRPC) Regional Economic Development Advisory Committee (REDAC) and also nominates Development Services Director Jessica Carpenter to the Regional Health and Human Services Advisory Committee (RHHSAC) for 2022 FY.

BE IT ALSO RESOLVED THAT, other city representatives will remain on current committees as listed, a copy which is on file in the office of the City Secretary.

Seconded by Councilman District 5 Ward

Voting Yea:

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

2. **Consider ratification of City Manager's approval of purchase order #01-10616 in the amount of \$27,416.30 issued to Victoria Pool Service and Supply for materials and labor necessary to replace sand filter at city pool. Presenter Jody Weaver**

Interim City Manager Weaver advised Council she was asking them to approve ratification of City Manager's approval of purchase order #01-10616 in the amount of \$27,416.30 issued to Victoria Pool Service and Supply for materials and labor necessary to replace sand filter at city pool. She advised this was an unexpected expense that would need to be covered through a budget amendment.

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 ratification of City Manager's approval of purchase order #01-10616 in the amount of \$27,416.30 issued to Victoria Pool Service and Supply for materials and labor necessary to replace sand filter at city pool.

Seconded by Councilman District 2 Dent

Voting Yea:

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

3. **Consider approval of Urban Engineering Task Order #26 to prepare the design, bidding and contract administration for the Bauer Community Center Parking Lot Rehabilitation project. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council the city has \$250,000 budgeted to renovate the parking lot at the Bauer Community Center. She reached out to Matt Glaze with Urban Engineering for a conceptual cost estimate to renovate the pavement. She said Urban is estimating to reclaim, stabilize with cement and pave with a 2-course asphalt surface treatment, for approximately \$275,000 - \$300,000 which is somewhat higher than budgeted but in the "ballpark".

Weaver's recommendation is to award a Task Order to Urban Engineering to prepare bid documents and bid the project out. She said the city can plan to add funds to this project in the coming fiscal year capital improvement plan, as needed depending upon the bids received. She said Task Order # 26 is in the amount of \$30,500 including survey, Geotech investigation, design and preparation of the bid documents and contract administration.

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 Task Order No. 26 to Urban Engineering to prepare the design, bidding and contract administration for the Bauer Community Center Parking Lot Rehabilitation project, for a fee of \$30,500.00.

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

Seconded by Councilman District 3 Tippit

Voting Yea:

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

4. **Consider recommendation of Port Commission to approve a new 2-year ground lease agreement with Miller's Seafood for Tracts 3, 4, 4, 6 and 12 at City Harbor. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council that Miller's Seafood lease of Tracts 3, 4, 5, 6, and 12 at City Harbor expires on July 31, 2021. She said this was discussed at the Port Commission meeting on Tuesday and they unanimously voted to recommend option 3 for a New lease with Miller's Seafood which is as follows:

Option 3: The City places a freeze on all seafood tariffs; and

- Miller agrees to a 2-year lease; \$2,400/month for Years 1 and 2.
- Miller places an approved half-page ad in the Fall and Summer Calhoun County Visitor's Guide each year during the term of the lease (approx. \$1,000/year).
- w/2 ea. Two-way 1-year options, each with an increase equal to the MCI of the prior October, with a minimum percentage of 2.5% and a maximum percentage of 5%. (* With a 60-day notification, Miller can exercise a one-year option to extend the current lease document with the applicable increase or with 60 days' notice, the City may give notice that the lease will be terminated at the end of the current term).

Motion made by Councilman District 3 Tippit

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

THAT, in accordance with recommendation of Port Commission and staff, Council hereby approves Lease Option 3 described above, for a new 2-year ground lease agreement with Miller's Seafood for Tracts 3, 4, 4, 6 and 12 at City Harbor, for \$2,400/month for Years 1 and 2, a copy which is on file, in its entirety, in the office of the City Secretary.

Seconded by Councilman District 5 Ward

Voting Yea:

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

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

Finance Director Lang presented Council monthly a Financial Highlight Report as of June 30, 2021.

No action necessary and none taken.

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

Finance Director Lang presented Council with Quarterly Investment Reports for Quarters ending December 31, 2020, March 31, 2021 and June 30, 2021.

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 Quarterly Investment Reports for Quarters ending December 31, 2020, March 31, 2021 and June 30, 2021.

Seconded by Councilman District 6 Barr

Voting Yea:

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

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

Public Works Director Shaffer presented Council a report on status of water transmission line leak.

No action necessary and none taken.

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

Interim City Manager Weaver presented Council a report regarding excessive rainfall events.

No action necessary and none taken.

9. **Announcement by Mayor that City Council will retire into closed session for consultation with City Attorney on matters in which the duty of the Attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act (Title 5, Chapter 551, Section 551.071(2) of the Texas Government Code). Presenter is Mayor Whitlow**

Mayor Whitlow advised there would not be a closed session.

No action necessary and none taken.

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

No action necessary and none taken.

VIII. ADJOURNMENT

Mayor asked for motion to adjourn.

Motion made by Councilman District 6 Barr, Seconded by Councilman District 5 Ward.

Voting Yea:

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

Meeting adjourned at 7:58 p.m.

These minutes were approved on _____, 2021.

ATTEST:

Jack Whitlow, Mayor

Mandy Grant, City Secretary

COMMUNICATION

SUBJECT: Minutes of July 26, 2021 Special and Workshop

INFORMATION:



CITY COUNCIL SPECIAL/WORKSHOP MEETING

Monday, July 26, 2021 at 3:30 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 26th day of July, 2021, the City Council of the City of Port Lavaca, Texas, convened in a special and workshop session at 3:30 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
Jerry Smith	Councilman, District 1
Tim Dent*	Councilman, District 2
Allen Tippit	Councilman, District 3
Rosie G. Padron	Councilwoman, District 4, Mayor Pro Tem
Jim Ward	Councilman, District 5
Ken Barr	Councilman, District 6

*Dent arrived 3:47 p.m. during agenda item #3 (GBRA).

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 3:40 P.M. and presided.

III. COMMENTS FROM THE PUBLIC

- Mayor Whitlow 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. **Consider request of James Maikoetter for the use of the Bayfront Peninsula Park for the Annual Hard Head Derby on Friday, August 6 and Saturday, August 07, 2021. Presenter is Wayne Shaffer**

Public Works Director Shaffer advised Council he had received a request from Mr. James Maikoetter for use of the Bayfront Peninsula Park for the Annual Hard Head Derby on Friday, August 06, 2021 and Saturday, August 07, 2021 and also requests waiver of all applicable 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 the recommendation of staff, Council hereby approves the request of Mr. James Maikoetter to use the Bayfront Peninsula Park for the Annual Hard Head Derby on Friday, August 06, 2021 and Saturday, August 07, 2021 and hereby waives all applicable fees associated with the event.

Seconded by Councilman District 6 Barr

Voting Yea:

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

Note: Councilman Dent District 2 arrived during Agenda Item #3

2. **Consider request of Texas Made Fades Barber Shop for closure of Colorado Street between Main and Live Oak Streets for their back-to-school hair cut nonprofit event on Sunday, August 08, 2021 from 1:00 pm to 5:00 pm. Presenters are AJ Piña and Hiram Peña**

Mr. A. J. Piña and Mr. Hiram Peña, owners of Texas Made Fades Barber Shop, located inside Adore Me Salon at 202 E. Main Street, Port Lavaca, Texas, advised Council they were requesting closure of Colorado Street between Main and Live Oak Streets, on Sunday, August 08, 2021 from 12:00 p.m. to 5:00 p.m. for a non-profit Back-to-School Free Haircut Event put on by them for the community. They said they have done an event like this in Victoria with great success and this was their way to give back to the community in Port Lavaca.

Motion made by Councilman District 6 Barr

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

THAT, in accordance with recommendation of staff, Council hereby approves the request of Mr. A. J. Piña and Mr. Hiram Peña, owners of Texas Made Fades Barber Shop at 202 E. Main Street, for closure of Colorado Street between Main and Live Oak Streets, on Sunday, August 08, 2021 from 12:00 p.m. to 5:00 p.m. for a non-profit Back-to-School Free Haircut Event and also waives all fees associated with this event.

Seconded by Councilman District 5 Ward

Voting Yea:

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

Note: Councilman Dent District 2 arrived during Agenda Item #3

3. Consider amendment to the current professional services agreement between the City of Port Lavaca and the Law Offices of James Lee Murphy, Esq. to provide legal services regarding negotiations with the Guadalupe-Blanco River Authority (GBRA). Presenter is Jody Weaver

Interim City Manager Weaver advised Council that this was a proposed amendment to the current agreement the city has with James Lee Murphy as Special Council. She said Mr. Murphy has agreed to a change to what he initially proposed as follows:

Section 2. Term of Engagement. My representation will terminate upon the first to occur of (i) the close of business on December 31, 2022, unless the parties have entered into a written agreement, signed by each party, extending the Term for an additional period or periods; (ii) CLIENT elects to terminate the Agreement by paying the total legal services fee in full at an earlier date. In the event that we terminate the engagement, I will take such steps as are reasonably practicable to protect the Client's interests in the above matter.

Section 3. Fees and Expenses. Client will pay, during the term of this engagement a fee of \$3,000.00 per month for the term of the agreement, due in full upon execution of this Agreement but payable in equal monthly payments, subject to an inflation factor as reflected in the Municipal Cost Index to be applied annually after the effective date of the amendment.

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 the proposed amendments to the current Agreement the City has with James Lee Murphy as Special Council as follows:

Section 2. Term of Engagement. My representation will terminate upon the first to occur of (i) the close of business on December 31, 2022, unless the parties have entered into a written agreement, signed by each party, extending the Term for an additional period or periods; (ii) CLIENT elects to terminate the Agreement by paying the total legal services fee in full at an earlier date. In the event that we terminate the engagement, I will take

such steps as are reasonably practicable to protect the Client's interests in the above matter.

Section 3. Fees and Expenses. Client will pay, during the term of this engagement a fee of \$3,000.00 per month for the term of the agreement, due in full upon execution of this Agreement but payable in equal monthly payments, subject to an inflation factor as reflected in the Municipal Cost Index to be applied annually after the effective date of the amendment.

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

Seconded by Councilman District 3 Tippit

Voting Yea:

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

V. ADJOURN SPECIAL MEETING

Mayor asked for motion to adjourn.

Motion made by Councilman District 6 Barr, Seconded by Councilman District 2 Dent

Voting Yea:

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

Special Meeting adjourned at 3:50 p.m.

WORKSHOP AGENDA:**VI. CALL TO ORDER**

- Mayor Whitlow called the meeting to order at 3:51 P.M. and presided.

VII. COMMENTS FROM THE PUBLIC - *Comments will be limited to three (3) Minutes per individual unless permission to speak longer is received in advance*

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

VIII. ITEMS FOR DISCUSSION - *Council will discuss the following items***1. Receive presentation by Enterprise on proposed Fleet Management Program. Presenter is Jody Weaver**

Council discussed this workshop item.

No action was taken.

2. Discuss 2021-22 Capital Improvement Plan (CIP). Presenter is Jody Weaver

Council discussed this workshop item.

No action was taken.

IX. ADJOURN WORKSHOP

Mayor asked for motion to adjourn.

Motion made by Councilman District 5 Ward, Seconded by Councilman District 3 Tippit.

Voting Yea:

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

Workshop adjourned at 7:24 p.m.

These minutes were approved on _____, 2021.

Jack Whitlow, Mayor

Mandy Grant, City Secretary

COMMUNICATION

SUBJECT: Payment of Invoices Exceeding \$1,500

INFORMATION:

VENDOR/INVOICE #	ITEM DT/ POST DT	PAY DT/ CHECK #	DESCRIPTION	DEPARTMENT	AMOUNT
01-104004 AECOM TECHNICAL SERVICES					
INV 2000510709	6/25/2021 7/21/2021	7/22/2021 57799	ENGINEERING CONTRACT WWTP EXPANSION WATER SYSTEMS PLANNING	WWTP	\$21,153.88
01-102583 ALLAN'S WRECKER SERVICES, INC					
INV 141509	5/7/2021 7/21/2021	7/22/2021 57802	TOW - RV LIGHT HOUSE BEACH	LIGHTHOUSE BEACH CONTRACTED SERVICES	\$1,650.00
01-101978 BANK OF AMERICA N.A.					
INV 09PEW5RVD8	7/15/2021 7/21/2021	7/22/2021 57808	BOND PAYMENT	NON DEPARTMENTAL	\$15,130.50
01-103949 BIG TEX POOL SUPPLIES					
INV 2495	6/30/2021 7/21/2021	7/22/2021 57810	CHLORINE & DRUM CLEANING	PARKS & RECREATION	\$3,835.00
01-103266 BLS CONSTRUCTION INC.					
INV 712-2021-1	7/9/2021 7/21/2021	7/22/2021 57811	REROOF OF LIGHTHOUSE BEACH PIER RESTROOMS	LIGHTHOUSE BEACH	\$18,885.18
01-102544 BOKF, NA					
INV CPLTGORB2012/0821	7/12/2021 7/21/2021	7/22/2021 57812	BOND SERIES 2012	NON DEPARTMENTAL	\$7,255.00

VENDOR/INVOICE #	ITEM DT/ POST DT	PAY DT/ CHECK #	DESCRIPTION	DEPARTMENT	AMOUNT
01-102150 BRANNAN PAVING CO. LTD					
INV 009618	6/3/2021 7/7/2021	7/8/2021 57721	GEORGE STREET CIP PROJECT 2019-2020	UTILITY MAINTENANCE	\$2,375.00
INV 009618-1	6/3/2021 7/7/2021	7/8/2021 57721	GEORGE STREET CIP PROJECT 2019-2020	STREETS DEPARTMENT	\$6,745.00
01-101569 CALHOUN COUNTY YMCA					
INV 06/2021	6/30/2021 7/7/2021	7/8/2021 57723	MEMBERSHIP DUES JUNE 2021	ALL DEPARTMENTS	\$1,787.85
01-103056 CH2M HILL ENGINEERS, INC					
INV D3364100014	5/28/2021 7/21/2021	7/22/2021 57822	LIGHTHOUSE BEACH FISHING PIER	LIGHTHOUSE BEACH	\$11,925.00
INV D3364100015	7/2/2021 7/21/2021	7/22/2021 57822	LIGHTHOUSE BEACH FISHING PIER	LIGHTHOUSE BEACH	\$8,943.75
01-102951 CLASSIC BANK					
INV 187289-00007/0721	7/15/2021 7/21/2021	7/22/2021 57824	BOND PAYMENT	NON DEPARTMENTAL	\$7,410.00
01-102609 DATAPROSE, LLC					
INV DP2102294	6/30/2021 7/21/2021	7/22/2021 57828	UTILITY BILLING JUNE 2021	UTILITY BILLING	\$3,458.78

VENDOR/INVOICE #	ITEM DT/ POST DT	PAY DT/ CHECK #	DESCRIPTION	DEPARTMENT	AMOUNT
01-102882 FRONTIER SOUTHWEST INC					
INV 18830907065/072021	7/10/2021 7/21/2021	7/22/2021 57839	PHONE CHARGES JULY 2021	ALL DEPARTMENTS	\$2,308.01
01-102490 U.S. BANK NATIONAL ASSOCIATION					
INV 06/2021	6/24/2021 7/7/2021	7/8/2021 57740	FUEL JUNE 2021	ALL DEPARTMENTS	\$7,373.85
01-100174 G & W ENGINEERS, INC.					
INV 9101.197b-0521	6/18/2021 7/7/2021	7/8/2021 57741	HAZARD MITIGATION GRANT	PORT REVENUE FUND	\$10,000.00
01-102645 GEXA ENERGY, LP					
INV 32679686-4	6/25/2021 7/7/2021	7/8/2021 57743	ELECTRICITY SERVICES JUNE 2021	ALL DEPARTMENTS	\$31,814.22
01-101048 GRANTWORKS, INC.					
INV 20-065-071-C198-2	5/15/2021 7/7/2021	7/1/2021 57706	ADMINISTRATION OF CDBR-DR GRANT	CDBG GRANT	\$73,360.60
01-100170 GT DISTRIBUTORS, INC.					
INV INV0847846	6/11/2021 7/21/2021	7/22/2021 57844	ARMOR PANELS & CONCEALABLE CARRIERS	BULLET PROOF VEST GRANT (POLICE DEPARTMENT)	\$6,485.43

VENDOR/INVOICE #	ITEM DT/ POST DT	PAY DT/ CHECK #	DESCRIPTION	DEPARTMENT	AMOUNT
01-100186 GUADALUPE BLANCO RIVER					
INV SI012444	7/12/2021 7/21/2021	7/22/2021 57845	WATER PURCHASED JUNE 2021	NON-DEPARTMENTAL	\$99,813.14
01-100187 GUADALUPE BLANCO RIVER					
INV SIO12417	7/2/2021 7/7/2021	7/8/2021 57746	STORED WATER IN CANYON LAKE	NON-DEPARTMENTAL	\$28,186.67
01-101839 HARRISON, WALDROP					
INV 82151	6/15/2021 7/7/2021	7/8/2021 57748	AUDIT FEES	NON-DEPARTMENTAL	\$7,000.00
01-103972 HIGHWAY 84 ENTERTAINMENT					
INV 202107209599	7/19/2021 7/21/2021	7/22/2021 57846	FLIP FLOP DEPOSIT 2021	HOTEL OCCUPANCY TAX	\$2,150.00
01-103865 HR GREEN INC.					
INV 141586	2/23/2021 7/7/2021	7/8/2021 57750	AWIA RISK ASSESSMENT	UTILITY MAINTENANCE	\$4,938.00
01-102719 INTERSTATE BARRICADES					
INV 14140	6/29/2021 7/7/2021	7/8/2021 57751	STREET STRIPING PROJECT	STREETS DEPARTMENT	\$33,790.00

VENDOR/INVOICE #	ITEM DT/ POST DT	PAY DT/ CHECK #	DESCRIPTION	DEPARTMENT	AMOUNT
01-102578 J & S CONTRACTORS, INC					
INV EST 2	6/17/2021 7/21/2021	7/22/2021 57854	LOW DOCK REPAIRS	PORT REVENUE FUND	\$123,910.42
INV EST. 2	6/17/2021 7/21/2021	7/22/2021 57854	LOW DOCK REPAIRS	CITY HARBOR	\$271,825.38
INV NO 2	6/17/2021 7/21/2021	7/22/2021 57854	DOCK B REPAIRS	PORT REVENUE FUND	\$4,987.50
01-100260 LESTER CONTRACTING, INC					
INV #1	6/30/2021 7/21/2021	7/22/2021 57860	LYNNHAVEN LIFT STATION 2020-2021 CIP	WWTP	\$129,124.47
INV 2005711	5/31/2021 7/21/2021	7/22/2021 57861	STREET IMPROVEMENTS JACKSON ST 2019-2020 CIP PROJECT	STREETS	\$8,489.20
INV 2005712R	5/31/2021 7/21/2021	7/22/2021 57862	STREET IMPROVEMENTS JACKSON ST 2019-2020 CIP PROJECT	STREETS	\$27,949.29
INV 2005712R-1	5/31/2021 7/21/2021	7/22/2021 57863	UTILITY IMPROVEMENTS JACKSON ST 2019-2020 CIP PROJECT	UTILITY MAINTENANCE	\$17,763.56

VENDOR/INVOICE #	ITEM DT/ POST DT	PAY DT/ CHECK #	DESCRIPTION	DEPARTMENT	AMOUNT
01-102904 JESSE JAMES LLC					
INV 1714	7/7/2021 7/21/2021	7/22/2021 57864	IT SERVICES 3/7/2021-4/6/2021	TECHNOLOGY (POLICE DEPARTMENT)	\$1,810.00
INV 1719	7/17/2021 7/21/2021	7/22/2021 57864	IT SERVICES 7/17/21-8/16/21	TECHNOLOGY (ALL DEPARTMENTS)	\$2,500.00
01-102612 ONSOLVE, LLC (FKA EMERGENCY)					
INV 15178564	6/22/2021 7/21/2021	7/22/2021 57872	CODERED EXT 7/25/21-7/24/22	TECHNOLOGY (ALL DEPARTMENTS)	\$4,103.00
01-103938 P&W TREE TRIMMING					
INV INV0104	6/23/2021 7/7/2021	7/8/2021 57765	REMOVE TRASH FROM CITY	NON DEPARTMENTAL	\$1,875.00
INV INV0105	6/28/2021 7/7/2021	7/8/2021 57765	REMOVE TRASH FROM CITY	NON DEPARTMENTAL	\$3,000.00
INV INV0106	6/30/2021 7/7/2021	7/8/2021 57765	REMOVE TRASH FROM CITY	NON DEPARTMENTAL	\$3,000.00
INV INV0107	6/12/2021 7/21/2021	7/22/2021 57875	REMOVE TRASH FROM CITY	NON DEPARTMENTAL	\$1,700.00

VENDOR/INVOICE #	ITEM DT/ POST DT	PAY DT/ CHECK #	DESCRIPTION	DEPARTMENT	AMOUNT
01-103938 P&W TREE TRIMMING					
INV INV0109	7/18/2021 7/21/2021	7/22/2021 57875	REMOVE TRASH FROM CITY	NON DEPARTMENTAL	\$3,400.00
01-103847 ENVIRONMENTAL SCIENCE CORPORATION					
INV 1378915-S	6/30/2021 7/21/2021	7/22/2021 57876	CHEMICALS	WWTP	\$1,943.00
01-100335 PORT LAVACA, CITY OF					
INV 06/2021	6/11/2021 7/7/2021	7/8/2021 57771	WATER/SEWER JUNE 2021	ALL DEPARTMENTS	\$7,419.31
01-102193 RAMIREZ, JIMMY					
INV 202107089571	7/6/2021 7/7/2021	7/8/2021 57773	CARPENTRY & LABOR	FIRE DEPARTMENT	\$15,666.00
01-103002 REICHERT, MARTY RAY					
INV 202107069565	7/6/2021 7/7/2021	7/8/2021 57774	BAYFRONT BEATS 2021 SOUND	HOTEL OCCUPANCY TAX	\$2,100.00
01-102309 REPUBLIC SERVICES #847					
INV 0847-001156987	6/30/2021 7/21/2021	7/22/2021 57883	DISPOSAL RECYCLING CONTAINERS	NON DEPARTMENTAL	\$1,832.88
INV 0847-001158101	6/30/2021 7/21/2021	7/22/2021 57884	GARBAGE COLLECTION	NON DEPARTMENTAL	\$56,181.41

VENDOR/INVOICE #	ITEM DT/ POST DT	PAY DT/ CHECK #	DESCRIPTION	DEPARTMENT	AMOUNT
01-100840 ROBERTS, ODEFY, WITTE					
INV 1608-003M/89	7/13/2021 7/21/2021	7/22/2021 57886	MUNICIPAL COURT / JUNE 2021	NON DEPARTMENTAL	\$4,338.65
01-103898 RUSSELL MARINE LLC					
INV 12536	7/1/2021 7/28/2021	7/26/2021 98	CONSTRUCTION OF LHB FISHING PIER	LIGHTHOUSE BEACH	\$400,637.48
01-100393 STATE COMPTROLLER					
INV 202107019556	7/1/2021 7/7/2021	7/8/2021 57779	2ND QTR STATE CRIMINAL COST	MUNICIPAL COURT	\$20,890.63
01-102872 SYLVA CONSTRUCTION, LLC					
INV 2021 JUL-01	7/9/2021 7/21/2021	7/22/2021 57889	FILL VOIDS ALONG SEAWALL	PARKS & RECREATION	\$2,900.00
01-100417 TEXAS MUNICIPAL LEAGUE					
INV C775-07/21	7/1/2021 7/21/2021	7/22/2021 57892	TML MEMBERSHIP SERVICE FEE	NON DEPARTMENTAL	\$2,638.00
01-100419 TML - IEBP					
INV 07/2021	6/28/2021 7/7/2021	7/8/2021 57781	HEALTH/DENTAL INSURANCE	ALL DEPARTMENTS	\$60,912.74

VENDOR/INVOICE #	ITEM DT/ POST DT	PAY DT/ CHECK #	DESCRIPTION	DEPARTMENT	AMOUNT
01-100418 TML INTERGOVERNMENTAL RISK POOL					
INV 9059/072021	7/1/2021 7/21/2021	7/22/2021 57893	INSURANCE	ALL DEPARTMENTS	\$47,938.75
01-103909 TUSCUMBIA IRON WORKS					
INV 2103968R	7/15/2021 7/21/2021	7/22/2021 57895	GLOBE LIGHT FIXTURES	BAUER COMMUNITY CENTER	\$2,096.26
01-103160 UMB BANK, N.A.					
INV SERIES2021	6/16/2021 7/7/2021	7/8/2021 57784	BOND SERIES 2021	NON DEPARTMENTAL	\$27,962.50
01-102134 VICTORIA ENGINEERING					
INV 16624	7/2/2021 7/21/2021	7/22/2021 57904	CITY HARBOR DOCK REPAIRS	CITY HARBOR	\$7,055.86
INV 16627	7/2/2021 7/21/2021	7/22/2021 57904	ENGINEERING FOR TXCDBG GRANT 2020-2022	UTILITY MAINTENANCE	\$1,500.00
01-101448 VICTOR O. SCHINNERER & COM					
INV SI962479	6/14/2021 7/7/2021	7/8/2021 57788	WINDSTORM INSURANCE	ALL DEPARTMENTS	\$102,716.33
INV SI962480	6/14/2021 7/7/2021	7/8/2021 57788	WINDSTORM INSURANCE	ALL DEPARTMENTS	\$14,416.70

VENDOR/INVOICE #	ITEM DT/ POST DT	PAY DT/ CHECK #	DESCRIPTION	DEPARTMENT	AMOUNT
01-100451 VICTORIA COMMUNICATION SERVICES					
INV 6936	6/24/2021 7/21/2021	7/22/2021 57907	RADAR & GUN RACK	POLICE DEPARTMENT	\$4,946.00
INV 6953	7/6/2021 7/21/2021	7/22/2021 57907	REPAIRS TO SIREN SYSTEM	POLICE DEPARTMENT	\$1,702.50
TOTAL INVOICES PAID OVER \$1500.00					\$1,811,007.68



Section VII. Item #C.

CITY

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
June 8, 2021 to July 8, 2021**SUMMARY OF ACCOUNT ACTIVITY**

Previous Balance	\$4,254.71-
- Payments	\$0.00
- Other Credits	\$0.00
+ Purchases	\$5,294.83
+ Cash Advances	\$0.00
+ Fees Charged	\$0.00
+ Interest Charged	\$0.00
= New Balance	\$1,040.12

Account Number XXXX XXXX XXXX 0305
 Credit Limit \$26,500.00
 Available Credit \$24,903.00
 Statement Closing Date July 8, 2021
 Days in Billing Cycle 31

PAYMENT INFORMATION

New Balance: \$1,040.12
 Minimum Payment Due: \$31.21
 Payment Due Date: August 2, 2021

TRANSACTIONS

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

Tran Date	Post Date	Reference Number	Transaction Description	Amount
06/07	06/09	75217694ZG9HA12HD	JIMS BIG BURGER VICTORIA TX	
06/09	06/11	55500805109A1ASVS	GRAND BUFFET VICTORIA TX	\$9.99
06/12	06/13	05314615300Q66JLH	TROPICAL SMOOTHIE CAFE VICTORIA TX	\$15.13
06/18	06/21	52704875ALKS56D6M	HOLIDAY INN EXP & SUIT 3615525700 TX	\$10.16
		CHECK-IN 06/13/21	FOLIO #17435821	\$894.96
06/19	06/21	52704875BLKS75BEY	HOLIDAY INN EXP & SUIT 3615525700 TX	\$1,088.19
		CHECK-IN 06/13/21	FOLIO #17435820	
COLIN RANGNOW				
TOTAL XXXXXXXXXXXXX0727				\$2,018.43

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: \$1,040.12
 Minimum Payment Due: \$31.21
 Payment Due Date: August 2, 2021

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

11273390700003050000312100001040125



CITY

Section VII. Item #C.

Account Number: XXXX XXXX XXXX 0305

TRANSACTIONS (continued)

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

Tran Date	Post Date	Reference Number	Transaction Description	Amount
06/10	06/11	5270487528AZZPVD1	FISH TALES GALVESTON TX	
06/10	06/13	8554402522AJJSSDL	SIDE YARD GALVESTON TX	\$15.14
06/11	06/13	15270215201L8NW2S	SUBWAY 16799 GALVESTON TX	\$21.10
06/11	06/14	527048753LKTRWFYW	CANDLEWOOD SUITES GALVESTON TX	\$13.13
		CHECK-IN 06/10/21	FOLIO #1968176	\$103.55
06/13	06/14	554838255BLH25G7E	WAL-MART #1098 PORT LAVACA TX	
			ERIC SALES	\$27.86
			TOTAL XXXXXXXXXXXX0776	\$180.78
07/07	07/08	82305095W000BL4SN	SP * HDC CONCEPTS PORTLAND TX	\$570.00
07/07	07/08	82305095W000Q74JY	SP * HDC CONCEPTS PORTLAND TX	\$285.00
			JAVIER RAMOS	
			TOTAL XXXXXXXXXXXX0867	\$855.00
06/18	06/20	55488725ABLYQT6X2	TEXAS COMM FIRE PROT 5129363842 TX	\$56.49
06/26	06/28	55432865H5SQPR81H	SQ *ALL ADVANCED LIFE 877-417-4551 TX	\$250.00
06/27	06/28	55480775KBM8TKWW7	RAZZOO'S CAJUN CAFE #2 STAFFORD TX	\$39.80
06/29	06/30	55457025M60ZTSKY2	AMERICAN HEART SHOPCPR 8882428883 TX	\$35.00
07/06	07/07	55457025W60ZT8QDA	AMERICAN HEART SHOPCPR 8882428883 TX	\$151.55
			JUAN LUNA	
			TOTAL XXXXXXXXXXXX0941	\$532.84
06/26	06/27	55432865H5V3T5DSG	AWWA.ORG 303-347-6197 CO	
			WAYNE SHAFFER	\$231.00
			TOTAL XXXXXXXXXXXX1212	\$231.00
06/11	06/13	554295052RTV80DJ8	PAYPAL *TCCA TCCA 4029357733 TX	\$150.00
06/11	06/14	851824454WGNP29MX	TEXAS MUNICIPAL COURTS AUSTIN TX	\$50.00
06/17	06/18	5550036582DYWHM2E	WALMART GROCERY 8009666546 AR	\$113.94
06/17	06/20	851824459WGNP29N2	TEXAS MUNICIPAL COURTS AUSTIN TX	\$50.00
06/17	06/20	851824459WGNP29N2	TEXAS MUNICIPAL COURTS AUSTIN TX	\$100.00
			MANDY GRANT	
			TOTAL XXXXXXXXXXXX1238	\$463.94
06/21	06/22	02305375D00GM68KD	USPS PO 4872200979 PORT LAVACA TX	\$8.10
06/28	06/29	55500365K2DLQ0MXS	WALMART.COM AS 8009666546 AR	\$143.84
			JESSICA CARPENTER	
			TOTAL XXXXXXXXXXXX1329	\$151.94
06/25	06/27	55500365G2DKPJDBW	WALMART.COM AV 8009666546 AR	\$20.95
			SUSAN LANG	
			TOTAL XXXXXXXXXXXX1345	\$20.95
06/09	06/10	5543286505SDAHP5G	J2 *EFAX CORPORATE SVC 323-817-1155 CA	\$130.26
06/21	06/22	55432865Q5ST7X3TS	SQ *THE DONUT PALACE PORT LAVACA TX	\$170.00
06/24	06/25	55432865F5SPJ7MTM	AMZN MKTP US*295IS1OQ1 AMZN.COM/BILL WA	\$65.99
06/27	06/28	55432865J5SH43HVS	AMZN MKTP US*214Z29D02 AMZN.COM/BILL WA	\$231.10
06/28	06/29	55432865K5SX100JE	UPS*000000V4145F251 800-811-1648 GA	\$31.46
07/01	07/04	55207395P005DJM15	AUTHORIZE.NET SAN FRANCISCO CA	\$30.00
			JOANNA WEAVER	
			TOTAL XXXXXXXXXXXX0249	\$658.81
06/22	06/22	55432865D5SZM9XXT	AMZN MKTP US*211I26A22 AMZN.COM/BILL WA	\$30.15
06/23	06/23	55432865E5SQ5WG8Z	AMAZON.COM*217RP75R0 AMZN.COM/BILL WA	\$17.49
06/25	06/27	55432865G5SYVZJ7J	AMAZON.COM*2927J2L61 AMZN.COM/BILL WA	\$89.30
06/25	06/27	02305375H00H5GVXH	USPS PO 4872200979 PORT LAVACA TX	\$7.20
07/02	07/04	55432865P5V2L3JVY	SQ *THE DONUT PALACE PORT LAVACA TX	\$30.00

Transactions continued on next page



CITY

Section VII. Item #C.

Account Number: XXXX XXXX XXXX 0305

TRANSACTIONS (continued)

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

Tran Date	Post Date	Reference Number	Transaction Description	Amount
07/06	07/07	02305375W00H17SNL	USPS PO 4872200979 PORT LAVACA TX CYNTHIA HEYSQUIERDO	\$7.00
TOTAL XXXXXXXXXXXXX0264				\$181.14

INTEREST CHARGE CALCULATION

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

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

(v) - variable

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

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

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

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).

(PLEASE SHOW YOUR CORRECT NAME AND ADDRESS)

O1AB5762 – 3 – 05/25/17

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

INFORMATION:



CITY OF
PORT LAVACA

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

To: Mayor and Members of the City Council
From: Susan Lang, Finance Director *[Signature]*
Subject: FY 20-21 Financial Highlights through **July 31, 2021**
Date: August 6, 2021

Below are the following reports for the period ending **July 31, 2021**, or **83%** of the year:

The major highlights of the Report are as follows:

Property Tax collections as reported by CCAD - are **\$4,516,620** for the year as of June. Collections in FY20-21 are 96.5% of total adjusted tax levy. Total current year Property Taxes Outstanding as of June is **\$162,776**.

In the General Fund, revenues through **7/31/21** are **101%** of budget. In addition:

1. *Current Property Tax* collections - are **\$4,131,473** for the year as of July. Collections in FY20-21 are 105% of budget.
2. *Sales Tax* collections through July were **\$2,906,155** or 99% of budget. Collections through July in FY 19-20 were **\$2,864,572**.
3. *Licenses & Permits* collections are **\$142,343** for the year, or 120% of budget. Collections through July in FY 19-20 were **\$146,376**.
4. *Bauer Center Rentals* through July are **\$37,420** or 107% of budget. Collections through July in FY 19-20 were **\$31,445**.
5. *Court Fines* are **\$83,740** for the year, or 67% of budget. Collections through July in FY 19-20 were **\$71,390**.

Expenditures in the General Fund for the year are **88%** of budget.

In the Utility Fund, revenues as of **7/31/21** are **73%** of budget. In addition:

1. *Metered Water* sales through July are **\$1,657,326** or **67%** of budget.
2. *Residential Sewer* sales through July are **863,283** or **72%** of budget.
3. *Garbage Billings* through July are **\$565,909** or **81%** of budget.

Adjusted expenditures in the Utility Fund for the year are **80%** of budget.

Summary – FY 2020-2021 through 7/31/21

<u>Fund</u>	<u>Revenues</u>	<u>% Budget</u>	<u>Expense</u>	<u>Reserve Xfer to CIP *</u>	<u>Adjusted Expense</u>	<u>% Budget</u>	<u>Revenues Less Expense</u>
General	\$9,355,368	101%	\$9,564,957	(2,410,000)	\$7,154,957	88%	\$2,200,411
Utility	\$4,353,365	73%	9,149,487	(3,885,000)	5,264,487	80%	(911,122)
HOT	\$324,374	55%	346,104	0	346,104	59%	(21,730)
Beach	\$176,352	30%	265,808	(15,000)	250,808	44%	(74,456)
Port	\$580,089	93%	1,273,612	0	1,273,612	70%	(693,523)
Total							\$499,580

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

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



**Port Lavaca
PROPERTY TAX COLLECTION REPORT
June 30, 2021**

TAXES DUE AT CERTIFICATION	4,550,879.43
Adjustments to Date	94,829.84
TOTAL TAX LEVY	4,645,709.27

2020 Tax Collections

	Base	Penalties & Interest	Total
October	2,385,941.36	0.00	2,385,941.36
November	250,627.48	0.00	250,627.48
December	550,129.61	0.00	550,129.61
January	797,130.19	0.00	797,130.19
February	179,292.57	5,665.60	184,958.17
March	188,397.18	14,483.71	202,880.89
April	65,863.15	6,573.81	72,436.96
May	43,174.80	4,022.86	47,197.66
June	22,377.36	2,939.84	25,317.20
July (Delinquent as of July 1, 2021)			0.00
August			0.00
September			0.00
TOTAL	4,482,933.70	33,685.82	4,516,619.52

Last Year %
Collected
94.67%

% Collected	96.50%
TRANSFERRED TO DELINQUENT ROLL	
July, Aug, and Sept Payments	0.00

2020 TAXES OUTSTANDING	162,775.57
-------------------------------	------------

% Current Outstanding	3.50%
------------------------------	-------

DELINQUENT COLLECTIONS

	Base	Penalties & Interest	Total
October	14,649.34	6,979.64	21,628.98
November	36,432.40	8,654.61	45,087.01
December	7,670.46	2,534.35	10,204.81
January	10,684.73	4,067.54	14,752.27
February	2,857.19	860.16	3,717.35
March	7,356.81	2,593.32	9,950.13
April	7,792.68	2,917.66	10,710.34
May	7,153.07	2,417.96	9,571.03
June	2,332.38	1,021.52	3,353.90
July			0.00
August			0.00
September			0.00
TOTAL	96,929.06	32,046.76	128,975.82

DELINQUENT TAXES OUTSTANDING	324,451.52
TOTAL TAXES OUTSTANDING	487,227.09

COMMUNICATION

SUBJECT: Receive Budget Report from the Guadalupe-Blanco River Authority (GBRA) for the Port Lavaca Water Treatment Plant for the 2022 Fiscal Year. Presenter is Stephanie Shelly

INFORMATION:

June 15, 2021

Jody Weaver, City Manager
City of Port Lavaca
202 North Virginia Street
Port Lavaca, Texas 77979

RE: GBRA Fiscal Year 2022 Work Plan and Budget - Port Lavaca WTP

A copy of the preliminary budget for the Port Lavaca Water Treatment Plant for the 2022 fiscal year is submitted herewith pursuant to Section 6 of the Water Supply Contract between Guadalupe-Blanco River Authority and the City of Port Lavaca, Texas.

The City's estimated payments, as shown in the Work Plan and Budget, are:

Raw Water Delivery Charges (Canal only)	\$123,808
Operating and Maintenance Expenses	1,008,242
<u>Administrative and General Expenses</u>	<u>109,389</u>
Total Estimated City Payments	\$1,241,439

The raw water charges above do not include the payment by the City for source water that GBRA delivers to the Plant for the City's use because that charge is billed directly by GBRA's Water Resource Division.

The Fiscal Year 2022 budget is \$30,533 or 1.8% more than the Fiscal Year 2021 budget.

Inquiries concerning the proposed budget may be directed to Stephanie Shelly at GBRA's Port Lavaca WTP (361) 552-9751 or David Harris at GBRA's Seguin office (830) 379-5822.

Sincerely,

Sandra Terry

Sandra Terry
Deputy CFO-Finance and Administration
Enclosure: (12 copies)

Copy to: GBRA - Kenneth Motl, Kevin Patteson, Darrell Nichols, Jonathan Stinson, David Harris, Mike Urrutia, Stephanie Shelly (2 copies)

Main Office: 933 East Court Street ~Seguin, Texas 78155
830-379-5822 ~ 800-413-4130 ~ 830-379-9718 fax ~ www.gbra.org



Guadalupe-Blanco River Authority
flowing solutions



PORT LAVACA WATER TREATMENT PLANT DIVISION

WORK PLAN AND BUDGET

Fiscal Year Ending August 31, 2022

Submitted Per Contract Requirement
of June 15, 2021

PORT LAVACA WATER TREATMENT PLANT DIVISION

WORK PLAN AND BUDGET

Fiscal Year Ending August 31, 2022

DIRECTORS

Dennis L. Patillo

Chair

Don B. Meador

Vice-Chair

William R. Carbonara

Secretary-Treasurer

Kenneth Motl

Stephen B. "Steve" Ehrig

Oscar H. Fogle

Sheila L. Old

Andra M. Wisian

EXECUTIVE STAFF

Kevin Patteson

General Manager/Chief Executive Officer

Darrell Nichols

Senior Deputy General Manager

Jonathan Stinson

Deputy General Manager

Tommy Hill

Senior Advisor to the General Manager

David Harris

Executive Manager of Operations

Charlie Hickman

Executive Manager of Project Engineering & Development/C.E.

Randy Staats

Executive Manager of Finance/Chief Financial Officer

Vanessa Guerrero

Executive Manager of Administration

Nathan Pence

Executive Manager of Environmental Science and Community Affairs

Port Lavaca Water Treatment Plant Division Operating Plan for Fiscal Year Ending 8/31/22

BACKGROUND

The GBRA Port Lavaca Water Treatment Plant (WTP) is a surface water treatment plant that supplies the City of Port Lavaca, the Calhoun County Rural Water Supply System, and the Port O'Connor Improvement District (POC ID) with treated drinking water for residential and commercial use. The City of Port Lavaca, the Rural Water System, and the POC ID have contracts with GBRA's Water Supply Division for water from Canyon Reservoir, run-of-river water rights, and from other sources available to GBRA. The non-potable water is delivered from the Guadalupe River through GBRA's Water Supply and Calhoun Canal Systems to the WTP where it is treated to the high standards of the State of Texas and the stringent and ever evolving requirements of the federal Safe Drinking Water Act. The WTP has a capacity of 6.08 million gallons per day.

This Work Plan and Budget describes the operations, maintenance and capital additions to be performed during the upcoming fiscal year. The objective is to provide a safe and dependable supply of treated water at reasonable cost and in compliance with all state and federal water quality standards. The clarity and pathogen reduction risk "log" measurement of the treated water produced by the WTP are significantly better than current federal standards and closely approach the ultimate objective of optimized treatment considered desirable by industry experts.

The WTP is managed by the Division Manager – Calhoun/Refugio Counties. Employees of the Division responsible for daily operating and maintenance activities include a Chief Operator, four shift Operators, and a Maintenance Chief. Administrative duties are performed by a Secretary assigned to this division and support received from the Seguin office. Several of these employees also work in the two other divisions of GBRA that are headquartered at GBRA's Port Lavaca office. Additional support is received from the Seguin office in the form of engineering and administrative functions.

REVENUE SOURCES AND TRENDS

Each wholesale customer receiving a drinking water supply from the GBRA Port Lavaca Water Treatment Plant pays a pro-rata share of the total operating expenses of the Plant. The FY 2022 revenue is budgeted at \$1,770,872 which is a \$30,533 or 1.8% increase over the previous year.

Total treated water purchased by the City of Port Lavaca is forecast at 488.09 million gallons per year. The Port O'Connor ID will purchase an estimated 96.88 million gallons of treated water. The Calhoun County Rural Water Supply System will purchase an estimated 88.11 million gallons of treated water, based on that Division's forecast of customer connections. The total treated water forecast by the WTP for all three wholesale customers therefore sums to 673.08 million gallons or an average of 1.844 million gallons per day. The raw source or feed water delivered to the WTP by the Calhoun Canal Division for all three customers for treatment to potable drinking quality will cost 22.5¢ per 1,000 gallons. Raw water received from the GBRA Canal Division for the three wholesale customers as metered at the WTP's intake will total an estimated 745.071 million gallons.

CAPITAL ADDITIONS AND OPERATING EXPENDITURES

Significant operating expenses for the upcoming Fiscal Year include \$112,080 for power and utilities. Alum, used as a coagulant, is budgeted at \$156,000. Potassium permanganate is used from time to time to control taste and odor and to further enhance palatability of the finished water. A major capital addition will be the South Basin Rehab project, which includes the sandblasting and painting of the center column, sludge rakes, catwalks, and the flocculators. Other capital additions include four new Filter Effluent Turbidimeters

with one new Controller and a new Lab Benchtop Turbidimeter. The total operating and maintenance expenditure budget for FY 2022 amounts to \$1,770,872.

Employee training will continue in order to maintain technical competence and to enhance knowledge of pending rules and regulations pertaining to drinking water production and quality. Training will include courses to upgrade or maintain the required surface water treatment licenses issued by the State.

FUND BALANCE

The operating expenditures that are summarized in the following pages, will be provided by revenues from the City of Port Lavaca, the Calhoun County Rural Water Supply System, and the Port O'Connor ID. Port Lavaca Water Treatment Plant division is a contract operation therefore the net change in fund balance for FY 2022 is \$0.

Guadalupe-Blanco River Authority
Work Plan & Budget
Fiscal Year Ending August 31, 2022

060 - Port Lavaca WTP
Department *

	FY 2021 BUDGET	FY 2022 BUDGET	FY 2022-2021 DIFFERENCE
OPERATING BUDGET			
OPERATING REVENUES			
Water Treatment			
41110 PL-RAW WATER DELIVERY	118,306	123,808	5,502
41111 PL-PLANT O&M INCOME	989,555	1,008,242	18,687
41112 PL-PLANT A&G INCOME	98,826	109,389	10,563
41115 POC-RAW WATER PURCHASES	21,607	22,613	1,006
41116 POC-PLANT O&M INCOME	257,192	250,966	(6,226)
41117 POC-PLANT A&G INCOME	24,870	26,436	1,566
41125 RW-RAW WATER PURCHASE	20,277	21,220	943
41126 RW-WATER TREATMENT	190,871	187,983	(2,888)
41127 RW-PLANT A&G INCOME	18,835	20,215	1,380
Total Water Treatment	1,740,339	1,770,872	30,533
Total Operating Revenue	1,740,339	1,770,872	30,533
OPERATING EXPENSES			
Salaries			
51101 LBR-REGULAR WAGES	400,022	420,264	20,242
51102 LBR-OVERTIME	31,890	52,583	20,693
Total Salaries	431,912	472,847	40,935
Benefits			
51298 BEN-BENEFIT ALLOCATION	174,925	191,503	16,578
Total Benefits	174,925	191,503	16,578
Operating Supplies & Services			
52101 OPR-POWER & UTILITIES	112,080	112,080	-
52102 OPR-AUXILIARY POWER EXPENSE	6,000	-	(6,000)
52103 OPR-CHEMICALS	239,300	241,800	2,500
52110 OPR-SMALL TOOLS AND SUPPLIES	960	960	-
52113 OPR-LAB SUPPLIES	26,440	26,440	-
52114 OPR-LABORATORY SERVICES-GBRA	2,400	2,400	-
52115 OPR-LABORATORY SERVICES-OUTSOURCED	3,500	3,500	-

	FY 2021 BUDGET	FY 2022 BUDGET	FY 2022-2021 DIFFERENCE
52120 OPR-UNIFORMS	4,300	4,800	500
52121 OPR-SAFETY & EMERGENCY EXPENSE	4,000	4,000	-
52122 OPR-SECURITY EXPENSE	2,760	2,760	-
52124 OPR-EQUIPMENT EXPENSE	5,764	5,764	-
52125 OPR-VEHICLE EXPENSE	5,340	5,340	-
52126 OPR-FLEET LEASE EXPENSE	9,600	9,600	-
52133 OPR-SCADA	1,550	1,550	-
52145 OPR-CONTRACT LABOR	40,000	40,000	-
52150 OPR-WATER PURCHASES/DELIVERY	160,190	167,641	7,451
Total Operating Supplies & Services	624,184	628,635	4,451
Professional Services and Fees			
52205 OPR-PROFESSIONAL SERVICES-OTHER	6,000	6,000	-
52217 OPR-INSPECTION FEES	360	360	-
52222 OPR-MEMBERSHIPS & PUBLICATIONS	1,200	1,200	-
52223 OPR-LICENSE & TRAINING	4,495	4,495	-
52224 OPR-TRAVEL & MEETINGS	4,000	4,000	-
Total Professional Services and Fees	16,055	16,055	-
Office Expenses			
52301 OPR-OFFICE SUPPLIES	4,600	4,600	-
52302 OPR-COMPUTER & SOFTWARE EXPENSE	2,650	5,950	3,300
52306 OPR-COMMUNICATIONS	7,600	10,200	2,600
52322 OPR-MEDIA EXPENSE	1,068	1,067	(1)
Total Office Expenses	15,918	21,817	5,899
Other Operating Expenses			
52403 OPR-OFFICE/BUILDING RENTAL	2,112	2,112	-
52420 OPR-INSURANCE EXPENSE	92,712	92,073	(639)
52430 OPR-MISC EXPENSE	9,550	9,550	-
Total Other Operating Expenses	104,374	103,735	(639)
SUBTOTAL OF OPERATIONAL EXPENSES	1,367,368	1,434,592	67,224
Maintenance and Repair Equipment			
53101 M&R-EQUIPMENT	87,236	109,000	21,764
53105 M&R-GENERATORS	-	6,000	6,000
53110 M&R-CONTROL SYSTEMS	6,480	6,480	-
53115 M&R-METERS	2,160	2,160	-
Total Maintenance and Repair Equipment	95,876	123,640	27,764
Structures			
53201 M&R-BUILDING	14,700	14,700	-
53202 M&R-CLEARWELLS	1,800	1,800	-
53205 M&R-PUMPS AND MOTORS	13,680	13,680	-

	FY 2021 BUDGET	FY 2022 BUDGET	FY 2022-2021 DIFFERENCE
53210 M&R-GATES AND VALVES	5,640	5,640	-
53238 M&R-FILTERS	85,964	8,000	(77,964)
Total Structures	121,784	43,820	(77,964)
Other Maintenance & Repairs			
53301 M&R-ROADS	100	100	-
53310 M&R-GROUNDS/ROW	1,200	1,200	-
53320 M&R-PONDS AND LAGOONS	8,000	8,000	-
53399 M&R-MISC EXPENSE	3,480	3,480	-
Total Other Maintenance & Repairs	12,780	12,780	-
SUBTOTAL OF M&R EXPENSES	230,440	180,240	(50,200)
Administrative & General			
54100 ADMINISTRATIVE & GENERAL	142,531	156,040	13,509
Total Administrative & General	142,531	156,040	13,509
TOTAL OPERATING AND M&R EXPENSES	1,740,339	1,770,872	30,533
Net Operating Income	-	-	-

DEBT SERVICE BUDGET

	Capacity Charge Revenue			
41119 POC-DEBT SERVICE	35,081	17,542	(17,539)	
41129 RW-DEBT SERVICE	26,207	13,104	(13,103)	
Total Capacity Charge Revenue	61,288	30,646	(30,642)	
Total Debt Revenue	61,288	30,646	(30,642)	
	Principal Payments Expense			
21105 LOAN-2008 CLEARWELL, Frost	58,760	30,284	(28,476)	
Total Principal Payments Expense	58,760	30,284	(28,476)	
	Interest Expense			
57102 INT-CLEARWELL, Frost	2,528	362	(2,166)	
Total Interest Expense	2,528	362	(2,166)	
Total Debt Expense	61,288	30,646	(30,642)	
Net Change in Debt Service Budget	-	-	-	

	FY 2021 BUDGET	FY 2022 BUDGET	FY 2022-2021 DIFFERENCE
Net Change in Fund Balance	-	-	-

COMMUNICATION

SUBJECT: Consider request of United Way of Calhoun County for use of the Bayfront Peninsula Park for their 8th annual family day on Saturday, September 18, 2021 and waiver of any fees associated with the event. Presenter is Wayne Shaffer

INFORMATION:

CITY OF PORT LAVACA

CC MEETING: AUGUST 9, 2021 **AGENDA ITEM #** _____

DATE: 7/23/2021

TO: JODY WEAVER, INTERIM CITY MANAGER

FROM: CYNDI HEYSQUIERDO, PUBLIC WORKS

SUBJECT: ANNUAL UNITED WAY FAMILY DAY

BACKGROUND: The United Way of Calhoun County will be holding their annual Family Day on Saturday, September 18, 2021 at the Bayfront Peninsula. They are requesting the fees be waved for the use of the park. The event will be free of charge to the public.

FINANCIAL IMPLICATIONS:

IMPACT ON COMMUNITY SUSTAINABILITY:

RECOMMENDATION: Staff recommends waving the fees for the annual community event.

ATTACHMENTS:

COMMUNICATION

SUBJECT: Consider award of bid for the “Motel 6 Sewer Main Replacement” Project to Lester Contracting in the amount of \$37,750.00 as the low bidder. Presenter is Wayne Shaffer

INFORMATION:

CC MEETING:

AGENDA ITEM #

DATE:

TO: JODY WEAVER, CITY MANAGER

cc: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: WAYNE SHAFFER, PUBLIC WORKS DIRECTOR 

SUBJECT: Sewer Main Servicing Motel 6

BACKGROUND: On July 15th, 2021, a subcontractor working for Texas Pride Utilities completed a CCTV assesment of two sewer mains, one servicing motel 6 and the other servicing homes on chevy chase. the assesment findings are the line servicing motel 6 is collapsed and needs immediate repair attention. the chevy chase main has a protruding tap that utility crews have on the schedule for repairs.

FINANCIAL IMPLICATIONS: This will be an unbudgeted expense that will need to utilize utility fund reserves.

IMPACT ON COMMUNITY SUSTAINABILITY: If this service main is not repaired it can present unsanitary conditions for motel guests and the public as well as environmental concerns since the bay is so close.

RECOMMENDATION: Staff recommends award to Lester Contracting in the amount of \$37,750.00 as the low bidder.

ATTACHMENTS: Attached are the three quotes from Lester Contracting (\$37,750.00), Mercer Construction (\$40,750.00), and Texas Pride Utilities (\$64,660.00). Also included is the requisition for the PO#.

Section VIII. Item #3.

Carlos Castro
Requestor's Name

DATE _____

Date Ordered

P. O. #

Confirmation/Order Number

Est Delivery Date

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

Unit#:

Year: _____

[illegible]

RECOMMENDED VENDOR'S

TOTAL COST:

\$0.00

\$0.00

\$0.00

Lester Contracting
(1ST) VENDOR'S NAME

Port Lavaca
CITY

$$\frac{TX}{ST}$$

361-552-3024

AREA CODE / PHONE NUMBER

Trent Taglibue
POINT OF CONTACT

Mercer Construction
(2ND) VENDOR'S NAME

Edna
CITY

$$\frac{TX}{ST}$$

361-782-7163

AREA CODE / PHONE NUMBER

David Gregory
POINT OF CONTACT

Texas Pride Utilities
(3RD) VENDOR'S NAME

Houston
CITY

$$\frac{TX}{ST}$$

832-607-0707

AREA CODE / PHONE NUMBER

Huey
POINT OF CONTACT

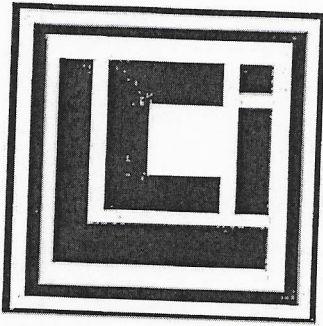
Justification why lowest quote was not utilized and or comments:

Justification why lowest quote was not utilized and or comments: Lester & Mercer are open Cut, Texas Pride
is Pipe Burst. This is the sewer main That Services Motel Co.
Will Need to be paid From Utility Fund Reserves.

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

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

APPROVED BY DEPARTMENT HEAD/SUPERVISOR:



Lester Contracting, Inc.

P.O. Box 986

Port Lavaca, TX 77979

Contact: Trent Tagliabue

Phone: 361-552-3024

Fax: 361-552-4049

Quote To:

City of Port Lavac

Phone:

Fax:

Job Name:

Date of Plans:

Revision Date:

Hwy 35 Sewer Line Replacement
No Plans

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
1	Mobilization	1.00	LS	5,000.00	5,000.00
2	Tie Into Existing Manhole	1.00	EA	1,750.00	1,750.00
3	Furnish & Install 8" SDR 26 Pipe	500.00	LF	55.00	27,500.00
4	Tie Into Lift Station	1.00	EA	3,500.00	3,500.00
GRAND TOTAL					\$37,750.00

MERCER CONSTRUCTION

909 North Colorado ♦ P.O. Box 888 ♦ Edna, Texas 77957
(361)782-7163 ♦ (281)342-4301 ♦ (800)533-7163 ♦ (361)782-7167 fax

Section VIII. Item #3.

PROPOSAL

Attn: Carlos Castro
City of Port Lavaca
202 N. Virginia St
Port Lavaca, TX 77979

July 21, 2021

RE: Utility Improvements Located Along Hwy 35 At The Shellfish Lift Station Site In The City of Port Lavaca, Texas.

We propose the following:

ITEM	DESCRIPTION	QTY		UNIT PRICE	EXTENSION
1	Remove Existing 8" VCP Sanitary Sewer Main and Replace With 8" SDR-26 Heavy Wall PVC Pipe 5-9 VF Depth To Include By Pass Pumping As Needed And Trench Shoring	550	LF	\$68.00	\$37,400.00
2	Remove Existing 8" Cast Iron Pipe Stub and Connect Proposed 8" PVC Pipe To Lift Station and Re-Seal Wall Penetration With Non Shrink Grout	1	LS	\$1,200.00	\$1,200.00
3	Connect Proposed 8" PVC Main To Existing Manhole	1	LS	\$350.00	\$350.00
4	Mobilization and Demobilization	1	LS	\$1,800.00	\$1,800.00
TOTAL BASE PROPOSAL					<u>\$40,750.00</u>

ADDITIONAL CONDITIONS:

- 1 The prices on this proposal are valid for thirty (30) days.
- 2 Mercer Construction Company to furnish all labor, materials and equipment, unless noted in item description.

All work to be done in a workmanlike manner in accordance with the specifications provided to us. Our standard one-year warranty of materials and labor furnished by us will apply.

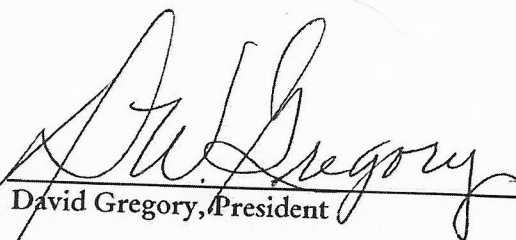
We propose to furnish material and labor - complete in accordance with above specifications for the sum of:

Forty Thousand Seven Hundred Fifty & No/100 ----- dollars \$40,750.00

Accepted This Day : _____

Respectfully Submitted,
MERCER CONSTRUCTION COMPANY

by: _____


David Gregory, President



Texas Pride Utilities

725 Carby Rd
Houston TX 77037

Estimate

Date	Estimate No.
7/19/2021	6915

TO:

City of Port Lavaca 2021
Pipe Bursting
8"

Our quotation include all labor and material for the installation of the each pay item on the list below. Any additional work will require written acceptance of quotation before additional work can be performed.

Item No	Unit	Description	Qty	Unit Price	Total
1	LS	MOBILIZATION	1	5,800.00	5,800.00
2	LF	PIPE BURSTING OF EXISTING 8" SANITARY SEWER MAIN COMPLETE IN PLACE INCLUDING ALL LABOR, TOOLD, EQUIPMENT AND MATERIALS	800	52.00	41,600.00
3	LF	SERVICE RECONNECTION	4	1,200.00	4,800.00
4	EA	CONNECTION TO LIFT STATION WITHIN 5 FEET OF LOCATION	1	500.00	500.00
5	EA	CONNECTION TO MANHOLES	3	800.00	2,400.00
6	EA	TRAFFIC CONTROL FOR THE DURATION OF THE PROJECT	1	2,800.00	2,800.00
7	LF	POST CCTV AFTER PIPE BURSTING	800	3.95	3,160.00
8	LS	RESTORATION	800	4.50	3,600.00
Total					\$64,660.00

Phone #

8326070707

E-mail

lgtexaspride@yahoo.com

Web Site

www.texasprideutilities.com

COMMUNICATION

SUBJECT: Review and discuss No New Revenue (NNR) and Voter Approval Rate (VAR) for 2021 Tax Year. Presenter is Susan Lang

INFORMATION:

CITY OF PORT LAVACA

CITY COUNCIL MEETING: AUGUST 9, 2021

DATE: 8/5/21

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: SUSAN LANG, FINANCE DIRECTOR

SUBJECT: REVIEW AND DISCUSS NO NEW REVENUE AND VOTER APPROVAL RATE

The CCAD Tax Assessor/Collector is required to calculate the “No New Revenue” (NNR) and “Voter Approval Rate” (VAR) on behalf of the City of Port Lavaca, and publish the Notice in the newspaper and on the City’s website. The calculation of each of the rates are set by the State Tax Code, and must be published in order to provide transparency to the property taxpayers of the City. The NNR establishes the threshold in which the city can adopt a property tax rate that does not provide additional revenue. If the City chooses to set its tax rate greater than the NNR, it must hold a Public Hearing and advertise that the city is increasing its tax revenue. The VAR establishes the threshold that, if exceeded, the City must first hold an election and seek the approval of the citizens before it can set the property tax rate at or above the VAR.

The CCAD is in the process of calculating these rates for all jurisdictions, and we would like to present and discuss this notice to City Council.

COMMUNICATION

SUBJECT: Consider Resolution No. R-080921-1 of the City of Port Lavaca to adopt the City's Financial Management and Budgetary Policies for 2021-2022 fiscal year. Presenter is Susan Lang

INFORMATION:



Resolution of the City of Port Lavaca, Texas No. R-080921-1

Budgetary & Financial Management Policies

The goal of formally adopting financial management and budgetary policies is to provide sound guidelines in planning the City's financial future. The adoption and adherence to these policies will help ensure long-term financial stability and a healthy financial position for the City of Port Lavaca.

General Budgetary Policies

Budget Preparation

The City Budget shall be prepared in accordance with all applicable Charter requirements and State laws. The goal each year shall be to present the Proposed Budget to Council no later than six weeks prior to the end of the fiscal year and for the final approval of the Budget to be ready for Council action no later than two weeks before the end of the fiscal year. The Budget shall be comprehensive in nature and address all major funds of the City.

Government Finance Officer Association Distinguished Budget Program

The goal each year will be for the City's Budget to conform to the requirements of the Distinguished Budget Program of the G.F.O.A. and be submitted thereto for peer review.

Balanced Budget

It shall be a requirement each year for the budget of each fund to be balanced. This means that total resources available, including prior year ending resources plus projected revenues, shall be equal to or greater than the projected expenditures for the coming year. In a case where a deficit fund balance does occur, the goal shall be to limit deficits to only those amounts representing one-time capital expenditures and/or to adjust revenues and/or expenses so that the deficit is eliminated in no more than two budget years.

Public Hearings, Availability of Budget to Public

Upon completion of the City Manager's Proposed Budget to Council, the City holds public hearings in August in accordance with the Local Government Code. A copy of the Proposed Budget is made available in the City Secretary's Office or on the City's website. These hearings provide the Citizens of Port Lavaca a chance to ask questions as well as an opportunity for Council to hear any recommendations before final approval of the budget.

Cost Center Accounting and Budgeting

It shall be the policy of the City to allocate cost, and budget accordingly, to the various funds to the extent practical. This includes such items as utility costs, fuel costs, vehicle lease charges, overhead manpower and insurance fees.

Bond Ratings

It shall be the City's long-term goal to improve its bond ratings for general obligation bonds and revenue bonds. The City's policy shall be to manage its budget and financial affairs in such a way to promote enhancement of its bond ratings. This financial management includes the following:

- *Develop and maintain a multi- year operating budget*
- *Develop and maintain a multi-year capital improvements plan*
- *Implement financial procedures to quickly identify financial problems & limit budget shortfalls*
- *Review projected revenue methodologies annually*
- *Review method of determining appropriate cash reserve levels annually*

Administrative Overhead Fee to Enterprise Funds

It shall be the budgetary policy of each enterprise fund to pay to the General Fund an amount as set by the Budget each year. This charge shall be set as a percent of fund ~~revenues-expenditures~~ associated with each function and shall be construed as a payment for general administrative overhead, including management, accounting, legal, public safety, and personnel services. From an accounting perspective, such fee shall be treated as a fund operating transfer.

Budget Projections for Revenues and Expenditures

Most individual budget projections are a collaborative effort between the Division Heads, the Director of Finance, and the City Manager. The Director of Finance will note the methodology for estimating each major revenue or expense item budgeted, taking into consideration the insight of the respective Division Head. Revenue and expense estimates are always to be conservative to reduce any potential for budget shortfalls.

Maintenance of Plant and Equipment

The operating budget will provide for the adequate maintenance and replacement of the capital plant, building, infrastructure, and equipment. Deferral of such costs on a long-term continued basis will not be an acceptable policy to use in balancing the budget.

Financial Management Policies

Fund Balance Policy

Purpose

The purpose of this policy is to establish a key element of the financial stability of the City of Port Lavaca by setting guidelines for fund balance in accordance with Governmental Accounting Standards Board (GASB) Statement No. 54. Unassigned fund balance is an important measure of economic stability and it is essential that the City maintain adequate levels of unassigned fund balance to mitigate financial risk that can occur from unforeseen revenue fluctuations, unanticipated expenditures, and other similar circumstances. This policy will ensure the City maintains adequate fund balances in the operating fund with the capacity to:

1. Provide sufficient cash flow for daily financial needs,
2. Secure and maintain investment grade bond ratings,
3. Offset significant economic downturns or revenue shortfalls, and
4. Provide funds for unforeseen expenditures related to emergencies.

Definitions

Fund Equity – A fund's equity is generally the difference between its assets and its liabilities.

Fund Balance – The fund equity of a governmental fund for which an accounting distinction is made between the portions that are spendable and non-spendable.

Fund Balance reporting in governmental funds: Fund balance will be reported in governmental funds under the following categories using the *definitions* provided by GASB Statement No. 54:

- 1) **Non-spendable fund balance** – includes the portion of net resources that cannot be spent because of their form (i.e. inventory, long-term loans, or prepaids) or because they must remain in-tact such as the principal of an endowment.
- 2) **Restricted fund balance** – includes the portion of net resources on which limitations are imposed by creditors, grantors, contributors, or by laws or regulations of other governments (i.e. externally imposed limitations). Amounts can be spent only for the specific purposes stipulated by external resource providers or as allowed by law through constitutional provisions or enabling legislation. Examples include impact fees and bond proceeds.
- 3) **Committed fund balance** – includes the portion of net resources upon which the Council has imposed limitations on use. Amounts that can be used only for the specific purposes determined by a *formal action* of the council. Commitments may be changed or lifted only by the Council taking the same *formal action* that originally imposed the constraint. The formal action must be approved before the end of the fiscal year in which the commitment will be reflected on the financial statements.

- 4) **Assigned fund balance** – includes the portion of net resources for which an *intended* use has been established by the City Council or the City Official authorized to do so by the City Council. Assignments of fund balance are much less formal than commitments and do not require formal action for their imposition or removal. In governmental funds other than the general fund, assigned fund balance represents the amount that is not restricted or committed which indicates that resources are, at a minimum, intended to be used for the purpose of that fund.

Authority to Assign - The City Council delegates the responsibility to assign funds not to exceed \$25,000 to the City Manager or their designee to be used for specific purposes. City Council shall have the authority to assign any amount of funds to be used for specific purposes. Such assignments cannot exceed the available (spendable, unrestricted, uncommitted) fund balance in any particular fund. The assignments may occur subsequent to fiscal year-end.

- 5) **Unassigned fund balance** – includes the amounts in the general fund in excess of what can properly be classified in one of the other four categories of fund balance. It is the residual classification of the general fund and includes all amounts not contained in other classifications. Unassigned amounts are technically available for any purpose. Negative residual amounts for all other governmental funds are reported in this classification.

Minimum Unassigned Fund Balance

General Fund - Being a City on the Gulf Coast, it shall be the goal of the City to maintain a fund balance in the General Fund equal to 180 days of the operating expenditures and a policy to maintain ~~a-an~~ **unassigned** fund balance of no less than 120 days of operating expenditures as to provide operating liquidity and contingency funding for non-specific unscheduled expenditures such as natural disasters or major unexpected expenditures. In the event that the unassigned fund balance is calculated to be less than the policy stipulates, the City shall plan to adjust budget resources in subsequent fiscal years to restore the balance.

Hotel/Motel Tax Fund – Since the City's Convention Center (Bauer Center) qualifies for use of Hotel/Tax, it shall be the goal of the City to maintain a fund balance in the Hotel/Motel Fund to support the annual cost for improvements and maintenance of the Bauer Center. The proper level of this unassigned fund balance will be based on the most recent three-year average cost of maintenance and operations of the Bauer Center or \$250,000 whichever is greater.

Committed Fund Balances

- *Fixed or Capital Asset Replacement*- The City Council commits an additional portion of the General Fund Reserve for fixed asset replacement related to machinery and equipment. On an annual basis, the City strives to commit dollars equal to one year's depreciation expense of machinery and equipment for assets on record as of the previous fiscal year end. The balance at year end in this account will be the committed fund balance.

Replenishment of Minimum Fund Balance Reserves

If unassigned fund balance unintentionally falls below 120 days or if it is anticipated that at the completion of any fiscal year the projected unassigned fund balance will be less than the minimum requirement, the City Manager shall prepare and submit a plan to restore the minimum required level as soon as economic conditions allow. The plan shall detail the steps necessary for the replenishment of fund balance as well as an estimated timeline for achieving such.

These steps may include, but are not limited to, identifying new, nonrecurring, or alternative sources of revenue; increasing existing revenues, charges and/or fees; use of year end surpluses; and/or enacting cost saving measures such as holding capital purchases, reducing departmental operating budgets, freezing vacant positions, and/or reducing the workforce. The replenishment of fund balance to the minimum level shall be accomplished within a three-year period. If restoration of the reserve cannot be accomplished within such a period without severe hardship to the City of Port Lavaca, then the Council shall establish an extended timeline for attaining the minimum balance.

Order of Expenditure of Funds

When multiple categories of fund balance are available for expenditure (for example, a construction project is being funded partly by a grant, funds set aside by the Council, and unassigned fund balance), the Council will first spend the most restricted funds before moving down to the next most restrictive category with available funds.

Appropriation of Unassigned Fund Balance

Appropriation from the minimum unassigned fund balance shall require the approval of the City Council and shall be utilized only for one-time expenditures, such as capital purchases, and not for ongoing operating expenditures unless a viable revenue plan designed to sustain the expenditure is simultaneously adopted.

The Council may appropriate unassigned fund balances for emergency purposes, as deemed necessary, even if such use decreases the fund balance below the established minimum.

Monitoring and Reporting

The Director of Finance shall be responsible for monitoring and reporting the City's reserve balances. The City Manager is directed to make recommendations to the Council on the use of reserve funds both as an element of the annual operating budget submission and from time to time throughout the fiscal year as needs may arise.

Compliance with the provisions of the policy shall be reviewed as a part of the annual operating budget adoption process and subsequent review will be included in the annual audit and financial statement preparation procedures.

Revenue Management Policy

The City strives for the following optimum characteristics in its revenue system:

- ***Simplicity and Certainty.*** The City shall strive to keep the revenue classification system simple to promote understanding of the revenue sources. The City shall describe its revenue sources and enact consistent collection policies to provide assurances that the revenue is collected according to budgets and plans.
- ***Equity.*** The City shall make every effort to maintain equity in its revenue system structure. The City shall minimize all forms of subsidization between entities, funds, services, utilities, and customers.
- ***Realistic and Conservative Estimates.*** Revenues are to be estimated realistically. Revenues of volatile nature shall be budgeted conservatively.
- ***Centralized Reporting.*** Receipts will be submitted daily to the Finance Department for deposit and investment. Daily transaction reports and supporting documentation will be prepared.
- ***Review of Fees and Charges.*** The City shall review all fees and charges annually in order to match fees and charges with the cost of providing that service.
- ***Aggressive Collection Policy.*** The City shall follow an aggressive policy of collecting revenues. Utility services will be discontinued (i.e. turned off) for non-payment in accordance with established policies and ordinances. The Calhoun County Appraisal District is responsible for delinquent tax collection, through the central collection agency, shall be encouraged to collect delinquent property taxes using an established tax suit policy and sale of real and personal property to satisfy non-payment of property taxes. A warrant officer in the Police Division will aggressively pursue outstanding warrants, and the Court will use a collection agency to pursue delinquent fines.

Use of Fund Balance and Non-Recurring Revenues

The City will use non-recurring revenues and excess fund balance for capital expenditures or for non-recurring expenditures. These non-recurring revenues will not be used to fund recurring type maintenance and operating costs.

Property Tax Revenue

All real and business personal property located within the City shall be valued at 100% of the fair market value based on the appraisal supplied by the Calhoun County Appraisal District. Reappraisal and reassessment are as provided by the Appraisal District. A ninety-six percent (96%) collection rate based upon historical trends and current economic conditions shall serve each year as a goal for tax collections and the budgeted revenue projection shall be based ~~in-on~~ the average collection rate calculated by the Calhoun County Appraisal District. Property tax rates shall be maintained at a rate adequate to fund an acceptable service level. Based upon taxable values, rates will be adjusted to fund this service level. Collection services shall be contracted out with a central collection agency, currently the Calhoun County Appraisal District.

Interest Income

Interest earned from investment of available monies, whether pooled or not, shall be distributed to the funds in accordance with the equity balance of the fund from which monies were invested.

User Based Fees and Service Charges

For services associated with a user fee or charge, the direct and indirect costs of that service shall be offset wholly or partially by a fee where possible. There shall be an annual review of fees and charges to ensure that the fees provide adequate coverage of costs of services.

Water and Wastewater Rates and other fees for Services

Water, wastewater, and garbage fees shall be set to generate revenues required to cover operating expenditures, including depreciation, meet the legal requirements of applicable bond covenants, and provide for an adequate level of working capital. It is the policy of the City that the ~~Water and Wastewater Fund~~Public Utility Fund, and other enterprise funds, not be subsidized by property tax revenue.

Intergovernmental Revenues/Grants/Special Revenues

Grant revenues and other special revenues shall be spent for the purpose(s) intended. The City shall review grant match requirements and include in the budget all grant revenues and expenditures.

Collection of Charges

The City will follow a policy of collecting, on a timely basis, all fees, charges, taxes and other revenues properly due to the City. The City will follow an aggressive policy of collecting all delinquencies due to the City.

Revenue Monitoring

Revenues actually received are to be regularly compared to budgeted revenues (at least monthly) with a formal report to City Council at least quarterly. If revenue estimates fall below budget expectations~~are down~~, the City Manager shall recommend to Council a corrective action to minimize the impact on the budget at the next available Council Meeting.

Expenditure Control Policy

Appropriations

The responsibility for budgetary control lies with the Department Head. Department Heads may not approve expenditures that exceed monies available at the departmental budget level excluding personnel and capital expenditures. Capital expenditures are approved by the City Council on a per project basis normally during the annual budget process. Personnel allocations may not be changed without the approval of City Manager.

Amendments to the Budget

In accordance with the City Charter, under Article 8.03 (Transfer of Appropriations) provides, with approval of the City Council, the City Manager may transfer any unencumbered appropriated balance within any office, department, or agency at any time. At the request of the City Manager, and within the last three months of the fiscal year, the Council may by resolution

transfer any unencumbered appropriation balance or portion thereof from an office, department or agency, to another.

Central Control

Unspent funds in salary and capital allocation object codes may not be spent for any purpose other than their specifically intended purpose without prior authorization of City Manager.

City's Manager Authority to Amend the Budget

The City Manager is authorized to transfer budgeted amounts within and among departments; however, any revisions that alter the total expenditures/expenses must be approved by the City Council.

Purchasing

All purchases shall be made in accordance with the Purchasing Policies approved by the City Council.

Prompt Payment

All invoices approved for payment by the proper City authorities shall be paid by the Finance Department within thirty (30) calendar days of receipt, in accordance with the provisions of state law. Proper procedures shall be established that enables the City to take advantage of all purchase discounts, except in the instance where payments can be reasonably and legally delayed in order to maximize the City's investable cash.

Long-Term Debt Policy

Revenue Bond Sinking Account

It shall be the policy of the City to always be in strict compliance with the requirements of the ordinance that created the Revenue Bond Sinking Account. Monthly payments are to be made to this account each year in accordance with the bond ordinance. The balance in the account must be adequate to cover semi-annual payments as they become due.

General Obligation Bond Debt Service Account

It shall be the policy of the City to always be in strict compliance with the requirements of the ordinance that created the General Obligation Bond Interest and Sinking Fund Account. Taxes, as applicable shall be distributed to this account monthly as received. Utility Revenues transferred to the Interest and Sinking fund Account shall occur, as needed prior to the semi-annual payment dates. The balance in the account must be adequate to cover semi-annual payments as they become due.

Capital Improvement Plan (CIP)

The City will develop a multi-year plan to present to Council each year for approval. The City will provide a list of proposed capital improvements, funding recommendations, and prospective timing of projects. CIP projects shall be for infrastructure over \$100,000 and facilities over \$50,000. Any maintenance and operational cost shall be disclosed that could impact future operating budgets.

Debt Policy Guidelines

- The City will limit long-term debt to only those capital projects that cannot be financed from current revenues. Assets that last a long time will benefit citizens and taxpayers far into the future. It is fair for these future taxpayers and citizens to help pay the cost of the asset by paying some of the debt.
- The City will not use long-term debt to finance recurring maintenance and operating costs.
- The City will not issue long-term debt for a period longer than the estimated useful life of the capital project.
- Decisions will be made based on long term goals rather than a short- term fix.
- Debt Service Funds will be managed and invested according to all federal, state, and local laws.
- Coverage Ratios of Revenue Bonds will always be in compliance with the minimum coverage ratio required by the revenue bond ordinances. It shall be the goal of the City to achieve a budgeted coverage ratio of 1.60.

Other Fund Use Information

Governmental Funds

Most government functions are financed through governmental funds. The acquisition, use, and balances of the City's expendable resources and related current liabilities are accounted for through governmental funds. Long-term liabilities and fixed assets are not accounted for through governmental funds.

Proprietary Funds

These funds listed below are used to account for the ongoing activities of the City that are similar to those found in the private sector. These funds are financed through user charges to recover costs of services provided. Proprietary funds use accrual accounting, which means revenues are recognized when they are earned by the City and expenses are recognized when they are incurred. Enterprise funds are considered proprietary funds and are used to account for operations for the City's Public Utility Fund, Light House Beach, and Port Revenue Fund.

Working Capital Position - the goal shall be to maintain a working capital position equal to 120 days of the operating budget and a policy to maintain a working capital position no less than 90 days of the operating budget. ~~In addition, the City budgets to cover depreciation expense, therefore~~ ~~†~~The City shall designate a portion of the reserve for fixed asset replacement equal to one year's depreciation of all assets.

Public Utility Fund

It shall be the general policy of the City to commit a portion of the reserve to fixed asset replacement as it budgets for revenue to cover depreciation.

The City shall establish a project fund that will be funded by unanticipated revenues or revenue surpluses. This fund shall be used to fund unanticipated projects or to retire debt early.

Beach and Port Revenue Operating Fund

It will be the general policy of the City that the fees collected will be spent on maintenance of the facilities grounds, and other structures. The general fund tax dollars will not be used for this purpose.

WITNESS MY HAND AND SEAL OF OFFICE THIS ~~10TH~~ __ DAY OF AUGUST ~~2020~~2021.

PASSED AND APPROVED THIS ~~10TH~~ __ DAY OF AUGUST ~~2020~~2021.

Jack Whitlow, Mayor

ATTEST:

Mandy Grant, City Secretary

COMMUNICATION

SUBJECT: Consider Resolution No. R-080921-2 of the City of Port Lavaca appointing a Chief Appraiser to Calculate Taxes for 2021. Presenter is Susan Lang

INFORMATION:

RESOLUTION NO. R-080921-2

WHEREAS, the City of Port Lavaca has a tax assessor-collector who assesses and collects taxes for the City of Port Lavaca through an agreement dated November 9, 2015;

AND WHEREAS, according to Section 26.04(c) of the Texas Property Tax Code, it is required to have a certified tax assessor-collector to calculate the tax rates for the City of Port Lavaca;

AND WHEREAS, it is time to have such no-new-revenue tax rate and voter-approval tax rate calculated;

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Port Lavaca to appoint the Chief Appraiser of the Calhoun County Appraisal District or his/her designee, being duly registered and qualified to perform such calculations for the City of Port Lavaca for the 2021 tax roll.

DULY ENACTED by unanimous vote by the City Council at its regular meeting held on the 9th day of August, 2021, as same appears in its official minutes.

Jack Whitlow, Mayor

ATTEST:

Mandy Grant, City Secretary

COMMUNICATION

SUBJECT: Consider approval of a conceptual restaurant & retail development, Big Daddy's Bar and Grill with gift shop to be located north of SH 35 and east of Village Road. This property is not platted at this time, but will be approximately 2 acres, being a portion of the remainder of a 19.322-acre tract of land conveyed to Port Lavaca Investors, LTD., recorded in volume 67, page 943 in official records of Calhoun County, Texas. Presenter is Jessica Carpenter

INFORMATION:

CITY OF PORT LAVACA

MEETING: August 02, 2021 **AGENDA ITEM** _____

DATE: 07.26.2021

TO: PLANNING COMMISSION

FROM: JESSICA CARPENTER, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: To consider and discuss approval of a conceptual restaurant & retail development, Big Daddy's Bar and Grill with gift shop. To be located north of SH 35 and east of Village Road. This property is not platted at this time, but will be approximately 2 acres, being a portion of the remainder of a 19.322-acre tract of land conveyed to Port Lavaca Investors, LTD., recorded in volume 67, page 943 in official records of Calhoun County, Texas.

Sec. 42-159. - Approval of planning commission required.

No person shall construct a multifamily dwelling, townhouse, patio home or other commercial development project without approval of said construction project by the planning commission...

The applicant is proposing to open a restaurant and retail establishment titled Big Daddy's Bar and Grill. The proposed restaurant will have a gift shop. The site location is adjacent to the approved Express Inn plat on SH 35 north, and east of the Whataburger. The applicant is currently the owner of White's BBQ on Main Street. The applicant has not stated if this is a second location or if this will replace the current business on Main Street.

Future Land Use Map

<https://portlavaca.org/wp-content/uploads/2020/10/Future-Land-Use-Plan.pdf>

The Future Land Use map designates this parcel as Commercial. Therefore, the proposed Big Daddy's Bar and Grill with gift shop, is compliant with the Future Land Use map.

Comprehensive Plan

<https://www.portlavaca.org/wpcontent/uploads/2016/06/PortLavacaCompPlan2018reduced.pdf>

Top Issues Related to Economic Development:

- Desire for more restaurants, entertainment, and shopping
(Chapter 8, Economic Development. Pg. 129)

If approved the specifications for parking are as follows:

The details of the restaurant seating and retail square footage will determine the parking requirements and be defined during the development and plan review phases of the project.

Subdivision II – Off Street Parking

CITY OF PORT LAVACA

Restaurants, bars, nightclubs, etc.	0.33 per seat
Retail stores and shops, personal service shops, equipment repair and service shops, etc.	1 per 300 square feet of gross floor area

The minimum ADA parking width is 16ft. to include van accessibility.

Texas Department of Licensing and Regulations
<https://www.tdlr.texas.gov/ab/2012TAS/2012tasChap5.pdf>

CHAPTER 5: GENERAL SITE AND BUILDING ELEMENTS

502 Parking Spaces

- **502.2 Vehicle Spaces.** Van parking spaces shall be a minimum 132 inches wide and must contain an access aisle. Car parking spaces shall be at least 96 inches in width. However, van parking spaces may be 96 inches wide only if the access aisle is 96 inches wide.
- **502.3.1 Width.** Access aisles serving car and van parking spaces shall be 60 inches (1525 mm) wide minimum.

Sec. 42-6. - Procedure

A plat must be approved prior to the offering for sale of any lot, tract, or building site; prior to any construction work; and before any map of said subdivision is prepared in a form for recording. Any plat filed for the first time shall be considered as a preliminary plat, except as otherwise stated in this chapter.

Upon approval for this location to be developed as a restaurant and retail establishment, the applicant will proceed with the platting process for this parcel to become the legal lot of record for the future Big Daddy’s Bar and Grill with gift shop.

Department Comments:

Fire: If approval is granted for this location to be developed as a restaurant & retail development, a pre-development meeting is recommended to discuss the comprehensive site development and design standards, including but not limited to the following comments shall be scheduled with the applicant and pertinent city representatives.

- a. A fire department review and inspection will be required at the time of plan submittal and site development.

Public Works: If approval is granted for this location to be developed as a restaurant & retail development, a pre-development meeting is recommended to discuss the comprehensive site development and design standards, including but not limited to the following:

- a. Review and discuss the municipal utilities’ connection and services to this location.

CITY OF PORT LAVACA

Engineering: If approval is granted for this location to be developed as a restaurant development, a pre-development meeting to discuss the comprehensive site development and design standards, including but not limited to the following comments shall be scheduled with the applicant and pertinent city representatives.

- a. Discuss the access, possible easements, and drainage under plat review and the predevelopment meeting.
- b. **TxDOT:** All drainage and access for this site requires TxDOT approval. TxDOT will formally review and comment under the plat review process.

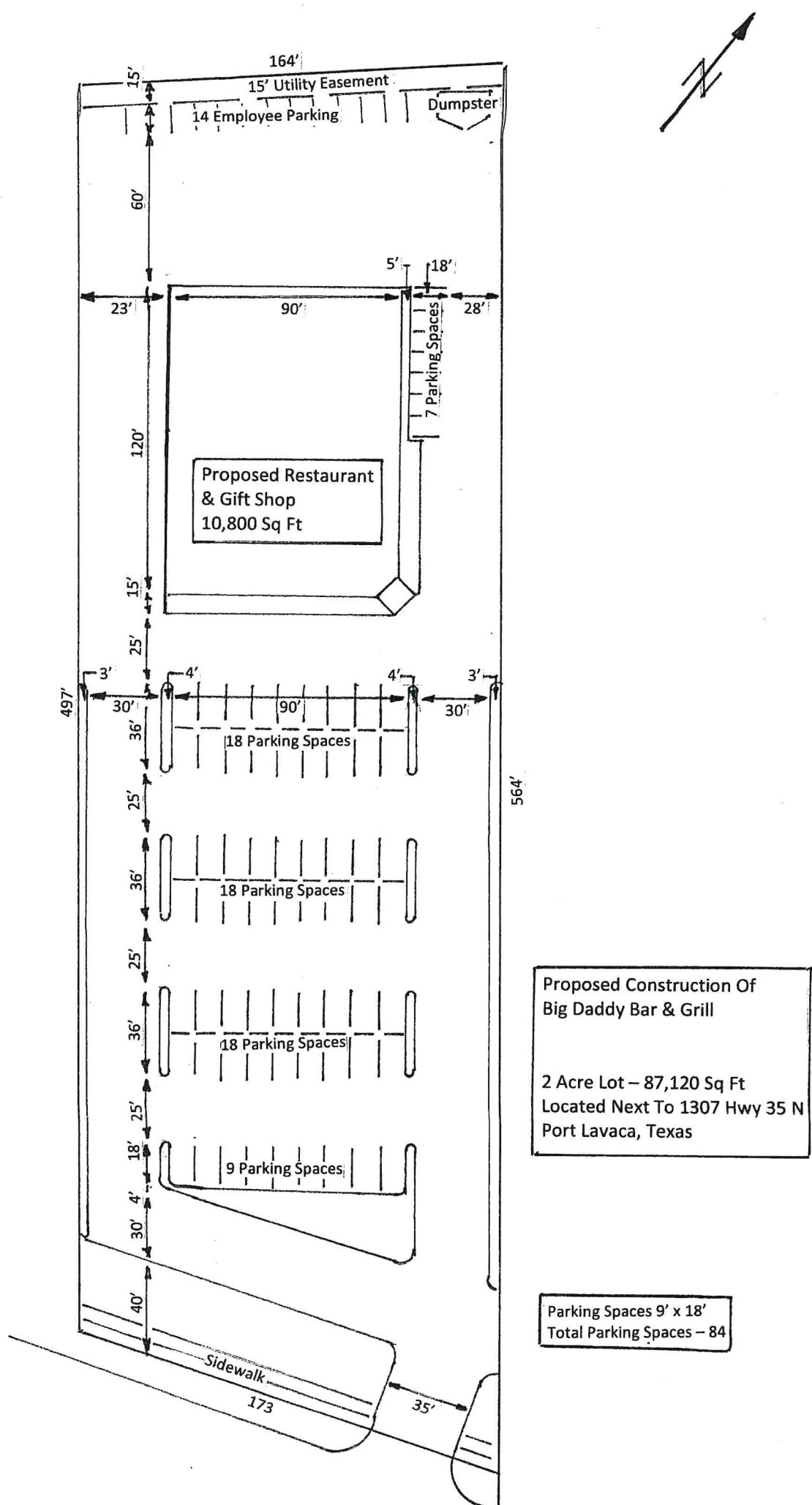
Development Services: If approval is granted for this location to be developed as a restaurant and retail development, a pre-development meeting to discuss the comprehensive site development and design standards, including platting will be scheduled.

Staff Recommendation: APPROVAL

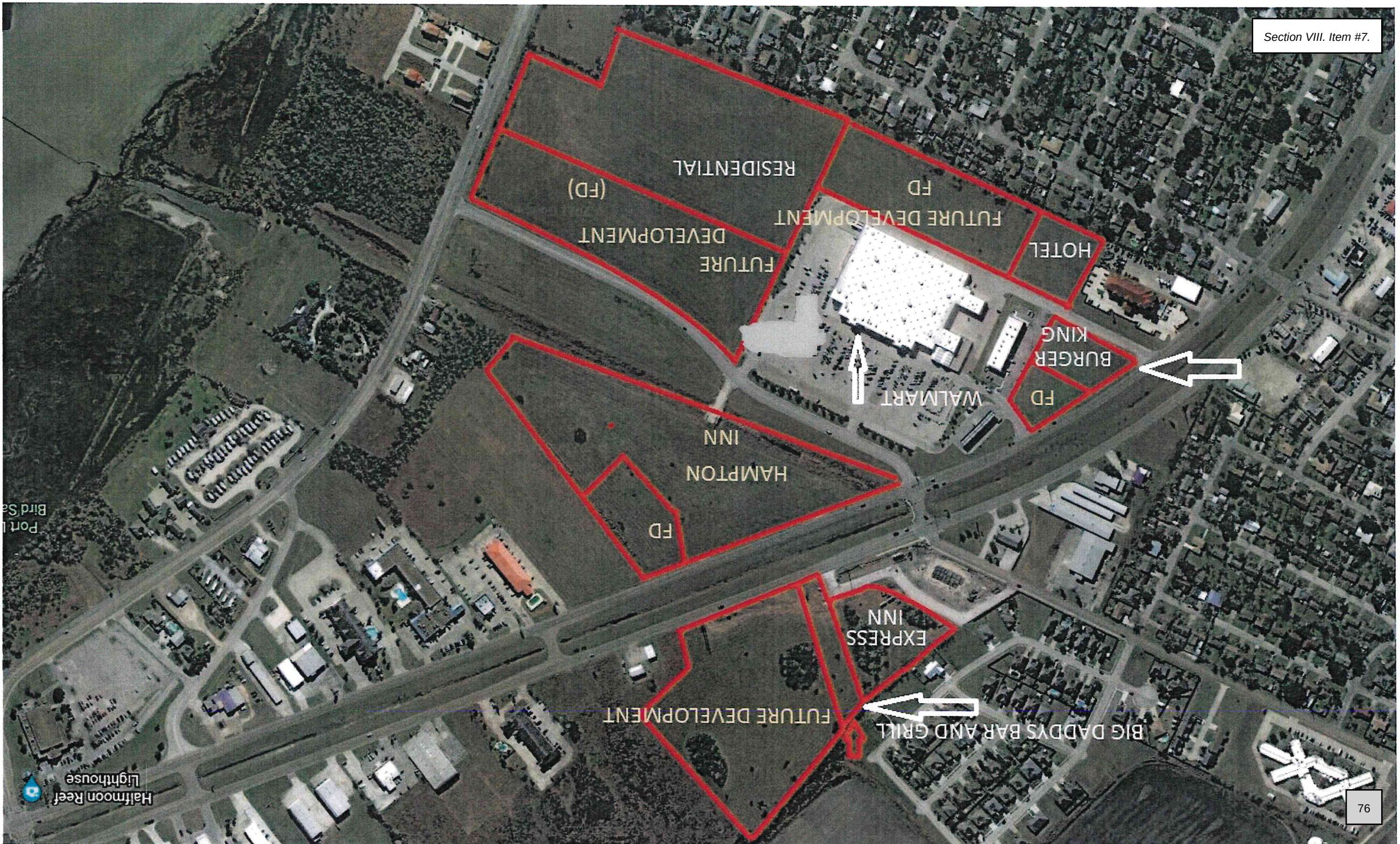
Staff recommends approval of the conceptual restaurant & retail development, Big Daddy's Bar and Grill, and gift shop. To be located north of SH 35 and east of Village Road. This property is not platted at this time, but will be approximately 2 acres, being a portion of the remainder of a 19.322-acre tract of land conveyed to Port Lavaca Investors, LTD., recorded in volume 67, page 943 in official records of Calhoun County, Texas.

Attachments:

- Big Daddy's Site Plan
- I-35 Corridor Development Map
- Parcel CAD map



CONCEPTUAL SITE PLAN Scale: 1"=40"



Property Information: 2021

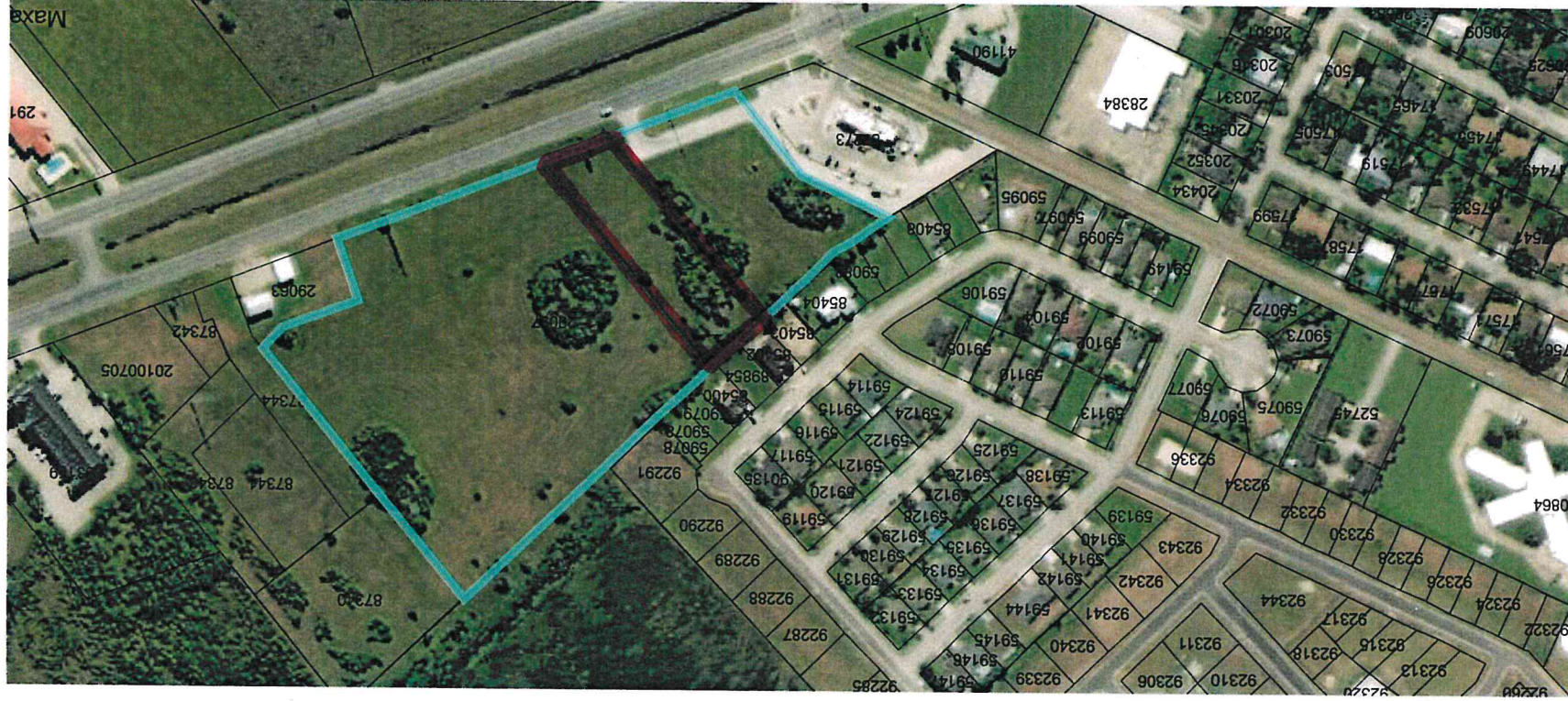
Name: PORT LAVACA INVESTORS LTD

Legal	A0012 ALEJANDRO ESPARZA, TRACT PT 8 THRU 12 & OLD RD ROW,
Description:	ACRES 12.9773, (BICKFORD S/D)
Abstract:	A0012
Neighborhood:	PORT LAVACA EAST
Appraised Value:	\$729,190.00
Jurisdictions:	G05, NV6, S01, C04, FML, CAD, GWD

Exemptions:

Jurisdictions: G05, NV6, S01, C04, FML, CAD, GWD

This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The Calhoun County Appraisal District expressly disclaims any and all liability in connection herewith.



COMMUNICATION

SUBJECT: Consider approval of a conceptual fast-food restaurant with a drive-thru, Burger King, to be generally located north of Travis Street and south of Tiny Browning Boulevard on SH 35 N. Presenter is Jessica Carpenter

INFORMATION:

CITY OF PORT LAVACA

MEETING: August 02, 2021

DATE: 07.26.2021

TO: PLANNING COMMISSION

FROM: JESSICA CARPENTER, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: To consider and discuss approval of a conceptual fast-food restaurant with a drive-thru, Burger King. To be generally located north of Travis Street and south of Tiny Browning Boulevard on SH 35 N.

Sec. 42-159. - Approval of planning commission required.

No person shall construct a multifamily dwelling, townhouse, patio home or other commercial development project without approval of said construction project by the planning commission...

The applicant is proposing to open a Burger King fast food restaurant. The site location is adjacent to the White Oak strip mall development, south of Murphy's fuel station, north of the La Quinta hotel, and west of Walmart.

Future Land Use Map

<https://portlavaca.org/wp-content/uploads/2020/10/Future-Land-Use-Plan.pdf>

The Future Land Use map designates this parcel as Commercial. Therefore, this proposed Burger King is compliant with the Future Land Use map.

If approved the specifications for parking are as follows:

Subdivision II – Off Street Parking

Restaurants, bars, nightclubs, etc.	0.33 per seat
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The minimum ADA parking width is 16ft. to include van accessibility.

Texas Department of Licensing and Regulations

<https://www.tdlr.texas.gov/ab/2012TAS/2012tasChap5.pdf>

CHAPTER 5: GENERAL SITE AND BUILDING ELEMENTS

502 Parking Spaces

CITY OF PORT LAVACA

- **502.2 Vehicle Spaces.** Van parking spaces shall be a minimum 132 inches wide and must contain an access aisle. Car parking spaces shall be at least 96 inches in width. However, van parking spaces may be 96 inches wide only if the access aisle is 96 inches wide.
- **502.3.1 Width.** Access aisles serving car and van parking spaces shall be 60 inches (1525 mm) wide minimum.

The site plan provides ample parking and ADA parking to meet the above criteria.

Sec. 42-6. - Procedure

A plat must be approved prior to the offering for sale of any lot, tract, or building site; prior to any construction work; and before any map of said subdivision is prepared in a form for recording. Any plat filed for the first time shall be considered as a preliminary plat, except as otherwise stated in this chapter.

Upon approval for this location to be developed as a Burger King fast food restaurant, the applicant will proceed with the platting process for this parcel to become the legal lot of record for the future Burger King.

Department Comments:

Fire: A fire department review and inspection will be required at the time of plan submittal and site development.

Public Works: Review and discuss the municipal utilities' connection and services to this location under the plat review and comment period.

Engineering: Discuss the access, possible easements, and drainage under plat review and comment period.

TxDOT: All drainage and access for this site requires TxDOT approval. TxDOT will formally review and comment under the plat review process.

Development Services: Upon conceptual use approval, proceed with the platting process for this parcel to become the legal lot of record for the future Burger King.

Staff Recommendation: APPROVAL

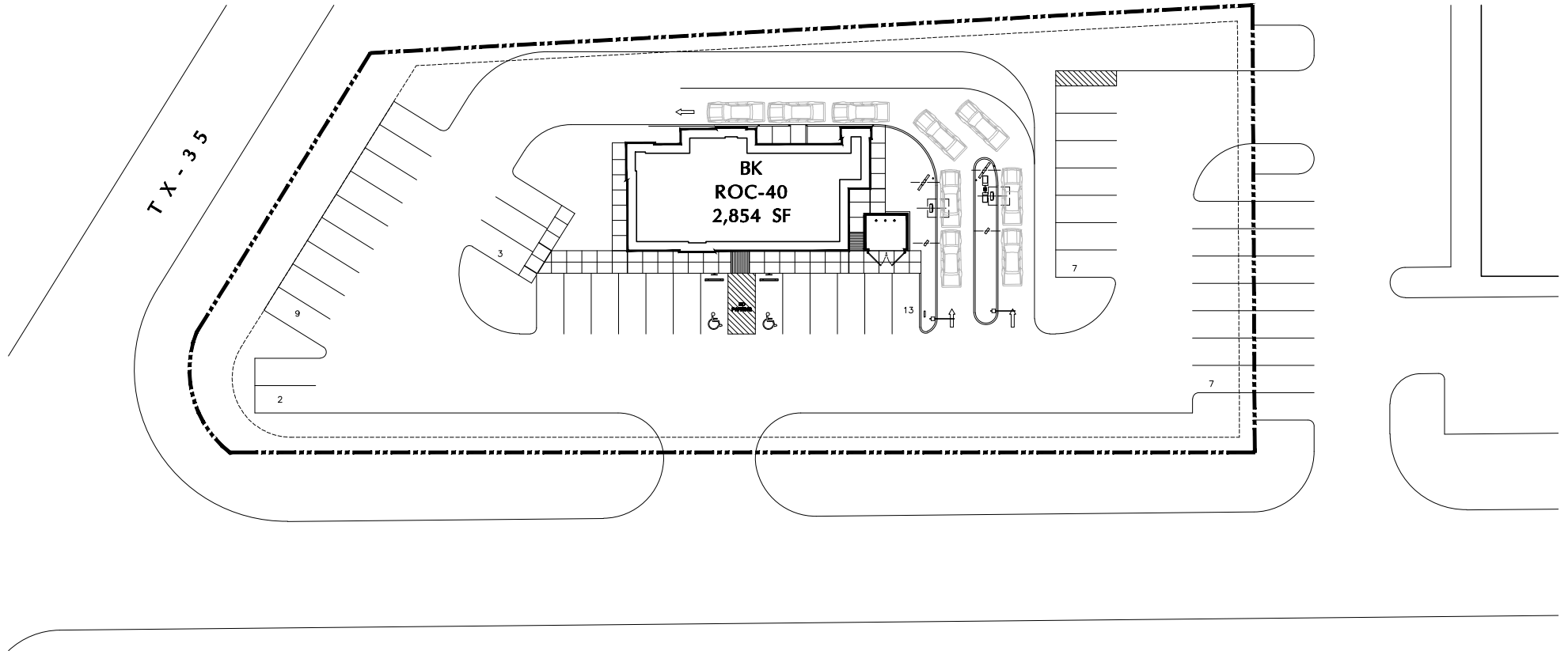
Staff recommends approval of this conceptual fast-food restaurant with a drive-thru, Burger King. To be generally located north of Travis Street and south of Tiny Browning Boulevard on SH 35 N.

Attachments:

- Burger King Site Plan

CITY OF PORT LAVACA

- I-35 Corridor Development Map
- Parcel CAD map



PROPOSED SITE DEVELOPMENT PLAN

SCALE: 1" = 50'-0"

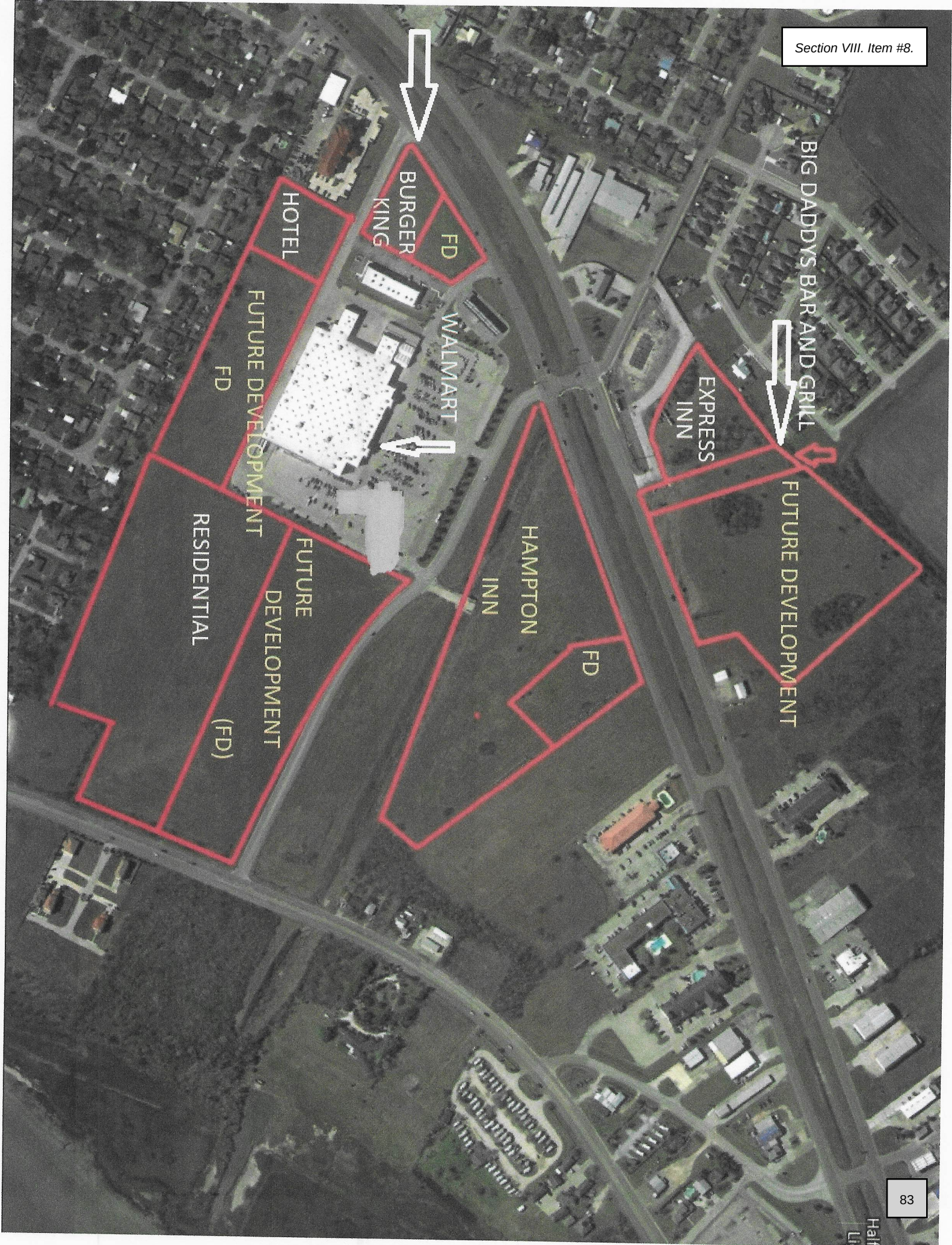
NOTE:

THIS CONCEPTUAL SITE PLAN IS FOR LEASING AND MARKETING PURPOSES ONLY, AND HAS BEEN PREPARED FOR CLIENT BASED UPON PRELIMINARY AVAILABLE SITE INFORMATION DEEMED RELIABLE. ALL DIMENSIONS, GRADES AND AREA CALCULATIONS ARE SUBJECT TO VERIFICATION BY A PROFESSIONAL CIVIL ENGINEER. NOT FOR REGULATORY APPROVAL, PERMITTING, OR CONSTRUCTION.

*DIRECTIONAL SIGNS BY OTHERS

SP1-07/26/21





AVACA, TX 77979

Property Information: 2021

Legal: A0012 ALEJANDRO ESPARZA, TRACT PT 1 WILSON,
Description: NOBLE & BOYDE, ACRES 9.678
Abstract: A0012
Neighborhood: PORT LAVACA COMMERCIAL
Appraised Value: \$171,450.00
Jurisdictions: G05, NV6, S01, C04, FML, CAD, GWD

Owner Identification #: 55412

Name: LEBOW ROBERT
Exemptions:
DBA: Null

Calhoun CAD Map Search

This product is for informational purp
suitable for legal, engineering, or sui
survey and represents only the appr
Calhoun County Appraisal District e)



COMMUNICATION

SUBJECT: Consider approval of K's Sno-Cone Hut, to be located at 449 Broadway Street, within the city limits of Port Lavaca. This site is generally located west of Broadway Street and east of Commerce Street just north of the intersection of Broadway and Commerce. The property identification number is 91079. The legal description for this parcel is North End, Block C, Lot A, Port Lavaca, Texas. Presenter is Jessica Carpenter

INFORMATION:

CITY OF PORT LAVACA

PB MEETING: August 02, 2021

DATE: 07.13.2021

TO: PLANNING COMMISSION

FROM: JESSICA CARPENTER, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: Consider and discuss approval of K's Sno Cone Hut, to be located 449 Broadway Street, within the city limits of Port Lavaca. This site is generally located west of Broadway Street and east of Commerce Street just north of the intersection of Broadway and Commerce. The property identification number is 91079. The legal description for this parcel is North End, Block C, Lot A, Port Lavaca, Texas.

Sec. 42-159. - Approval of planning commission required.

No person shall construct a multifamily dwelling, townhouse, patio home or other commercial development project without approval of said construction project by the planning commission...

The proposed K's Sno Cone Hut will be doing business at the location of 449 Broadway Street. This location is currently Acosta Electric. Therefore, if approved, this location will become a mixed-use business site. Each business will be in separate buildings. The proposed K's Sno Cone Hut will conduct business from a portable building. Exhibit of the portable building provided in the attachments. Acosta Electric is a long-standing electrical business at the location currently and will continue to conduct the business from the permanent structure on site. This proposal is deemed a positive from the perspective the site is large enough to encompass both businesses and meet City code standards, including parking standards as follows:

Future Land Use Map:

<https://portlavaca.org/wp-content/uploads/2020/10/Future-Land-Use-Plan.pdf>

This property is located in a commercial designation in accordance with the Future Land Use Map. The site can accommodate the proposed and existing businesses and meet City code standards. The proposed K's Sno Cone Hut is a permitted use in the commercial designation. Mixed use sites are promoted where code standards can be met. This site is adequate to comprise the mixed-use proposal of businesses for both the electrical business and the snow cone hut.

Calhoun County CAD

https://propaccess.trueautomation.com/clientdb/Property.aspx?cid=83&prop_id=21079&year=2021

- COMMERCIAL State Code: F1 Living Area: 1444.0 Sq. Ft.

Subdivision II – Off Street Parking

Retail stores and shops, personal service shops, equipment repair and service shops, etc.	1 per 300 square feet of gross floor area
---	---

https://library.municode.com/tx/port_lavaca/codes/code_of_ordinances?nodeId=PTIICOOR_C_H48TRVE_ARTIIPASTST_DIV3OREPALO_SDIIOREPA_S48-107MIST

ADA parking is represented herein on the site plan. The minimum ADA parking width is 16ft, referenced and linked herein, to include van accessibility. This site has ample spacing for the general required parking and the ADA parking for both businesses. The snow cone business requires one parking space and the electrical business requires 5 parking spaces for the 1440 sq. ft. of business space as per the Calhoun County CAD referenced and linked below:

Texas Department of Licensing and Regulations

<https://www.tdlr.texas.gov/ab/2012TAS/2012tasChap5.pdf>

CHAPTER 5: GENERAL SITE AND BUILDING ELEMENTS

502 Parking Spaces

- 502.2 Vehicle Spaces.** Van parking spaces shall be a minimum 132 inches wide and must contain an access aisle. Car parking spaces shall be at least 96 inches in width. However, van parking spaces may be 96 inches wide only if the access aisle is 96 inches wide.
- 502.3.1 Width.** Access aisles serving car and van parking spaces shall be 60 inches (1525 mm) wide minimum.

TxDOT Right-of -Way

The applicant has decided to close off all access from Broadway Street. The only entrance and exit to both businesses will be from Commerce Street. The flow for the proposed businesses will enter and exit from Commerce Street as proposed on the site plan provided herein as attachment. TxDOT has reviewed and approved the complete blocking of the Broadway Street access to this property.

Staff Recommendation: Approval

Staff recommends approval of K’s Sno Cone Hut, to be located 449 Broadway Street, within the city limits of Port Lavaca. This site is generally located west of Broadway Street and east of Commerce Street just north of the intersection of Broadway and Commerce. The property identification number is 91079. The legal description for this parcel is North End, Block C, Lot A, Port Lavaca, Texas.

Department & Agency Comments:

Engineering: Commerce Street access for ingress/egress only.

CITY OF PORT LAVACA

TxDOT: No access from Broadway Street.

Fire: No comment

Public Works: Building is self-contained and does not require sewer and water connections.

Development Services: The applicant has submitted for a building permit and placement permit. The portable building plans are under plan review. Upon Planning Board approval, the building permit process can proceed.

Attachments:

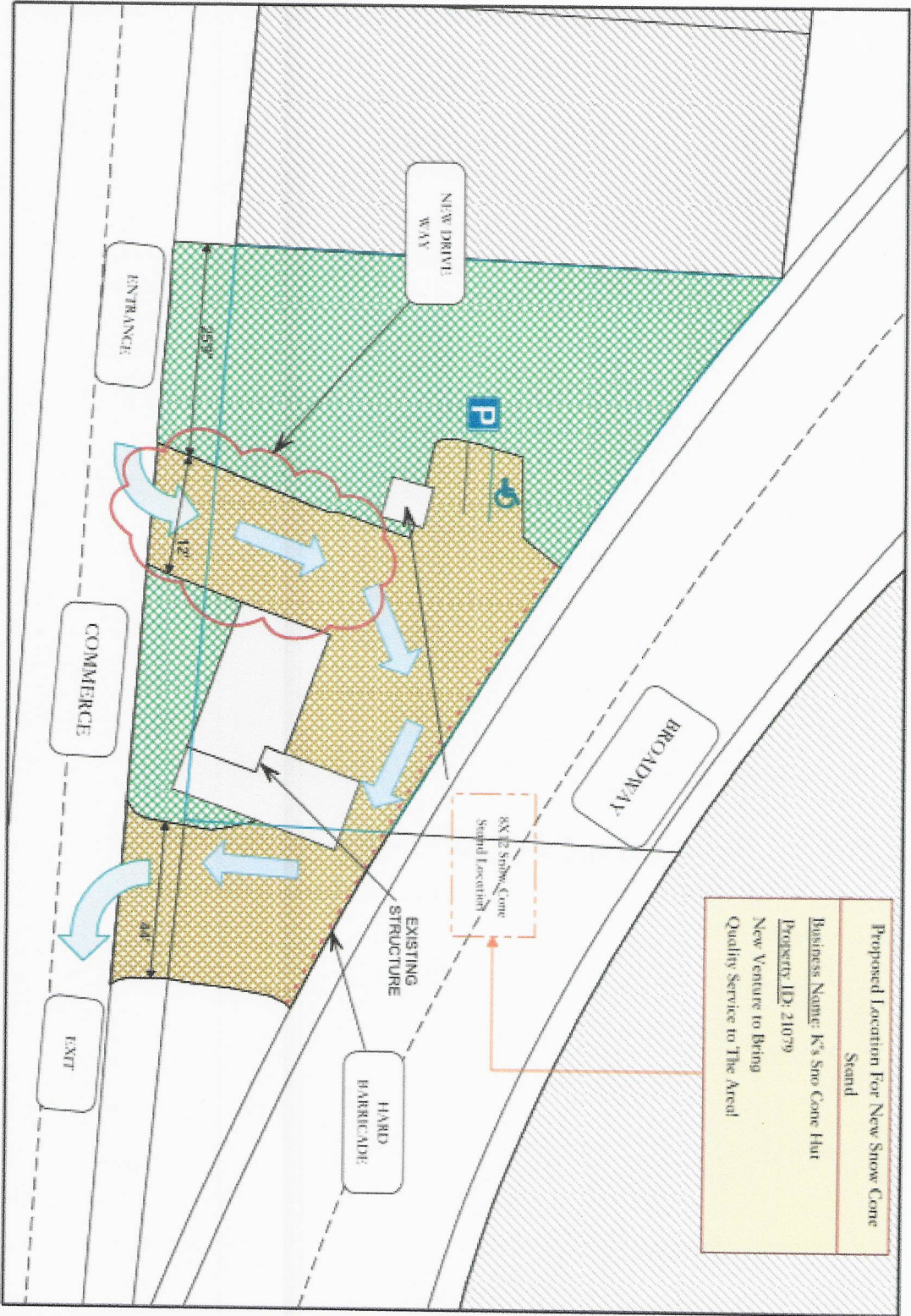
- Memo -Planning Board 08022021 – Acosta – K’s Sno Cone Hut
- K ‘s Sno Cone Hut site plan
- 449 Broadway – K’s Sno Cone Hut Location
- K’s Sno Cone Hut business narrative

Welcome to K's Sno Cone Hut! It's been a thought mine for over a year now to operate my own Sno Cone stand. COVID melted my mini dream away but this year I'm back to try and open my own stand. Along with the assistance of my parents and the approval by the City of Port Lavaca, I, Kenzy Acosta, am requesting the approval to open and operate my own Shaved Sno Cone stand here within Port Lavaca city Limits.

When it comes to ice cold shaven ice with infinite amount syrup, not even a 100F day can compete. At K's Sno Cone Hut we want to be able to offer shaven sno cones in a variety of sizes and start with our top 20 flavors. As business progresses I'll be able to research and learn different flavors, styles, or tasty habits!!! I have purchased an 8'x 12' bldg. with money I have saved over the years. My mom and dad purchased my sno cone machine the "Sno Wizard" along with a variety of different flavors. My proposed location will be established on privately-owned commercial property located at 449 Broadway. My dad and I have invested the required time and training to take our food handlers course required by the Victoria Health Department.

Operating my own business doesn't only satisfy customer tasty cool down needs, but it's also going to give me the opportunity learn the business aspects, customer relationship, and what it takes to become an entrepreneur.

Going into my Senior year here at Calhoun High School, I've got a lifetime ahead of me to explore but to know, operating my own business at the age of 17, I'm excited, driven, and ready to serve the customers of Port Lavaca and the surrounding visitor to our community.



Property Identification #: 21079

Parcel ID: S0220-000C0-0007-00

Address: 449 BROADWAY ST PORT

City: LAVACA, TX 77979

Property Type: Real

State Code: F1

Property Information: 2021

Legal Description: NORTH END (PORT

Abstract: LAVACA), BLOCK C, LOT A

Neighborhood: S0220

Appraised Value: PORT LAVACA

Value: COMMERCIAL

Jurisdictions: G05, NV6, S01, C04, FML, CAD, GWD

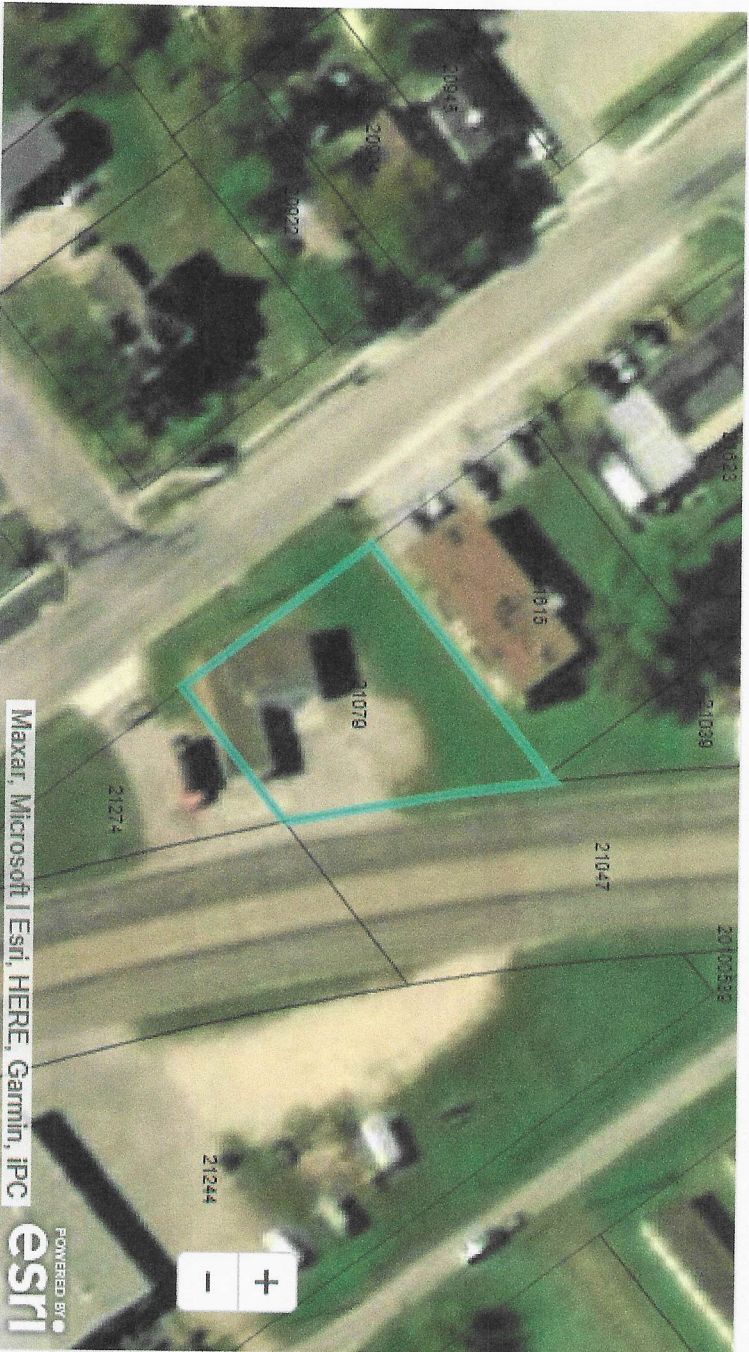
Owner Identification #: 19232

Name: SHEFCIK CALVIN L

Exemptions:

DBA: Null

Re-Center Map



Calhoun CAD Map Search

This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The Calhoun County Appraisal District expressly disclaims any and all liability in connection herewith.

COMMUNICATION

SUBJECT: Consider approval of a conceptual plan for a proposed medium-density residential four-plex development. Legal description is Rafei Subdivision (Port Lavaca), Lot 1 and Lot 2, Property identification number 86471 and 86472. Presenter is Jessica Carpenter

INFORMATION:

CITY OF PORT LAVACA

MEETING: August 02, 2021

DATE: 07.24.2021

TO: PLANNING COMMISSION

FROM: JESSICA CARPENTER, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: Consider and discuss approval of a conceptual plan for a proposed medium-density residential four-plex development. Legal description is RAFEI SUBD (PORT LAVACA), LOT 1 AND LOT 2. Property identification number 86471 and 86472.

Sec. 42-159. - Approval of planning commission required.

No person shall construct a multifamily dwelling, townhouse, patio home or other commercial development project without approval of said construction project by the planning commission...

The applicant is proposing for a medium-density residential four-plex development. The proposed development is 0 .62 acres and will have 12 units. This is contingent on final design layout of the development, but that is the target number of units. The property will require a replat prior to construction.

Sec. 12-24. - Building setbacks

Minimum setback requirements.

- (1) *Front setback lines.* Minimum front setback lines shall be 15 feet. Corner lots shall have a minimum ten-foot setback on the side street.
- (2) *Rear setback lines.* Minimum rear setback lines shall be five feet from the edge of a utility easement or no less than five feet in case where no utility easement exists.
- (3) *Side setback line.* Minimum side setback line shall be five feet from the edge of a utility easement or no less than five feet in cases where no utility easement exists, except on corner lots which require a ten-foot setback on the side street.

The proposed medium-density four-plex residential townhome development preliminary site plan does display setbacks and the structures do appear to meet minimum setback requirements at this time in the preliminary process.

The development team has participated in a predevelopment meeting with city staff and the terms of development were discussed for adherence.

CITY OF PORT LAVACA

Department Comments:

Fire: Consideration of requirements upon formal project submittal will be anything more than a duplex has to be sprinkled in accordance with the International Fire Code Sec 903 – Automatic Sprinkler Systems. Review of fire protection sprinkler system and hydrant requirements will be reviewed at the time of replat and plan submittal.

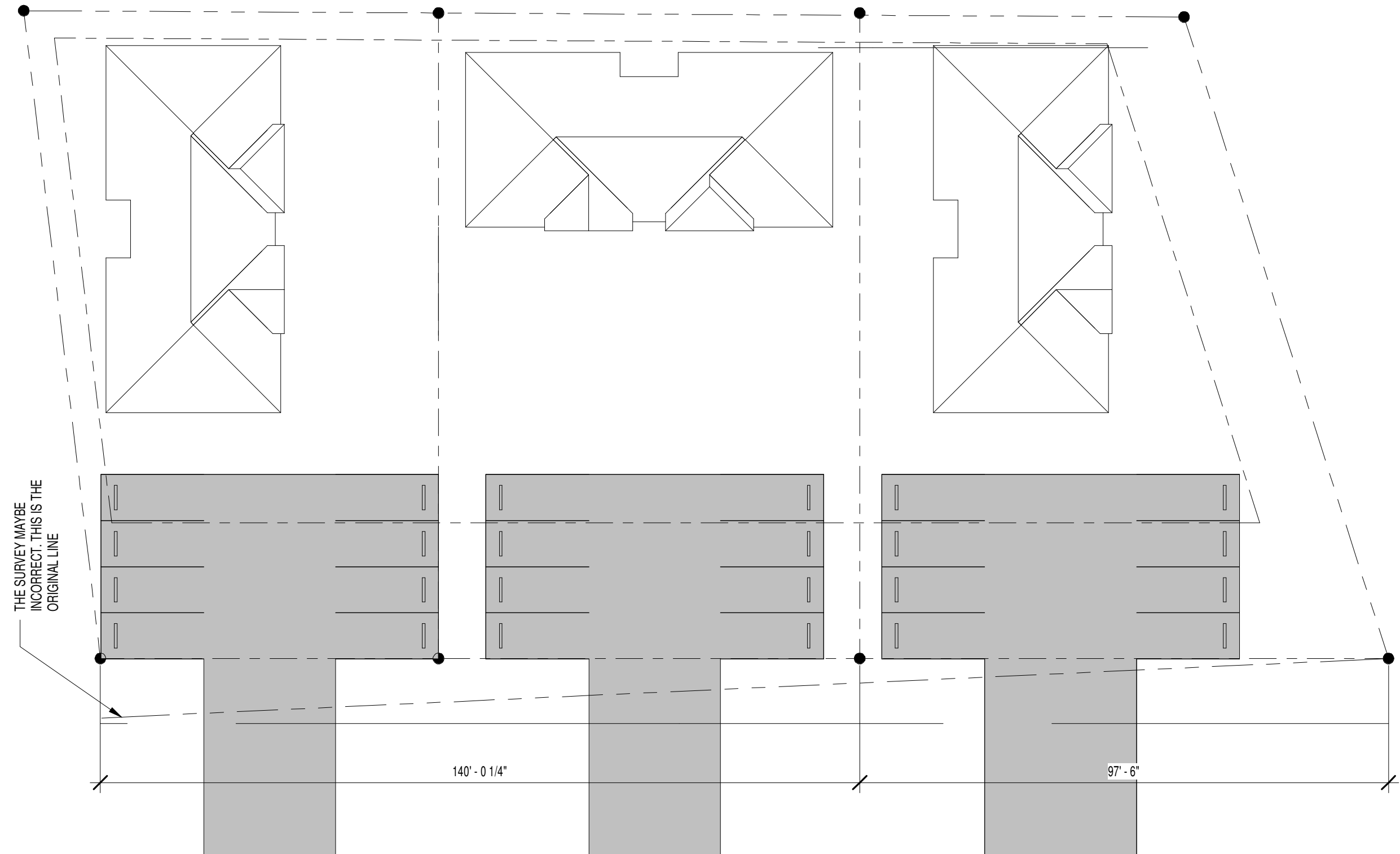
Engineering: Sidewalks are required the length of the frontage of the property. Review of access and drainage will be reviewed at the time of replat and plan submittal.

Public Works: Review of municipal utilities will be reviewed at the time of replat and plan submittal.

Development Services: Adherence to all replat and design requirements.

Attachments:

- Proposed multi-family building site plan
- Rafei Subdivision
- PIN 86471 CAD
- PIN 86472 CAD



1 SITE PLAN

RAFEI SUBDIVISION

A 0.62 ACRE SUBDIVISION
REPLAT OF LOTS 1, 2 & 3 OF RENDON SUBDIVISION Z/730 C.C.P.R.

LEGEND

- EXISTING 5/8" IRON ROD UNLESS NOTED
- EXISTING 1/2" IRON ROD
- SET 5/8" IRON ROD WITH PLASTIC CAP
- C.C.P.R. CALHOUN COUNTY PLAT RECORDS
- P.O.B. POINT OF BEGINNING
- [] PLAT OR DEED CALL

2.3974 acres
Randy L. Lott
Firm No. 123807 C.C.P.R.

CERTIFICATE OF OWNERSHIP

STATE OF TEXAS
COUNTY OF CALHOUN

I, THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT AND DESIGNATED HEREIN AS RAPEI SUBDIVISION TO THE CITY OF PORT LAVACA, TEXAS, AND WHOSE NAME IS SUBSCRIBED HEREIN, HEREBY DEDICATE TO THE USE OF PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSE, DRAINAGE, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

E.N. Rafei

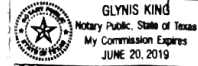
QUEST IRA, INC.
ETHAN RAFEI

STATE OF TEXAS
COUNTY OF Calhoun

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ETHAN RAFEI, KNOWN TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 15 DAY OF February, 2016

Glynis King
NOTARY PUBLIC, STATE OF TEXAS



CITY COUNCIL CERTIFICATE APPROVAL

STATE OF TEXAS
COUNTY OF CALHOUN

I, MANDY GRANT, CITY SECRETARY OF THE CITY OF PORT LAVACA, AN INCORPORATED CITY IN CALHOUN COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING SUBDIVISION PLAT WAS APPROVED BY THE CITY COUNCIL OF SAID CITY AS APPROVED BY LAW, AND THAT THE RESOLUTION APPEARS OF RECORD IN VOLUME 36 PAGE 171 OF THE MINUTES OF THE PLANNING BOARD OF PORT LAVACA AS KEPT IN MY OFFICE.

WITNESS MY HAND AND SEAL OF THE CITY OF PORT LAVACA, TEXAS, ON THIS 23 DAY OF February, 2016.

Mandy Grant
CITY SECRETARY
CITY OF PORT LAVACA, CALHOUN COUNTY
STATE OF TEXAS

COUNTY CLERK CERTIFICATE

STATE OF TEXAS
COUNTY OF CALHOUN

I, ANNA GOODMAN, CLERK OF COUNTY COURT AND COUNTY CLERK OF CALHOUN COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING SUBDIVISION PLAT OF RAPEI SUBDIVISION WITH CERTIFICATE OF AUTHENTICATION WAS FILED FOR RECORD IN MY OFFICE ON THE 24 DAY OF February, 2016, 10:29 O'CLOCK A.M., AND WAS DULY RECORDED ON THE 24 DAY OF February, 2016, IN VOLUME 36 PAGE 211 OF THE CALHOUN COUNTY DEED RECORDS, SLIDE NO. 5408.

Anna Goodman

COUNTY CLERK
COUNTY OF CALHOUN
STATE OF TEXAS

By: Travis Sampson, Deputy

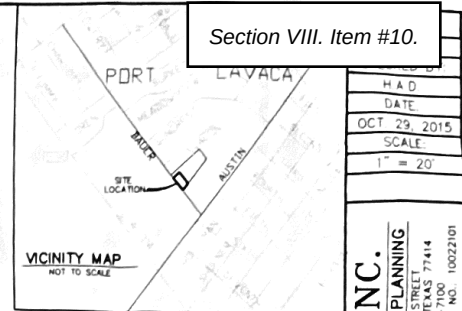
INST. # 146732

CALHOUN COUNTY APPRAISAL DISTRICT

I, HEREBY CERTIFY THAT NO DELINQUENT AD VALOREM TAXES ARE OWED ON THE REAL PROPERTY OF THIS AMENDED PLAT.

SIGNED THIS 16 DAY OF February, 2016.

By: James H. Bell
JESSE HUBBELL
CHIEF APPRAISER



GRAPHIC SCALE



(IN FEET)
1 inch = 20 ft

FIELDMETHOD DESCRIPTION
0.62 ACRE

STATE OF TEXAS
COUNTY OF CALHOUN

ALL OF THAT CERTAIN TRACT OR PARCEL CONTAINING 0.62 ACRE SITUATED IN THE MAXIMO SANCHEZ LEAGUE, ABSTRACT NO. 35 OF CALHOUN COUNTY, TEXAS, AND BEING ALL OF LOTS 1, 2 AND 3 OF THE RENDON SUBDIVISION ACCORDING TO PLAT RECORDED IN VOLUME Z, PAGE 730 OF THE PLAT RECORDS OF CALHOUN COUNTY, TEXAS, AND BEING A PART OF THE SAME PROPERTY SHOWN AS TRACT "B" OF MARSHALL MEADOWS SUBDIVISION RECORDED IN VOLUME Z, PAGE 508 OF THE DEED RECORDS OF CALHOUN COUNTY, TEXAS, THIS 0.62 ACRE IS MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT AN EXISTING 5/8 INCH IRON ROD LOCATED IN THE NORTHEAST LINE OF BAUER DRIVE AND AT THE WEST CORNER OF COMMERCIAL PROPERTY TRACT "C" OF THE ABOVE REFERENCED SUBDIVISION AND AT THE SOUTH CORNER OF THE ABOVE REFERENCED TRACT "B" AND FOR THE SOUTH CORNER OF THE ABOVE REFERENCED RENDON SUBDIVISION FOR THE SOUTH CORNER OF THIS 0.62 ACRE BEING DESCRIBED:

THENCE NORTH 35° 18' 12" WEST [DEED CALL = NORTH 35° 18' 12" WEST], WITH THE NORTHEAST LINE OF BAUER DRIVE AND THE SOUTHWEST LINE OF THE SAID TRACT "B" AND THE SOUTHWEST LINE OF RENDON SUBDIVISION, A DISTANCE OF 237.57 FEET [DEED CALL = 237.57 FEET] TO AN EXISTING 5/8 INCH IRON ROD LOCATED AT THE WEST CORNER OF RENDON SUBDIVISION FOR THE WEST CORNER OF THIS 0.62 ACRE BEING DESCRIBED:

THENCE NORTH 50° 44' 43" EAST [DEED CALL = NORTH 50° 44' 43" EAST], WITH THE NORTHWEST LINE OF RENDON SUBDIVISION, A DISTANCE OF 120.29 FEET [DEED CALL = 120.29 FEET] TO AN EXISTING 5/8 INCH IRON ROD LOCATED AT THE NORTH CORNER OF RENDON SUBDIVISION FOR THE NORTH CORNER OF THIS 0.62 ACRE BEING DESCRIBED:

THENCE SOUTH 32° 11' 55" EAST [DEED CALL = SOUTH 32° 11' 55" EAST], WITH THE SOUTHWEST LINE OF THE RENDON SUBDIVISION, A DISTANCE OF 213.97 FEET [DEED CALL = 213.97 FEET] TO AN EXISTING 5/8 INCH IRON ROD LOCATED IN THE NORTHWEST LINE OF THE SAID TRACT "C" AND IN THE NORTHWEST LINE OF A TRACT CONVEYED TO RANDY LOTT AND JANE LOTT RECORDED IN FILE NO. 141565 OF THE OFFICIAL RECORDS OF CALHOUN COUNTY AND AT THE EAST CORNER OF RENDON SUBDIVISION FOR THE EAST CORNER OF THIS 0.62 ACRE BEING DESCRIBED:

THENCE SOUTH 38° 49' 00" WEST (BASE BEARING) [DEED CALL = SOUTH 38° 49' 00" WEST], WITH THE NORTHWEST LINE OF THE SAID TRACT "C" AND THE NORTHWEST LINE OF THE SAID LOTT TRACT AND THE SOUTHEAST LINE OF RENDON SUBDIVISION, A DISTANCE OF 124.16 FEET [DEED CALL = 124.16 FEET] TO THE PLACE OF BEGINNING, CONTAINING WITHIN THESE METES AND BOUNDS 0.62 ACRE.

THIS FIELDMETHOD DESCRIPTION AND PLAT WERE PREPARED FROM A SURVEY MADE ON THE GROUND UNDER MY DIRECTION.

Henry A. Danysh
G & W ENGINEERS, INC.
HENRY A. DANYSH
REGISTERED PROFESSIONAL
LAND SURVEYOR, NO. 5088

2/3/16
DATE



G & W ENGINEERS, INC.
ENGINEERING • SURVEYING
1803A 7th STREET
PORT LAVACA, TEXAS 77414
(979) 321-7100
TOLLS FREE NO. 1-800-221-0101

RAFEI SUBDIVISION
MAXIMO SANCHEZ LEAGUE
ABSTRACT NO. 35
CALHOUN COUNTY, TEXAS

FILE NO. _____

96

SHEET NO. _____

1 OF 1

A, TX 77979

Property Information: 2021

Legal Description: RAFEI SUBD (PORT LAVACA), LOT 1
Abstract: S0239
Neighborhood: MARSHALL MEADOWS AREA
Appraised Value: \$15,840.00
Jurisdictions: G05, NV6, S01, C04, FML, CAD, GWD

Owner Identification #: 101200

Name: QUEST IRA INC
Exemptions:
DBA: Null

Calhoun CAD Map Search

This product is for informational purp
suitable for legal, engineering, or sur
survey and represents only the appro
Calhoun County Appraisal District ex



Property Information: 2021

Legal Description: RAFEI SUBD (PORT LAVACA), LOT 2
 Abstract: S0239
 Neighborhood: MARSHALL MEADOWS AREA
 Appraised Value: \$14,230.00
 Jurisdictions: G05, NV6, S01, C04, FML, CAD, GWD

Owner Identification #: 101200

Name: QUEST IRA INC
 Exemptions:
 DBA: Null

Calhoun CAD Map Search

This product is for informational purp
 suitable for legal, engineering, or sur
 survey and represents only the appr
 Calhoun County Appraisal District ex



COMMUNICATION

SUBJECT: Consider approval of a 3-lot preliminary minor plat, Howlett's Subdivision. Generally located at the northeast corner of Austin Street and Henry Barber Way. The legal description for this parcel is A0137 Samuel Shupe, Tract Pt 54, Acres 3.671. The property identification for this site is 40677. Presenter is Jessica Carpenter

INFORMATION:

CITY OF PORT LAVACA

MEETING: August 02, 2021

DATE: 07.26.2021

TO: PLANNING BOARD

FROM: JESSICA CARPENTER, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: To consider and discuss approval of a 3-lot preliminary minor plat, Howlett's Subdivision. Generally located at the northeast corner of Austin Street and Henry Barber Way. The legal description for this parcel is A0137 SAMUEL SHUPE, TRACT PT 54, ACRES 3.671. The property identification for this site is 40677.

Sec. 42-6. - Procedure

A plat must be approved prior to the offering for sale of any lot, tract, or building site; prior to any construction work; and before any map of said subdivision is prepared in a form for recording.

The applicant for the proposed Howlett's Subdivision plat is requesting to subdivide the 3.671-acre parcel into three (3) lots. Lot one being 0.35 acres and has an old gas station on the site. Lot two being 0.53 acres and has two metal buildings. Lot three, being 0.46 acres and has a manufactured home on site.

Below references the City Code of Ordinances, Chapter 42 – Subdivisions and Plats, where this Preliminary Plat request is compliant and will meet the ordinance as presented.

Sec. 42-2. - Purpose.

(c) The city planning commission, before approving any plats submitted to it, shall refer such plats to the departments, agencies, and utilities in this chapter named for their suggestions and comments by written report.

Applicant has adhered to the proper subdivision plat submittal and review procedural process prior to presentation before the Planning Commission.

Sec. 42-5. - Policy.

(a) It shall be unlawful for any owner or agent of any owner of land to lay out, subdivide, plat or replat any land into lots, blocks, and streets within the jurisdictional area of this chapter without the proper approval of the planning commission. It shall be unlawful for any such owner or agent to offer for sale or sell property for building lots, building tracts or urban use therein, which has not been laid out, subdivided, platted, or replatted with the approval of the planning commission in accordance with this chapter.

The owner is preparing to list these lots for sale upon recordation of the Howlett Subdivision plat. This

Department Comments:**Engineering:**

- The preliminary plat represents a 60' access easement for lot 2 and lot 3 which are landlocked lots. The 60 ft. access easement meets access easement requirements.
- Access and Fire Lane easement is not required to be improved to city private road standards. However, if future permits are needed, the access easement/fire lane must be improved to city road standards.

Fire:

- Add "Fire Lane" to the 60ft. Access Easement on the plat.

Public Works: No comment

Development Services:

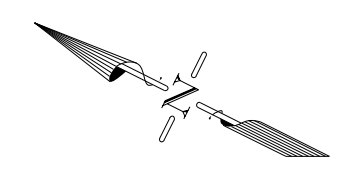
- Label abandon fuel island outline on lot 1.
- Show 5' rear setback on plat for structure on lot 1.
- Label the concrete pad outline on lot 2.
- Label 10' building separation between the metal buildings on lot 2.
- The remainder parcel will require platting prior to sale or issuance of a permit.
- Meet all department prior to submitting the final plat.

Staff Recommendation: Approval

Staff recommends approval of the preliminary minor plat, Howlett's Subdivision. Generally located at the northeast corner of Austin Street and Henry Barber Way. The current legal description for this parcel is A0137 SAMUEL SHUPE, TRACT PT 54, ACRES 3.671. The property identification for this site is 40677.

Attachments:

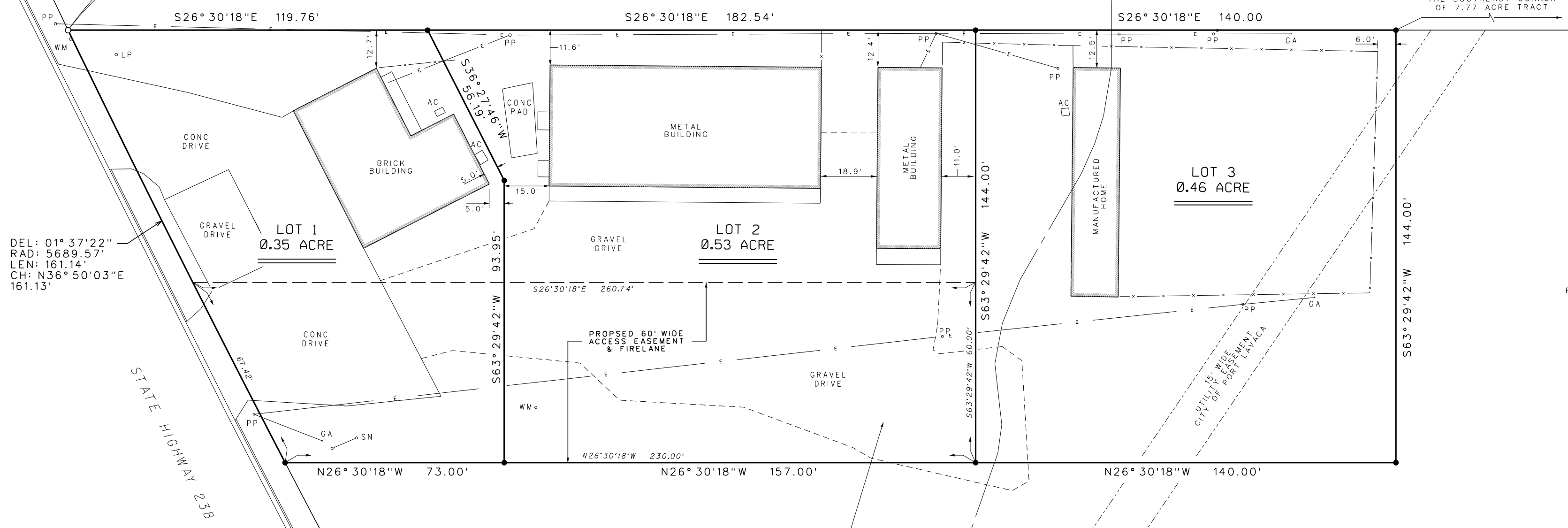
Howlett Preliminary Plat
 Howlett Preliminary plat aerial
 CAD information
 Google aerial



SAMUEL SHUPE SURVEY
A - 137

RUBIN JOHN RIGGINS
AND MARY LOIS CAMPOS
DOC. NO. 105557 O.R.
REMAINDER OF 4 ACRES

FIELDNOTE
POINT OF
BEGINNING



WARRANTY DEED
WITH VENDOR'S LIEN
LONNIE GRAY AND
SANDRA GRAY
TO
HOWLETT'S INC.
SEPTEMBER 25, 1985
VOL.390, PG.3 D.R.
REMAINDER OF 7.77 ACRES

WARRANTY DEED
WITH VENDOR'S LIEN
LONNIE GRAY AND
SANDRA GRAY
TO
HOWLETT'S INC.
SEPTEMBER 25, 1985
VOL.390, PG.3 D.R.
REMAINDER OF 7.77 ACRES

I (WE), THE UNDERSIGNED, OWNER(S) OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS HOWLETT'S SUBDIVISION, LOCATED IN THE CITY OF PORT LAVACA, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

OWNERS SIGNATURE
KRYSTAL KAY STRINGHAM
1659 E. MAXWELL DITCH RD.
PORT LAVACA, TX 77979

STATE OF TEXAS
COUNTY OF CALHOUN

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED KRYSTAL KAY STRINGHAM KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT SUCH PERSON EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN STATED.

GIVEN UNDER MY HAND AND SEAL OF THE OFFICE THIS THE ____ DAY OF ____ 2021.

NOTARY PUBLIC
CALHOUN COUNTY, TEXAS

FLOODPLAIN NOTE

BASED ON GRAPHIC REPRESENTATION OF AND ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) FOR CALHOUN COUNTY, TEXAS, COMMUNITY PANEL NUMBER 48057C0185E, MAP EFFECTIVE OCTOBER 16, 2014, THE SUBJECT PROPERTY IS LOCATED PARTIALLY IN ZONE AE (EL. 12 FT.) AND PARTIALLY IN ZONE X (0.2% CHANCE FLOOD).

CITY SECRETARY CERTIFICATION

I, _____, CITY SECRETARY OF THE CITY OF PORT LAVACA, AN INCORPORATED CITY IN CALHOUN COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING PLAT WAS APPROVED BY THE CITY COUNCIL OF SAID CITY AS APPROVED BY LAW, AND THAT THE RESOLUTION APPEARS OF RECORD IN VOLUME _____, PAGE _____ OF THE MINUTES OF THE CITY COUNCIL OF PORT LAVACA AS KEPT IN MY OFFICE.

WITNESS MY HAND AND SEAL OF THE CITY OF PORT LAVACA,

ON THIS ____ DAY OF ____/____/____, 20____.

CITY SECRETARY
CITY OF PORT LAVACA, CALHOUN COUNTY
STATE OF TEXAS

CALHOUN COUNTY APPRAISAL DISTRICT

I HEREBY CERTIFY THAT THE AD VALOREM TAXES ON THE LAND INCLUDED WITHIN THE BOUNDARIES OF THIS PLAT ARE PAID FOR THE TAX YEAR 2021 AND ALL PRIOR YEARS.

IF APPLICABLE, THE ABOVE-DESCRIBED PROPERTY HAS/IS RECEIVING SPECIAL APPRAISAL BASED ON ITS USE, AND ADDITIONAL ROLLBACK TAXES MAY BECOME DUE BASED ON THE PROVISIONS OF THE SPECIAL APPRAISAL (COMPTROLLER RULE 9.3040) OR PROPERTY OMITTED FROM THE APPRAISAL ROLL AS DESCRIBED UNDER TAX CODE SECTION 25.21 IS NOT INCLUDED IN THIS CERTIFICATE [TAX CODE SECTION 31.08(B)].

SIGNED THIS THE ____ DAY OF _____ 2021.

JESSE W. HUBBELL
CHIEF APPRAISER

COUNTY CLERK CERTIFICATION

I, _____, CLERK OF COUNTY COURT AND COUNTY CLERK OF CALHOUN COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING PLAT OF HOWLETT'S SUBDIVISION, LOCATED IN THE CITY OF PORT LAVACA, CALHOUN COUNTY, TEXAS, DULY AUTHENTICATED BY CERTIFICATION OF THE CITY OF PORT LAVACA, TEXAS, ATTACHED HERETO, AS FILED FOR RECORD IN MY OFFICE ON THE ____ DAY OF ____/ 2021, ____ O'CLOCK ____ M., AND WAS DULY RECORDED ON THE ____ DAY OF ____/ 2021, IN VOLUME _____, PAGE _____ OF THE CALHOUN COUNTY PLAT RECORDS. SLIDE NO. _____.

COUNTY CLERK

GENERAL NOTES

ADDRESS:
LOT 1:
101 STATE HIGHWAY 238
PORT LAVACA, TX 77979
LOT 2:
T.B.D.
PORT LAVACA, TX 77979
LOT 3:
T.B.D.
PORT LAVACA, TX 77979

LAND USE:
LOTS 1 & 2: COMMERCIAL
LOT 3: RESIDENTIAL

THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE. THERE MAY BE EASEMENTS OR OTHER MATTERS OF RECORD NOT SHOWN.

BEARINGS ARE BASED ON GPS OBSERVATION NAD 83 TEXAS SOUTH CENTRAL ZONE. COORDINATES AND DISTANCES SHOWN HEREON ARE GRID.

LEGEND

○ 5/8 IRON ROD FOUND UNLESS OTHERWISE NOTED
● 5/8 IRON ROD SET UNLESS OTHERWISE NOTED
AC - AIR CONDITIONING UNIT
WM - WATER METER
MH - MANHOLE
PP - POWER POLE
GA - GUY ANCHOR
-E- OVERHEAD TELEPHONE
-X- FENCE

LEGAL DESCRIPTION

**STATE OF TEXAS
COUNTY OF CALHOUN**

BEING a 1.34 acre tract situated in the Samuel Shupe Survey, Abstract No. 137, Calhoun County, Texas and being out of that remaining portion of a 7.77 acre tract described in Warranty Deed with Vendor's Lien dated September 25, 1985 from Lonnie Gray and Sandra Gray to Howlett's Inc. and recorded in Volume 390, Page 3 of the Deed Records of said county, and this 1.34 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at an existing 5/8 inch iron rod in the southeast right-of-way line of State Highway 238, at the west corner of an adjoining 4 acre tract described in Document No. 105557 of the Official Records of said county, and at the north corner of said 7.77 acre tract for the north corner of the herein described tract;

THENCE South 26°30'18" East with the southwest line of said 4 acre tract, the northeast line of said 7.77 acre tract, and the northeast line of the herein described tract for a distance of 442.30 feet to a set 5/8 inch iron rod for the east corner of the herein described tract, said iron rod being located North 26°30'18" West a distance of 310.81 feet from an existing 2 inch iron pipe at the southeast corner of said 7.77 acre tract;

THENCE South 63°29'42" West with the southeast line of the herein described tract for a distance of 144.00 feet to a set 5/8 inch iron rod for the south corner of the herein described tract;

THENCE North 26°30'18" West with the southwest line of the herein described tract for a distance of 370.00 feet to a set 5/8 inch iron rod in the curved southeast right-of-way line of State Highway 238 and in the northwest line of said 7.77 acre tract for the west corner of the herein described tract;

THENCE with the curved southeast right-of-way line of State Highway 238 and the northwest line of the herein described tract, said curve having a delta angle of 01°37'22", a radius of 5689.57 feet, a long chord of 161.13 feet which bears North 36°50'03" East for an arc distance of 161.14 feet to the **POINT OF BEGINNING**, Containing 1.34 acres of land.

SURVEYOR CERTIFICATION

I, GEORGE CANEM, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT I PREPARED THIS PLAT FROM AN ACTUAL AND ACCURATE SURVEY OF THE LAND AND THAT THE CORNER MONUMENTS SHOWN THEREON WERE PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF PORT LAVACA, TEXAS.

PRELIMINARY

GEORGE A. CANEM, JR. DATE
CANEM & KELLY SURVEYING, INC.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS NO. 4681

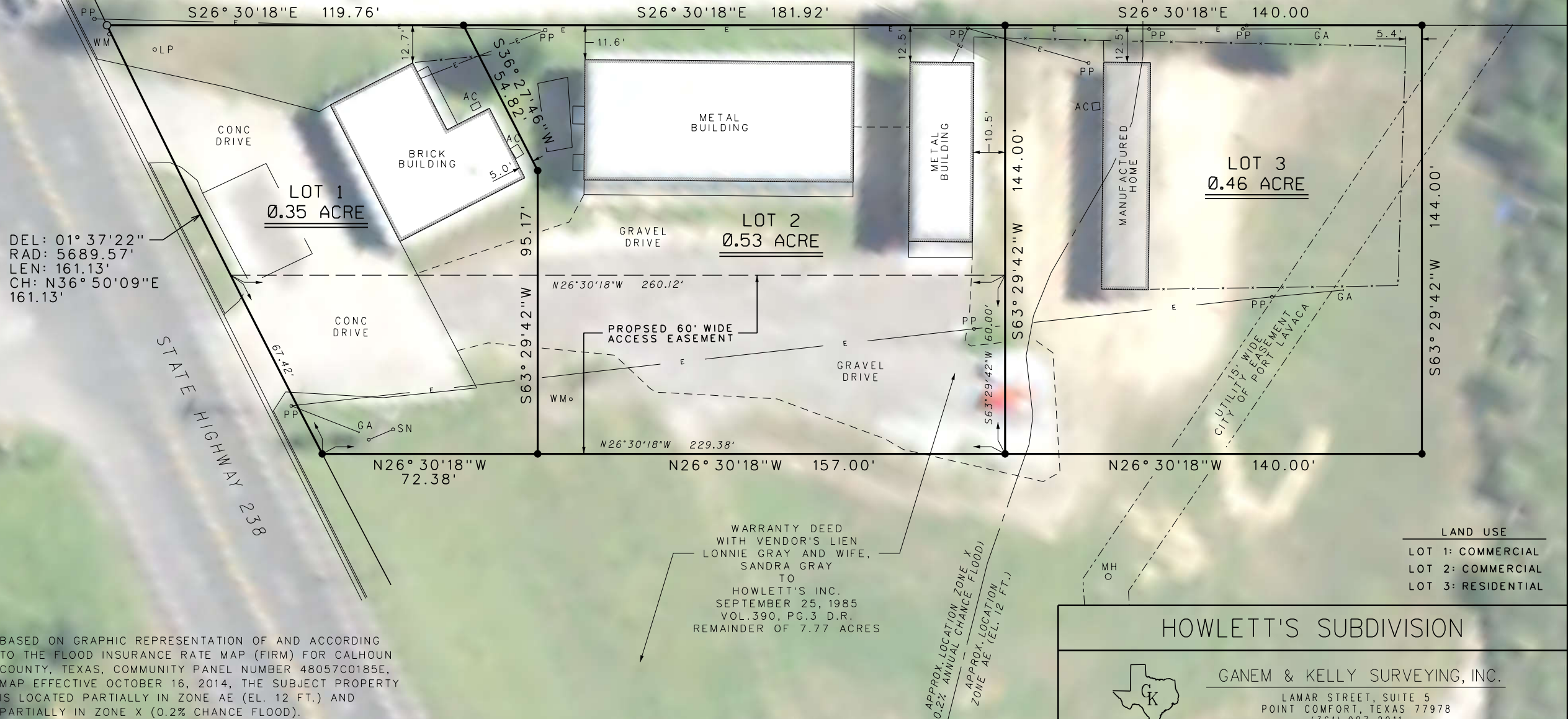
HOWLETT'S SUBDIVISION
A SUBDIVISION LOCATED IN THE CITY OF PORT LAVACA, CALHOUN COUNTY, TEXAS

BEING A PLAT OF 1.34 ACRES WITHIN THE CITY LIMITS OF PORT LAVACA AND BEING OUT OF A 7.77 ACRE TRACT SITUATED IN THE SAMUEL SHUPE SURVEY, ABSTRACT NO. 137, AND BEING DESCRIBED IN VOLUME 390, PAGE 3 OF THE DEED RECORDS OF CALHOUN COUNTY, TEXAS.

**GANEM & KELLY SURVEYING, INC.**
LAMAR STREET, SUITE 5
POINT COMFORT, TEXAS 77978
(361) 987-2011
FIRM NO. 10080300

DRAWN BY : G.A.G. SCALE: 1" = 30'
CHECKED BY: G.A.G. DATE: 08/02/2021
APPROVED BY: G.A.G. JOB NO. PC21-140

RUBIN JOHN RIGGINS
AND MARY LOIS CAMPOS
DOC. NO. 105557 O.R.
REMAINDER OF 4 ACRES



PRELIMINARY SKETCH

Property Information: 2021

Legal Description: A0137 SAMUEL SHUPE, TRACT PT 54, ACRES 3.671

Abstract: A0137

Neighborhood: PORT LAVACA COMMERCIAL

Appraised Value: \$224,110.00

Jurisdictions: G05, NV6, S01, C04, FML, CAD, GWD

Owner Identification #: 40677

Name: HOWLETTS INC

Exemptions:

DBA: Null

Calhoun CAD Map Search

This product is for informational purposes only. It is not suitable for legal, engineering, or survey and represents only the appraisal of Calhoun County Appraisal District.





COMMUNICATION

SUBJECT: Consider approval for a Variance Request for a corner lot that shall have a minimum ten-foot setback on the side street, but the setback is 7-feet 6-inches for an open walled carport on a corner lot side street. The carport is under construction at the location of 1323 Algee Drive. Presenter is Jessica Carpenter

INFORMATION:

CITY OF PORT LAVACA

PB MEETING: August 02, 2021

DATE: 07.26.2021

TO: PLANNING COMMISSION

FROM: JESSICA CARPENTER, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: To consider and discuss approval for a Variance Request for a corner lot that shall have a minimum ten-foot setback on the side street, but the setback is 7-feet 6-inches for an open walled carport on a corner lot side street. The carport is under construction at the location of 1323 Algee Drive.

Sec. 12-24. - Building setbacks

(a) *Definitions.* For the purpose of this article, the term "building setback lines" means to the distance that buildings or structures must be from the property line.

(d) Minimum setback requirements.

(1) Front setback lines. Minimum front setback lines shall be 15 feet. Corner lots shall have a minimum ten-foot setback on the side street.

The variance request is for the flanking street where the secondary driveway is located and where the carport is currently under construction. The carport has a setback of 7'6" and the required setback for the corner lot shall have a minimum ten-foot setback on the side street as per the aforementioned code.

The applicant constructed the open walled carport for the property owner who is wheelchair bound. This open walled carport will be used to provide shelter from the weather conditions year-round as he exits his vehicle and is transported to his wheelchair to be taken into his residence.

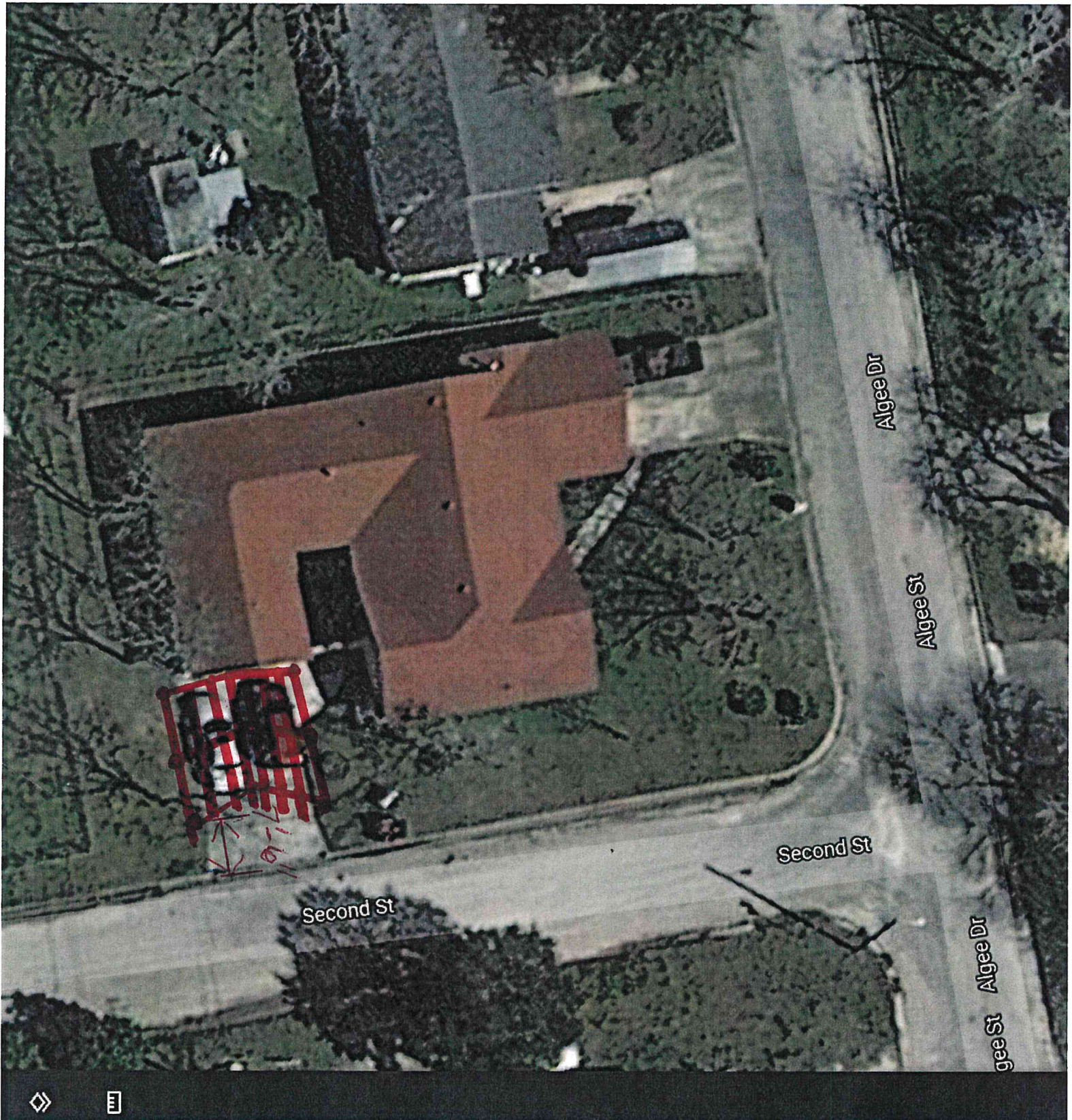
The applicant did seek permit compliance after being informed by code enforcement he needed the permit for the construction of the carport. The permit will be issued upon approval of this variance request.

The applicant also sought a petition of approval from the neighboring properties on Second Street where the carport is located. There are only three (3) properties on this street. All three properties agreed they have no issue with the carport. Two neighbors signed the petition of approval and one neighbor preferred not to have any association with the city. This neighbor approved of the carport but preferred not to sign a petition.

The applicant will not be closing in the walls of the carport and the construction is near completion.

Attachments:

- Carport site plan
- Variance Petition
- Calhoun County Appraisal District Summary



* 7'-6" FROM LAST COLUMN
TO 1'-SET-BACK (CURB)

Property Identification #: 18371

Property Information: 2021

Owner Identification #: 19513

Geo ID: S0005-00190-0008-00
Situs Address: 1323 ALGEE ST PORT LAVACA, TX 77979
Property Type: Real
State Code: A1

Legal Description: ALAMO HEIGHTS #1 (PORT LAVACA), BLOCK 19, LOT 8, & PT OF ABND ALLEY
Abstract: S0005
Neighborhood: ALAMO HGTS AREA
Appraised Value: \$154,120.00
Jurisdictions: G05, NV6, S01, C04, FML, CAD, GWD

Name: MENCHACA CELESTINE
Exemptions: OTHER, HS
DBA: Null



Calhoun CAD Map Search

This product is for informational purposes only and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. The Calhoun County Appraisal District expressly disclaims any and all liability in connection herewith.



Petition for for approval of carport garage @ 1323 Algae St.- Port
Lavaca, Tx. 77979

1. Augustine & Elizabeth a Contreras (1403 Algae St,)

Signature x *Augustine Contreras*
Elizabeth Contreras

2. Aguirre , Sammy (1404 Shofner St.)

Signature x I WAS TOLD BY MR. AGUIRRE
THAT HE DID NOT WANT TO SIGN DUE TO
~~THE~~ HISTORIC DEALINGS WITH CITY COUNCIL YEARS

3. Hernandez , Felipe M & WF Betty Jo (1322 Shofner St.)

BACK

Signature x *Felipe M. Hernandez*
Betty Jo Hernandez 6/30/2021

* SAMMY AGUIRRE IS NOT OPPOSED
TO THE BUILDING ASPECT PART
OF PROJECT — DUE TO HISTORIC
ISSUES YEARS AGO FROM CITY
— COUNCIL —

COMMUNICATION

SUBJECT: Consider recommendation of the Port Commission to approve a 2-year ground lease agreement with Ausencio Rubio Rayna DBA Poor Boy Bait for a 40'x100' tract + adjacent space to dock 2 shrimp boats at Smith Harbor. Presenter is Jody Weaver

INFORMATION:

CITY OF PORT LAVACA

DATE: 8.05.2021

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JODY WEAVER, INTERIM CITY MANAGER

SUBJECT: POOR BOYS BAIT LEASE

The current lease for Poor Boys Bait expires on August 31, 2021. Auscensio Rubio Reyna is the sole proprietor now of Poor Boy Bait Stand and has asked for a new lease for the same 40' x 100' tract plus adjacent space to dock two shrimp boats.

The Port Commission has recommended entering into a standard two-year lease agreement (no options for renewal) with Auscensio Rubio Reyna DBA Poor Boy Bait for \$1,300/month + approved ½ page advertisement in each Calhoun County Visitor's Guide during the term of the lease. If at any time during the term of the lease there is a mutual agreement to relocate the business elsewhere in the Harbor, it will be addressed with an amendment at the time. The Standard lease calls for an annual rent rate increase per the Municipal Cost Index with a 2% minimum and a 5% maximum. Ausencio was requesting a longer lease, but will accept this. Although, I believe having a thriving bait stand is a desired asset in the Harbor, since the City has not completed the Master Plan, I agree it's prudent for both parties not to exercise a long term lease at this time.

RECOMMENDATION: Approve a Standard two-year lease (no options for renewal) with Auscensio Rubio Reyna DBA Poor Boy Bait for \$1,300/month plus approved advertising in the Calhoun County Visitor's Guide, subject to final review by the City Attorney.

For your consideration and review, below is a copy of the memo provided to the Port Commission regarding this matter.

The current lease for Poor Boys Bait expires on August 31, 2021. The current lease is in the names of Gordan McElvaney and Ausencio Rubio Reyna DBA Poor Boys Bait. On June 22, I reached out to Mr. McElvaney to verify his status with the partnership. He responded that he no longer owns any assets in Poor Boys Bait Stand.

Ausencio also known as Lencho, has applied for a DBA as a sole proprietorship under the name of Poor Boy Bait Stand.

He provided the following list of assets which he states he currently owns outright as Poor Boy Bait:

- 4 tanks each @ \$1500 = \$7,500
- Building = \$5,000
- Pumps = \$800
- Pvc pipes for live well = \$200
- Air motor = \$500
- Packaged ice outdoors and ice machine= \$3,000
- Deep Freezer= \$500
- TOTAL = \$17,500

Ausencio would like to have a longer lease, even 5 years if possible. I asked him what improvements he would like to make should he have the stability of a longer lease. He provided me a copy of his "wish list" for Poor Boys Bait:

- Add two more bait tanks
- A small stand to make fish and shrimp baskets
- Add a floor deck with a couple of tables for families to enjoy eating or to go foods

- Add a fishing sign for the Poor Boys “Catch of the Day” – where people can take a photo with their catch or just a photo with the Poor Boys sign (This is great for Facebook and TikTok posts etc. for “free” advertising)
- He would like to add kayak rentals if permitted.

The current lease is \$1300/month which includes \$800 for the Bait shop site and \$500 for two shrimp boat slips as part of Poor Boys. That equates to \$15,600 per year. The MCI as of last October was 256.84. The MCI has been steadily climbing since October. The most recently published MCI is June at 278.07, an 8.3% increase over last October.

Jim Rudellat visited with Keith Barrett at Aransas County Navigation District who has many small bait stands that they rent out. The Rent is \$800 - \$1,000 per month depending on location, size, condition etc. of the building and site. The ACND owns the permanent structures and often times puts them out for bids when a lease is up. In our case, the structure is a portable building and is owned by Poor Boys Bait.

I hope we can all agree that having a bait stand and working shrimp boats located right in our harbor offering a quaint fisherman’s atmosphere is of value to our tourism. But it’s not much value if the out-of-town people don’t know it’s there. I want us to think outside of the box for a bit and to give some consideration and value to out of town advertising when setting rental rates.

I am proposing that there is no increase in \$1300/month rental rate for Poor Boys Bait Stand in exchange for a commitment from Poor Boys to place a minimum half page ad in the Fall and Summer Visitors Guide of each year during the term of the lease. This is currently a value of approximately \$1,000 per year. Note a \$1,000 increase amounts to 6.4% over the current lease, but these advertising dollars are a win-win for both the City and Poor Boys. The City may not directly see this increase in cash payments of rent, but will see benefit in increased tourism and dollars spent in the City, not only at Poor Boys, but at gas stations, restaurants, hotels, etc. Following the first year, the rent would be adjusted per the Municipal Cost Index with a 2% minimum and 5% maximum. I will work with Lencho to provide a sign-in sheet for out-of-town patrons so we can all see where his customers are coming from.

As far as the location, there has been some discussion of moving the bait stand further east, where the concrete slab is currently located and is scheduled to be demolished soon. Lencho would be excited for this to happen and I believe would be a great location conducive to the improvements and expansion he is thinking about. If the Port Commission agrees, the lease will be written to allow a relocation at the discretion of the City.

Perhaps we can consider a similar term as Millers Seafood. A two-year lease with 2 each 1 year two-way options.

COMMUNICATION

SUBJECT: Consider amendment to the Lease with Helena Chemical to provide for the scheduled annual rent rate increase, effective 8-1-2021, to be 5% instead of based upon the Municipal Cost index. Presenter is Jody Weaver

INFORMATION:

CITY OF PORT LAVACA

CITY COUNCIL MEETING: AUGUST 9, 2021

DATE: 8.05.2021

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: JODY WEAVER, INTERIM CITY MANAGER

SUBJECT: **HELENA CHEMICAL LEASE / TARRIFS**

Recall at the April 12 Council meeting, there was an agenda item regarding the tariff rates as applicable for Helena Chemical. Below is a recap of the communication since that time, followed by a recommendation regarding their annual rent increase this year. Action on the rail fees are part of the agenda item regarding Appendix A – Fees, Rates and Charges.

On April 12, Council appointed a committee to work with Helena to arrive at a consensus for a solution and bring it back to Council for consideration. Committee members were: myself, Jerry Smith, Jim Rudellat and Alex Davila. Helena asked for some time to collect some data on how their costs in Port Lavaca compare with other areas they do business in. On June 11th, we had a zoom meeting with Ward Bloodworth and Louis Rodrigue of Helena to get an update. No new information was exchanged, but they promised to have some information to share soon.

On **July 5**, I received the attached email which provides a comparison to the Louisiana River Terminal and the Mississippi River Terminal, which Helena considers comparable to the operation in Port Lavaca. Attached is a copy of that email along with the following subsequent emails:

July 19: I contacted Helena regarding the scheduled annual Municipal Cost Index rate increase per the lease agreement. Per the MCI, the rate would increase by nearly 10%. Based upon my earlier conversations with Helena and Council, I thought a one-year increase of 5% was more appropriate at this time and we will look at this again next year (thinking the market may correct itself some by then). I also mentioned that we were working on identifying a dollar amount per year to collect in order to have funds to keep the rail spur maintained.

July 30: I emailed Helena asking for input with a 5% rent increase and a \$10,000/year rail fee, and no increase to the bulk tariff or dockage charge.

Aug 2:

- Response from Louis Rodrique accepting a proposed \$10,000/year rail fee.
- I then asked about the 5% rent increase and he responded that they were receptive

At the Port Commission meeting on August 3, the Port Commission voted to recommend to Council a \$1,000/month rail fee instead of \$833/month.

Aug 3:

- Following the Port Commission's recommendation of \$12,000/year rail fee I asked for Louis's response, which was more hesitant than the previous responses
 - I then clarified that they were still OK with a \$10,000/year fee. – Yes.
-

- Recommendation regarding the scheduled annual rent rate increase per the lease agreement.

Please refer to the detail provided in the email dated July 19 to Helena.

In line with the discussion on April 12, and in an effort to work with our long-time tenants and not impose any large increases in any single year, **I am proposing an amendment to their lease to provide for a flat 5% rent rate increase this year instead of that which would result from using the change in the Municipal Cost Index**, which would be 9.8%. Next year we will look at how the Municipal Cost Index is at that time compared to that in July and August of 2018 and reevaluate. This was discussed at the Port Commission meeting, but no recommendation to Council was made.

Attached:

- 7 sheets of copies of email correspondence
- Copy of section 5.01 of the Lease with Helena Chemical

Jody Weaver

July 5

From: Bloodworth, Ward <BloodworthW@helenaagri.com>
Sent: Monday, July 5, 2021 7:15 PM
To: jweaver@portlavaca.org
Cc: Rodrigue, Louis
Subject: Helena cost comparisons

Flag Status: Flagged

Ms. Weaver-

I asked our legal department to retrieve lease and fees for several terminals we have across the country. We actually own more of them than I originally thought in the Midwest, so they weren't comparable to what we have in the south. I also had to remove the deep water ports that have very different logistics and we are buying large volumes together with several other companies, so that wasn't a good comparison. I have included two ports that we feel are very comparable to what you have in Port Lavaca.

	LEASE			
LESSOR	AMOUNT	TARIFFS/ THROUGHPUT	DOCK FEES	STRUCTURE
Louisiana River Terminal	\$20,000.00	N/A	N/A	6.753 acres
Mississippi River Terminal	\$97,517.99	N/A	\$6,000/year wharfage fee	15 acres
CITY OF PORT LAVACA, TX (adding the \$75/car)	\$73,962.96	\$0.65/ton + railroad \$75/day per railcar	\$3.30/linear ft (\$1,951.13)	9.397 acres of land
CITY OF PORT LAVACA, TX (Currently)				

What we are asking from is to remove the \$75/car tariff that has been proposed by the city. As I mentioned in our meeting, we don't control the railroad and when they take the cars off the lot. We feel we are very responsible in getting these cars off the track and back to the railroad because we are paying a demurrage from the supplier. I would also like to remind the board that we need all the products to supply the market from this location. If we have to remove the poly phosphate (finished good from the product in the railcars), then we would have to decrease the circumference of where the Port Lavaca tons current reach. We also feel the steep increase on the dock fee was very large of an increase this soon into our agreement. We are willing to continue with where are, but would also like to get a conversation started with our agreement that we won't get hit with steep charges in the future. The flexibility you have with the lease terms should be adequate for City to capture any appreciation in the markets. We felt at the time of the lease that the "rent" would be our only real cost risk.

Louis, myself and all the team appreciate and understand the commitment to working through this with us. We feel we have a very long working relationship with the City and it is our desire to continue to grow our business and provide something for you and the rest of the city to be as proud of as we are.

Thanks again for your time and interest in our business. We look forward to speaking to you again soon.

Ward Bloodworth

Helena Agri-Enterprises, LLC

EMAIL: bloodworthw@helenaagri.com

Jody Weaver

July 19

From: jweaver@portlavaca.org
Sent: Monday, July 19, 2021 6:49 PM
To: bloodworthw@helenaagri.com; RodrigueL@Helenaagri.com
Subject: Helena Lease

Good evening Ward and Louis,

I hope you are both well. As you know, the Helena Lease at the Harbor of Refuge is scheduled for an annual increase on August 1st per the Municipal Cost Index. Your current monthly rent is \$6,163.58 per month.

The most recently published rate is June 2021 with a MCI of 278.07. The MCI of June 2020 was 253.22. This is a 9.8% increase, which would bring the new monthly rate to \$6,767.61. If I go back to the MCI of 2018 in July and August, when the lease was signed, it was 251.69 and 251.55 respectively. So that is an increase of 10.5% from the starting rent in 2018 of \$6,108, which would be a new monthly rate of \$6,749.34.

In light of our recent discussions, I imagine you were not projecting close to a 10% increase in the monthly lease rate. I can't help but think that the market will correct itself at some point. I would like to propose a 5% increase this year and we'll see where things are at this time next year, by again looking at the MCI as it compares to that of July and August of 2018. With a 5% increase, the rent would increase by \$308.18 to \$6,471.76/month.

For comparison and to satisfy my curiosity, I looked at the change in the Consumer Price Index since the summer of 2018 and now and it is 7.6%. A 7.6% increase over the 2018 rate of \$6,108 would be \$6,572.20.

In addition, we are still trying to get a better grasp on the costs involved to maintain the rail on the property. We are still coming up with an estimate of about \$10,000 a year, which would equate to \$833 per month.

Please look at these figures and let me understand how these will affect your operations here in Port Lavaca. Please feel free to offer an alternate proposal for consideration.

Kind Regards,

JoAnna P. "Jody" Weaver, P.E.

Interim City Manager

Phone: 361-552-9793

Mobile: 361-827-3601

Email: jweaver@portlavaca.org

202 N. Virginia Street Port Lavaca, Texas 77979



CITY OF PORT LAVACA
TEXAS

July 30

Section VIII. Item #14.

From: Jody Weaver [mailto:jweaver@portlavaca.org]
Sent: Friday, July 30, 2021 11:25 AM
To: Bloodworth, Ward <BloodworthW@helenaagri.com>
Cc: Rodrigue, Louis <RodrigueL@helenaagri.com>
Subject: Your input is needed
Importance: High

CAUTION - EXTERNAL SENDER

Ward and Luis,

I did want to let you know that based upon discussions at a workshop on July 21, there is no planned increase to the 65 cents per ton bulk tariff nor the \$3.30/LF for the dockage charge.

With this understanding, if the rate for the rail spur is established at \$10,000/year, what does that do to your \$1.28/ton? With a 5% increase in the rent, what does that do to your \$1.28/ton?

I am meeting with the Port Commission on Tuesday and preparing a memo today. As we have discussed, Council wants your input in such matters and to understand how changes in rates affect your operations. We don't want to do something that is going to have such a negative impact that you reduce your operations and thus reduce the volume of product brought across the dock. Please let me have your input on these issues.

Thank you so much.

Kind Regards,

JoAnna P. "Jody" Weaver, P.E.

Interim City Manager

Phone: 361-552-9793

Mobile: 361-827-3601

Email: jweaver@portlavaca.org

202 N. Virginia Street Port Lavaca, Texas 77979



CITY OF PORT LAVACA
TEXAS

From: Bloodworth, Ward <BloodworthW@helenaagri.com>
Sent: Monday, July 5, 2021 7:15 PM
To: jweaver@portlavaca.org
Cc: Rodrigue, Louis <RodrigueL@helenaagri.com>
Subject: Helena cost comparisons

Ms. Weaver-

I asked our legal department to retrieve lease and fees for several terminals we have across the country. We actually own more of them than I originally thought in the Midwest, so they weren't comparable to what we have in the south. I also had to remove the deep water ports that have very different logistics and we are buying large volumes together

Jody Weaver

Aug 2

From: Rodrigue, Louis <RodrigueL@helenaagri.com>
Sent: Monday, August 2, 2021 10:33 AM
To: Jody Weaver
Cc: Bloodworth, Ward; Ward, John; Savage, Tony; Jeff Holley
Subject: RE: Your input is needed

Jody, thanks for your patience as we worked through our plans going forward.

Your willingness to see the concerns from our businesses' vantage point is appreciated. As you learned we were caught off guard by the increases in costs we incurred when doing business in the Port Lavaca Port. Some aspects of this we own.

As we discussed there is a radius out from the Port we can competitively sell. Given our uncertainty concerning how and when we might see significant additional costs of thru put, when bringing tons into and out of the Port, we stopped and re assessed our current investment. We looked at options in the event the Port levied significant additional costs on our Port Lavaca operations.

We appraised different cost structures and what it means to our ability to service our retail facilities and their customers, the Texas farmer and Rancher from Port Lavaca.

We do value our current relationship with the Port, and as well, our investment in the community and our people who manage the site. Thanks for the update on the bulk per ton tariff and the dockage charges, no increases planned.

Rail spur, we will accept the \$10,000/year charge (as you know in many ports we do not see an additional fees for rail services to or from the port).

We ask that we see no \$75.00/day rail car fee as earlier proposed.

Sorry for the delay in getting back to you. We are in season and had some additional work to do prior to responding. Thank you for all the time and consideration. We would welcome the opportunity to discuss any aspect of our agreement, as needed, all in an attempt to minimize any surprises to either of us.

Our goal is to be good for the Port while running a solid business from Port Lavaca. Please call with questions. 9015378262 Office 9012165991 Mobile

Thanks
Best Regards

Louis Rodrigue
HAE LLC

Jody Weaver

Aug 2

From: Rodrigue, Louis <Rodriguel@helenaagri.com>
Sent: Monday, August 2, 2021 4:18 PM
To: Jody Weaver
Cc: Bloodworth, Ward; Ward, John; Savage, Tony; Jeff Holley
Subject: RE: Your input is needed

→ Thanks. Yes we are receptive to the 5% lease increase. As we indicated earlier, each of these increases takes our per ton cost up and reduces our reach from PL.
Appreciate your help. Regards Louis

From: Jody Weaver [mailto:jweaver@portlavaca.org]
Sent: Monday, August 2, 2021 12:43 PM
To: Rodrigue, Louis <Rodriguel@helenaagri.com>
Cc: Bloodworth, Ward <BloodworthW@helenaagri.com>; Ward, John <WardJ@helenaagri.com>; Savage, Tony <SavageT@helenaagri.com>; Jeff Holley <holleyj@gatefrontllc.com>
Subject: Re: Your input is needed

→ Do you have any comment about a 5% increase in rent? Recall the lease provides for an annual increase per the Municipal Cost Index, but currently that would equate to nearly 10%, so I am proposing 5%.

Sent from my iPhone

Best Regards,
JoAnna P. "Jody" Weaver, P.E.
Interim City Manager
City of Port Lavaca
jweaver@portlavaca.org
361-827-3601

Jody Weaver

Aug 3

From: Rodrigue, Louis <RodrigueL@helenaagri.com>
Sent: Tuesday, August 3, 2021 1:39 PM
To: Jody Weaver
Subject: Re: Your input is needed

→ As stated earlier I can't think of a port lease where we pay additional fees for rail service.
It will have us looking harder at our options and concerned that our type business which is bulk commodities, doesn't allow for all of our costs to be passed along. We unfortunately run a low margin business where we buy and sell - only so much latitude in pricing. Don't know we have a lot of choice short term other than to accept the increase. Thanks for your help. It is appreciated.
Regards Louis

Sent from my iPhone

On Aug 3, 2021, at 1:15 PM, Jody Weaver <jweaver@portlavaca.org> wrote:

Louis,

→ The Port Commission accepted all my recommendations except is recommending to Council for the rail fee to be \$1,000/month instead of \$833.00. How would this impact things?

Jody

Sent from my iPhone

Best Regards,
JoAnna P. "Jody" Weaver, P.E.
Interim City Manager
City of Port Lavaca
jweaver@portlavaca.org
361-827-3601

Jody Weaver

Aug 3

From: Rodrigue, Louis <RodrigueL@helenaaagri.com>
Sent: Tuesday, August 3, 2021 4:55 PM
To: Jody Weaver
Subject: Re: Your input is needed

→ Yes we would. Thanks you
Regards Louis



Sent from my iPhone

On Aug 3, 2021, at 4:45 PM, Jody Weaver <jweaver@portlavaca.org> wrote:

→ But you would still be ok with the \$833/mo?

Thanks for the feedback?

Sent from my iPhone

Best Regards,
JoAnna P. "Jody" Weaver, P.E.
Interim City Manager
City of Port Lavaca
jweaver@portlavaca.org
361-827-3601

Helena Chemical Lease

Section VIII. Item #14.

Article 5. Rent.

Section 5.01. Land Rent. Tenant shall pay to City monthly rent of \$6,108.00 per month (\$650.00 per month multiplied by 9.397 acres), beginning August 1, 2018 and on the first (1st) day of each month thereafter during the term of this Lease. Rent shall be adjusted on August 1st each year pursuant to the increase of the Municipal Cost Index as of the latest date it was published prior to August 1st of every year. City shall give notice of any increase annually. In the event Tenant exercises its first option to extend, the Land Rent shall continue to be adjusted annually as stated above. In the event Tenant exercises its second option to extend, the Land Rent shall continue to be adjusted annually as stated above. If the Municipal Cost Index decreases, there shall be no change in the rent for that year.

Section 5.02. Cargo Dockage Charges. In addition to such Land Rent, Tenant shall pay all dockage charges for Tenant's use applicable under City's Tariffs as those charges accrue. All dockage charges shall be billed as such charges accrue. At the time of the signing of this lease, City's Tariffs are: \$2.25 per linear foot of dockage per month [presently \$1,330.31 per month for 591.25 linear feet] and \$0.45 per ton of material that crosses the cargo dock. The Tariff by the City may be amended. If so amended, Tenant shall pay any amended rate. The lease of the 91.25 linear feet of dockage designated as "Public Dockage" by the City shall be on a month to month basis with the Tenant having priority as to the usage thereof. In the event the City receives written objection to the usage by Tenant of the 91.25 linear feet of dockage designated as "Public Dockage", by giving thirty (30) days advanced written notice to Tenant and thereafter, Tenant shall no longer be obligated to pay any tariff on that portion of the dockage.

Section 5.03. Place of Payment. Rental due hereunder shall be paid to City at its address for notice hereunder or to such other person or at such other address in Calhoun County, Texas, as City may from time to time designate in writing. Rent shall be paid in legal tender of the United States of America without notice, demand, abatement, deduction or offset except as herein provided.

Section 5.04. Delinquent Payments. All Rent and other payments required of Tenant hereunder which are not paid within ten (10) days following receipt of written notice from City shall bear interest at the maximum rate allowed by law (or, if there is no maximum rate, at ten percent (10%) per annum) from the date due until the date paid. In no event, however, shall the charges permitted under this Section or elsewhere in this Lease, to the extent any or all of the same are considered to be interest under applicable law, exceed the maximum rate of interest allowable under applicable law.

Section 5.05. Other Charges. Tenant shall comply with and shall pay all local, state and federal taxes (including without limitation, income, franchise, gross receipts, sales, use, excise and real and personal property taxes), governmental charges of any kind whatsoever, payments in lieu of taxes, assessments, special assessments, licenses, registration fees, freight, and transportation charges and any other charges imposed, assessed, levied or liabilities incurred with respect to the ownership, the possession or the use of the Leased Premises or pipelines, any payment of the Lease payments or any other payments by Tenant and any penalties, fines or interest imposed on any of the foregoing (collectively, the "Charges") during the Lease term.

COMMUNICATION

SUBJECT: Discuss the proposed allowance for salary increases based upon a percentage of FY 2020-2021 salary expense. Presenter is Jody Weaver

INFORMATION:

COMMUNICATION

SUBJECT: Discuss proposed amendments to the Ordinance described as Appendix A – Fees, Rates and Charges. Presenter is Jody Weaver

INFORMATION:

CITY OF PORT LAVACA

PB MEETING: August 09, 2021 **AGENDA ITEM** _____

DATE: 07.30.2021

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: JESSICA CARPENTER, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: Consider and discuss approval of amending Appendix A - FEES, RATES AND CHARGES CHAPTER 12—BUILDINGS AND BUILDING REGULATIONS to include the adopted Bureau Veritas contracted fees for plan review and inspections for residential, multi-family and commercial projects.

Amending the fee schedule in Appendix A - FEES, RATES AND CHARGES for CHAPTER 12 BUILDINGS AND BUILDING REGULATIONS is to include the adopted Bureau Veritas contracted fees for plan review and inspections for residential, multi-family and commercial projects.

Appendix A - FEES, RATES AND CHARGES

CHAPTER 12—BUILDINGS AND BUILDING REGULATIONS

https://library.municode.com/tx/port_lavaca/codes/code_of_ordinances?nodeId=PTIICOOR_APXAFERACH

<u>CHAPTER 12</u> —BUILDINGS AND BUILDING REGULATIONS	
<i>Permit issuance fee:</i>	
All permits shall be charged an issuance fee (with the exception of food handler, peddler/vendor, alcohol in park and garage sale permits)	\$25.00
<i>Reinspection fee:</i>	
All reinspection fees	\$40.00

Section Number	Subject	Fee Amount
	The reinspection fee shall be charged for all reinspections	
	The reinspection fee shall be paid prior to the reinspection being performed	
	<i>Variance request fee:</i>	

CITY OF PORT LAVACA

	Variance request	\$125.00
<i>In General</i>		
<u>12-1</u>	Plan review fees	
	(a) \$0.20 per square foot for new and remodel commercial construction and \$25.00 for new residential. There is no charge for plan review of type Group U and accessory structures (carports, boat sheds, gazebos, swimming pools, fences, and similar structures). At the sole discretion of the building official, the building official may require building plans to be reviewed at the cost of the owner.	
	(b) Plan review fees for all fire protective systems will be charged at the rate of ½ the permit fee with the exception of NFPA 13 and 13R sprinkler systems. Fees for sprinkler systems will be based on the number of heads per the following table:	
	1—100	\$300.00
	101—200	\$375.00
	201—300	\$500.00
	301—400	\$650.00
	401—500	\$750.00
	Over 500	\$750 plus .50 per head
	For hydraulically designed systems, multiply the fee by 2	
<i>Building moving fees.</i>		
<u>12-21(3)</u>	Moving less than 500 square feet	\$50.00
<u>12-21(3)</u>	Moving more than 500 square feet	\$100.00
<u>12-21(7)</u>	Building permit bond	\$50.00
<i>Licensing and registration fees.</i>		
<u>12-22(a)</u>	General Contractors	
	Initial fee	\$100.00
	Renewal fee	\$50.00

CITY OF PORT LAVACA

	All general contractors license will expire on December 31 each year. Contractor's licenses that are expired for more than 30 days will be charged the initial fee of \$100.00	
<u>12-22(b)</u>	<i>Electrical Contractors and Electricians</i>	
	Registration fee H.B. No. 3329 Texas 85th Legislation, effective September 1, 2017	\$0.00
<u>12-22(c)</u>	<i>Plumbing Contractors and Plumbers</i>	
	Registration fee	\$0.00
	Plumbers shall register the same month their state licenses expire	
<u>12-22(d)</u>	<i>Irrigators</i>	
	Registration fee	\$50.00
<u>12-22(e)</u>	<i>Mechanical Contractors</i>	
	Registration fee	\$50.00
	Mechanical contractors will register the same month their state licenses expire	
	<i>Fire Safety Company</i>	
	Registration fee	\$50.00

<i>Building permit fees</i>	\$0.20 per square foot for all structures
-----------------------------	---

Section Number	Subject	Fee Amount
<i>Additional construction fees</i>		
	Demolition fees	All demolition is \$100.00
	Dump truck rental	\$100.00

	Permit Fee
<i>Electrical fees:</i>	

CITY OF PORT LAVACA

<i>General</i>	
Appliances (220 volt)	\$2.50
Equipment (up to 5 kilowatts per kilowatt)	\$20.00
Equipment (6 kilowatts and over per kilowatt)	\$0.50
Light fixtures, receptacles and/or switches	\$0.50
Meter loop (200 amp)	\$15.00
Motor (up to 5 HP)	\$5.00
Motor (6 HP to 50 HP)	\$8.00
Motor (51 HP to 100 HP)	\$10.00
Motor (per HP greater than 100 HP)	\$0.25
Reconnect (all services)	\$20.00
Signs	\$15.00
Subpanels	\$15.00
Temporary pole	\$15.00
Transformers	\$15.00
X-ray machines	\$10.00

Total value of electrical project	Permit Fee
<i>Electrical fees:</i>	
<i>Electrical commercial construction</i>	\$0.50 per square foot

Type of Residential Construction	Permit Fee
<i>Electrical fees:</i>	
<i>Residential construction</i>	
New single-family residential (up to 1,500 sq. ft. of living space)	\$70.00
New single-family residential (1,500 sq. ft. to 2,000 sq. ft. of living space)	\$90.00
New single-family residential (2,001 sq. ft. to 2,500 sq. ft. of living space)	\$100.00

CITY OF PORT LAVACA

New single-family residential (2,501 sq. ft. and greater sq. ft. of living space)	\$150.00
New single-family residential (one 200 amp meter loop per unit maximum)	
Residential remodel, repair or inspection	\$45.00
Meter loop or temporary pole	\$25.00

Type of Plumbing Service	Permit Fee
<i>Plumbing fees:</i>	
<i>New single-family residential</i>	
Two bathrooms	\$65.00
Over two bathrooms	\$65.00, plus the per fixture rate from the list below:
<i>Commercial and over two-bath residential</i>	
Plumbing fixture, floor drain, trap or gas fixture	\$4.00
House sewer (new, repair or replace)	\$7.00
Gas supply line (new, repair or replace)	\$7.00
Water heater or vent	\$7.00
Installation, alteration or repair of water piping and/or water treatment equipment	\$7.00
Replace or alteration of drainage or vent piping	\$7.00
<i>Vacuum breakers/ backflow prevention devices:</i>	
One to five devices	\$7.00
Over five devices, each	\$1.50
Reroute	\$75.00

<i>Mechanical fees:</i>	\$0.50 per square foot
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CITY OF PORT LAVACA

<i>Heating, ventilating, ductwork, air-conditioning and refrigeration systems</i>

(Ord. No. G-7-06, § 3, 9-11-2006; Ord. No. G-1-12, art. II, 3-12-2012; Ord. No. G-7-16 , § 1, 4-11-2016; Ord. No. G-10-16 , art. II, 9-12-2016; Ord. No. G-3-17 , art. II, 11-13-2017; Ord. No. G-10-19 , 8-12-2019)
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The amendments are not due to a rate change, Below the 2016 Bureau Veritas fee table, and the 2021 Bureau Veritas fee table have the exact rate of charges for the plan review and the inspections. The 2021 improvements of the table explain the rates in a more feasible manner to understand and calculate. The Bureau Veritas 2021 fee table will replace the highlighted area of the current fee schedule in Municode, referenced above in this memo.

These fees were adopted by City Council on May 10, 2021, as a part of the updated Bureau Veritas service contract.

Internally this amendment to Appendix A will allow staff to build the Incode software program to properly reflect and calculate rates for each permit issued. Thus, improving the data integrity of the Development Services department revenue in the following years, and building transparency and consistency with the building community and residence in regard to the building fee rates.

CITY OF PORT LAVACA

The 2016 Bureau Veritas contract fee table is as follows:

ATTACHMENT B FEE SCHEDULE

Commercial and Multi-Family construction plan review

Valuation	Fee
\$1. ⁰⁰ to \$10,000. ⁰⁰	\$50. ⁰⁰
\$10,001. ⁰⁰ to \$25,000. ⁰⁰	\$70.69 for the first \$10,000. ⁰⁰ plus \$5.46 for each additional \$1000. ⁰⁰
\$25,001. ⁰⁰ to \$50,000. ⁰⁰	\$152.59 for the first \$25,000. ⁰⁰ plus \$3.94 for each additional \$1000. ⁰⁰
\$50,001. ⁰⁰ to \$100,000. ⁰⁰	\$251.09 for the first \$50,000. ⁰⁰ plus \$2.73 for each additional \$1000. ⁰⁰
\$100,001. ⁰⁰ to \$500,000. ⁰⁰	\$387.59 for the first \$100,000. ⁰⁰ plus \$2.19 for each additional \$1000. ⁰⁰
\$500,001. ⁰⁰ to \$1,000,000. ⁰⁰	\$1,263.59 for the first \$500,000. ⁰⁰ plus \$1.85 for each additional \$1000. ⁰⁰
\$1,000,001. ⁰⁰ and up	\$2,188.59 for the first \$1,000,000. ⁰⁰ plus \$1.23 for each additional \$1000. ⁰⁰

Single Family Residential construction plan review and inspection Commercial and Multi-Family construction inspection

Valuation	Fee
\$1. ⁰⁰ to \$10,000. ⁰⁰	\$76. ⁹²
\$10,001. ⁰⁰ to \$25,000. ⁰⁰	\$108.75 for the first \$10,000. ⁰⁰ plus \$8.40 for each additional \$1000. ⁰⁰
\$25,001. ⁰⁰ to \$50,000. ⁰⁰	\$234.75 for the first \$25,000. ⁰⁰ plus \$6.06 for each additional \$1000. ⁰⁰
\$50,001. ⁰⁰ to \$100,000. ⁰⁰	\$386.25 for the first \$50,000. ⁰⁰ plus \$4.20 for each additional \$1000. ⁰⁰
\$100,001. ⁰⁰ to \$500,000. ⁰⁰	\$596.25 for the first \$100,000. ⁰⁰ plus \$3.36 for each additional \$1000. ⁰⁰
\$500,001. ⁰⁰ to \$1,000,000. ⁰⁰	\$1,940.25 for the first \$500,000. ⁰⁰ plus \$2.85 for each additional \$1000. ⁰⁰
\$1,000,001. ⁰⁰ and up	\$3,365.25 for the first \$1,000,000. ⁰⁰ plus \$1.89 for each additional \$1000. ⁰⁰

Back-up inspections

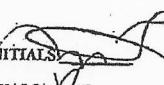
* Backup inspections will be performed during times of inspector absence, due to illness, vacation or training at the listed rates. All other project activity will utilize the tables above.

Single Family Residential

\$76.92 per address/building

Commercial and non-Single Family Residential

\$125.00 per address/building/unit

CLIENT INITIALS: 

BVNA INITIALS: 

CITY OF PORT LAVACA

The 2021 Bureau Veritas contract fee table is as follows:

ATTACHMENT B FEE SCHEDULE

Construction Code Services

Fee Table 1 - Commercial and Multi-Family construction plan review

Valuation	Fee
\$1. ⁰⁰ to \$10,000. ⁰⁰	\$50. ⁰⁰
\$10,001. ⁰⁰ to \$25,000. ⁰⁰	\$70.69 for the first \$10,000. ⁰⁰ plus \$5.46 for each additional \$1000. ⁰⁰
\$25,001. ⁰⁰ to \$50,000. ⁰⁰	\$152.59 for the first \$25,000. ⁰⁰ plus \$3.94 for each additional \$1000. ⁰⁰
\$50,001. ⁰⁰ to \$100,000. ⁰⁰	\$251.09 for the first \$50,000. ⁰⁰ plus \$2.73 for each additional \$1000. ⁰⁰
\$100,001. ⁰⁰ to \$500,000. ⁰⁰	\$387.59 for the first \$100,000. ⁰⁰ plus \$2.19 for each additional \$1000. ⁰⁰
\$500,001. ⁰⁰ to \$1,000,000. ⁰⁰	\$1,263.59 for the first \$500,000. ⁰⁰ plus \$1.85 for each additional \$1000. ⁰⁰
\$1,000,001. ⁰⁰ and up	\$2,188.59 for the first \$1,000,000. ⁰⁰ plus \$1.23 for each additional \$1000. ⁰⁰

Fee Table 2 - Commercial and Multi-Family construction inspection

Valuation	Fee
\$1. ⁰⁰ to \$10,000. ⁰⁰	\$76. ⁹²
\$10,001. ⁰⁰ to \$25,000. ⁰⁰	\$108.75 for the first \$10,000. ⁰⁰ plus \$8.40 for each additional \$1000. ⁰⁰
\$25,001. ⁰⁰ to \$50,000. ⁰⁰	\$234.75 for the first \$25,000. ⁰⁰ plus \$6.06 for each additional \$1000. ⁰⁰
\$50,001. ⁰⁰ to \$100,000. ⁰⁰	\$386.25 for the first \$50,000. ⁰⁰ plus \$4.20 for each additional \$1000. ⁰⁰
\$100,001. ⁰⁰ to \$500,000. ⁰⁰	\$596.25 for the first \$100,000. ⁰⁰ plus \$3.36 for each additional \$1000. ⁰⁰
\$500,001. ⁰⁰ to \$1,000,000. ⁰⁰	\$1,940.25 for the first \$500,000. ⁰⁰ plus \$2.85 for each additional \$1000. ⁰⁰
\$1,000,001. ⁰⁰ and up	\$3,365.25 for the first \$1,000,000. ⁰⁰ plus \$1.89 for each additional \$1000. ⁰⁰

Fee Table 3 - Construction or Improvement of a Residential Dwelling

New Residential Construction	
Plan Review and Inspection Fee	
Square Footage (S.F.)	Fee
0 - 1,500 S.F.	\$785.00
1,501 - 10,000 S.F.	\$785.00 for the first 1,500 S.F. plus \$0.35 for each additional S.F. to and including 10,000 S.F.
Over 10,000 S.F.	\$3,760.00 for the first 10,000 S.F. plus \$0.15 for each additional S.F. over 10,000 S.F.

CITY OF PORT LAVACA

Plan Review Only	
Plan Review Fee Only Per Dwelling Unit, a new plan for previously reviewed plan or Master Plan	\$200.00 per Plan or per Address
Plan review fee when a permit has been issued for the dwelling and the construction plans are altered such that an additional plan review is required (excludes new plan)	\$150.00 per Plan or per Address
Alterations / Additions / Improvements for Residential Construction	
Trade Permits	Fee
Building, Mechanical, Electrical, Plumbing, Fuel Gas and similar	\$100.00 per trade
Other project types not listed above	\$160.00 per trade
Miscellaneous residential projects such as, but not limited to, Accessory Structures, Fences, Pools, etc.	See Fee Table 2

* All fees billed upon issuance of the permit by the jurisdiction

CITY OF PORT LAVACA

DATE: 8.05.2021

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: JODY WEAVER, INTERIM CITY MANAGER

SUBJECT: SCHEDULE A – CHAPTER 54 WATERWAYS RATE SCHEDULE

Below is a copy of the rate schedule for Chapter 54 Waterways in the City Code of Ordinances, with the proposed changes highlighted in yellow as recommended by the Port Commission for the FY 2021-22.

*** As you recall, Helena had asked for removal of the \$75/car tariff that was adopted last year. I had initially approached them with a proposed \$10,000/year rail fee to provide funds to maintain the rail and they were accepting of that. The Port Commission is recommending \$1,000/month or \$12,000/year. I have reached out to Helena regarding a \$1,000/month fee instead and Louis provided the following response:

As stated earlier I can't think of a port lease where we pay additional fees for rail service. It will have us looking harder at our options and concerned that our type business, which is bulk commodities, doesn't allow for all of our costs to be passed along. We unfortunately run a low margin business where we buy and sell - only so much latitude in pricing. Don't know we have a lot of choice short term other than to accept the increase.

Thanks for your help. It is appreciated.

Regards Louis

I did then confirm with Mr. Rodrigue that Helena was still OK with the \$10,000/year (\$833/mo) rate and he said yes.

Tariffs:	DRAFT
Oysters per sack	\$0.00
Oysters per barrel	\$0.00
Shrimp per ton	\$0.00
Crude/condensate per barrel	\$0.10
Crude/condensate per ton of bulk	\$0.65
Public Dock Space	
Per day per barge	\$200.00
Harbor of Refuge	
Dockage Space - LF/month	\$3.30
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
Water and Trash	
Included in all rentals	
If paid annually, will discount one month's rental	
Transient rate < 35 ft.	\$15.75
Transient rate > 35 ft.	\$21.00

CITY OF PORT LAVACA

CITY COUNCIL MEETING: AUGUST 9, 2021

DATE: 8/5/21

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: SUSAN LANG, FINANCE DIRECTOR

SUBJECT: CONSIDER INCREASE IN GUADALUPE-BLANCO RIVER AUTHORITY (GBRA) FEE

The City of Port Lavaca has contracted with the Guadalupe-Blanco River Authority (GBRA) to reserve its full commitment of 4,480 A/F by fiscal year 2025. Currently, the City holds 2,240 A/F, and increases its commitment each year by 448 A/F. Next year's commitment will be 2,688 A/F. The GBRA provided notice on June 30, 2021 of an increase for firm water from the current \$151.00 per acre-foot per year to \$157.00 per acre-foot per year.

As a result in both the increased increment of total acre feet of commitment and the increase in cost per acre-foot, we find it necessary to increase the current fee for GBRA water "raw water storage" from \$6.18 per month per customer to \$7.54 per month per customer, or a 22% increase effective September 1, 2021.

Section Number	Subject	Fee Amount
50-52(b)	Inspection fee	
<i>Water table</i>		
50-67	<i>Water user rates:</i>	
50-67	<i>Residential:</i>	
	Base charge 0—2,000 gallons	\$17.00per month
	Guadalupe-Blanco River Authority (GBRA) fee	\$6.18per month \$7.54 per month
	2,001—5,000 gallons	\$4.78 per 1,000 gallons
	5,001—25,000 gallons	\$5.26 per 1,000 gallons
	Over 25,000 gallons	\$5.97 per 1,000 gallons
50-67	<i>Small Commercial:</i>	
	Base charge 0—2,000 gallons 5/8 —1½-inch meter	\$19.50 per month

	Guadalupe-Blanco River Authority (GBRA) fee	\$6.18 \$7.54 per month
	2,001—5,000 gallons	\$4.95 per 1,000 gallons
	5,001—25,000 gallons	\$5.26 per 1,000 gallons
	Over 25,000 gallons	\$5.97 per 1,000 gallons
50-67	<i>Large commercial:</i>	
	Base charge 2—6-inch water meter	\$37.00 per month
	Guadalupe-Blanco River Authority (GBRA) fee	\$6.18 \$7.54 per month
	0—5,000 gallons	\$4.95 per 1,000 gallons
	5,001—25,000 gallons	\$5.26 per 1,000 gallons
	Over 25,000 gallons	\$5.97 per 1,000 gallons
50-67	<i>Outside city limits:</i>	
	For residential and commercial customers located outside the city limits, the charge for water shall be 1½ times the rate charged to customers inside the city limits	

COMMUNICATION

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

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

COMMUNICATION

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

INFORMATION:

