



CITY COUNCIL REGULAR MEETING

Monday, December 13, 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, December 13, 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/84707790930?pwd=b0ZvSmlCR2hKWXBocjF5azJweUhJQT09>

Meeting ID: 847 0779 0930

Passcode: 038316

One Tap Mobile

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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)**

1. Employee Service Award(s):
Mandy Grant 30 Years City Secretary Department

VI. COMMENTS FROM THE PUBLIC - *Limited to 3 minutes per individual unless permission to speak longer is received in advance. You may make public comments as you would at a meeting 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 November 08, 2021 Regular Meeting
- B. Minutes of November 22, 2021 Special Meeting
- C. Payment of Invoices Exceeding \$1,500
- D. Receive monthly Financial Highlight Report
- E. Final Plat, Rafei Subdivision No. 2 located at 2248 FM 3084, also known as Half League Road. ID is A0035 Maximo Sanchez, Tract PT 30, being .187 acres
- F. Final Plat, a 2-lot, Gorgies Subdivision located at northeast corner of Austin Street and Alcoa Street. ID is A0035 Maximo Sanchez, Tract PT 11 PLD, Acres 1.96, PIN is 39302
- G. Final Replat, Lot 1, Block 1 of W. Peikert Subdivision located on the southwest corner of Peikert and Henry Barber Way, PIN is 19688
- H. Final Plat, a 3-lot, Port Lavaca Crossing located south of Tiney Browning Boulevard on SH 35 North, being 3.19 acres, PIN is 29954 and PIN 86163

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

1. Consider request of the Port Lavaca Events Committee to close E. Railroad Street, between N. Virginia Steet and N. Colorado Street, from 8:00 a.m. to 4:00 p.m. every Sunday and every third Saturday of the month during the 2022 calendar year in order to sponsor “Boujee on the Bay” and “Depot Day” Events. Presenter is Tania French
2. Consider Resolution No. R-121321-1 to cast votes on the official ballot for the election of members to the Board of Directors for the Calhoun County Appraisal District for a two-year term beginning January 1, 2022 and ending on December 31, 2023. Presenter is Jody Weaver
3. Services of Texas, L.P. dba Republic Services of Corpus Christi and the City of Port Lavaca. Consider presentation by Republic Services regarding the Municipal Contract between BFI Waste Presenter is Mike Reeves

4. Consider approval of the Annual Financial Report (AFR) for the Fiscal Year ending September 30, 2020, prepared by the Audit Firm of Harrison, Waldrop & Uherek, L.L.P. Presenter is Susan Lang
5. Consider Audit Engagement Letter from Harrison, Waldrop & Uherek, L.L.P. for the Fiscal Year ending September 30, 2021. Presenter is Susan Lang
6. Consider recommendation of the Port Commission to approve the second and final reading of an Ordinance (S-3-21) amending Base Ordinance No. S-16-85 to reduce the right-of-way width of Leonard Buren Road in City Harbor (road right-of-way that leads to Clegg lift station and Adjacent property). Presenter is Jody Weaver
7. Consider appointment of new member to the Port Lavaca Housing Authority Board of Commissioners to fill a vacancy. Presenter is Jody Weaver
8. Consider approval of the Texas Opioid Settlement Case by adoption of the following:
Presenter is Anne Marie Odefey
Settlement Participation Form for Janssen (JNJ); and
Settlement Participation Form for Distributors; and
Settlement Allocation Term Sheet.
9. Consider request of AECOM for approval of Task Orders No. 3 and No. 4, in the total amount of \$251,720.00, for the following Scope of Work: Presenter is Jody Weaver
Task Order No. 3 is for City's Water Supply: Rehabilitate the existing 250,000 gallon Ground Storage Tank (GST) at George St and develop construction documents for a new High Service Pump Station. Construction phase services are included; and
Task Order No. 4 is for City's Lynn's Bayou WWTP Improvements: Develop construction documents for the immediate needs identified in the Lynn's Bayou WWTP condition assessment including pump replacement, new blowers, and a new blower building. Evaluate influent flow data to confirm if the surface loading rate of the secondary clarifier meets the TCEQ 2-hour peak requirement.
10. Consider award of construction bid for the Bauer Community Center Parking Lot project. Presenter is Jody Weaver
11. Consider recommendation of the Planning Board for approval of a preliminary plat located on Henry Barber Way, legal description is A0137 Samuel Shupe, part of Tract 1, being 12.449 acres and PIN is 14186. Presenter is Jessica Carpenter
12. Consider recommendation of the Planning Board for a Variance Request for a manufactured home to be permanently placed on one lot of a 3-lot proposed replat that is not a manufactured home park or in a block with at least half of the residential homes are manufactured homes; being Lot 2A and Lot 3A, of Block 1, of the original W. Peikert Subdivision. Presenter is Jessica Carpenter
13. Consider approval of cost proposal submitted by CRG Environmental Services, Inc. to prepare a response to TCEQ's Request For Information (RFI) regarding the Limited Phase II Environmental Site Assessment performed at the Harbor of Refuge. Presenter is Jody Weaver

14. Consider approval of cost proposal submitted by CRG Environmental Services, Inc. to prepare a Phase I Environmental Site Assessment to encompass generally the land south of the East-West channel and west of the North-South Channel at the Harbor of Refuge. Presenter is Jody Weaver
15. Receive preliminary report for Election Redistricting Plans (with Draft Plan A Map) based on the 2020 United States Census Data, prepared by the law firm of Rolando L. Rios & Associates, PLLC of San Antonio, Texas. Presenter is Mandy Grant
16. Consider the first reading of an Ordinance (F-1-21) of the City of Port Lavaca, Texas granting to AEP Texas Inc., its Successors and Assigns, a non-exclusive Franchise to construct, maintain and operate lines and appurtenances and appliances for conducting electricity in, over, under, and through the streets, avenues, alleys and public places of the City of Port Lavaca, Texas. 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

To discuss personnel matters in accordance with Title 5, Section 551.074 of the Texas Government Code (to discuss appointment, employment, evaluation, responsibilities and duties, reassignment, discipline or dismissal of an officer or employee, or to hear a complaint or charge against an officer or employee [City Manager]). 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, December 13, 2021**, beginning at 6:30 p.m., was posted at city hall, easily accessible to the public, as of **5:00 p.m. Thursday, December 09, 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 November 08, 2021 Regular Meeting

INFORMATION:



CITY COUNCIL REGULAR MEETING

Monday, November 08, 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 8th day of November, 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:

I. ROLL CALL

Jack Whitlow	Mayor
Jerry Smith	Councilman, District 1
Tim Dent	Councilman, District 2
Allen Tippit	Councilman, District 3
Jim Ward	Councilman, District 5

And with the following absent:

Rosie G. Padron	Councilwoman, District 4, Mayor Pro Tem
Ken Barr	Councilman, District 6

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

II. CALL TO ORDER

- Mayor Whitlow called the meeting to order at 6:31p.m. and presided.

III. INVOCATION

- Former Councilman Floyd Felder gave the invocation.

IV. PLEDGE OF ALLEGIANCE

- Mayor Whitlow – Pledge of Allegiance.

V. PRESENTATION(S) BY THE MAYOR

- Letters of Commendation were issued to the following employees:
 - Edward Tyler
 - Oscar Quintanilla
 - Paul Castillo

On Friday October 8, 2021, the opening day of the newly reconstructed Lighthouse Beach Fishing Pier, City of Port Lavaca Parks employees Edward Tyler, Oscar Quintanilla and Paul Castillo were making repairs at the restroom near the pier entrance. Mr. Kevin LeVrier came running down the pier yelling for help to save his daughter who could not swim.

She had waded far out from the beach area and had been caught in a current which took her out near the end of the pier, where she was holding on to a piling. The three employees quickly responded by grabbing a rope from their truck, and while on the run down the pier, Eddie tied a bowline knot in the rope. When they reached the girl, she was visibly scared and bobbing in and out of the water. The men threw the rope to her and Eddie climbed down the pier to help her secure the rope under her arms and hold her as Oscar and Paul carefully led the two along the pier back toward shore as the Fire Department and EMS were arriving on the scene.

Because of the quick action and courageous efforts of these employees, Miss Faith LeVrier was saved from a possible drowning and protected from further harm until Fire and EMS personnel could arrive on the scene. Edward Tyler, Oscar Quintanilla and Paul Castillo are to be commended for their self-less service and courageous action in saving Miss LeVrier and are truly assets to the City of Port Lavaca.

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

- Mayor asked for comments from the public:
 - A. Deborah Tomlinson of 109 La Salle Blvd, Brookhollow Estates Subdivision:
 - a) Speed Limit Signs, Speed Bumps and Speeders; and
 - b) Brush and/or Bulk Items not being picked up on schedule.
 - B. Mike Reeves of Republic introduced new Director, Johnathan Keen.

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

- A. Minutes of September 01, 2021 Special Meeting
- B. Minutes of October 11, 2021 Regular Meeting
- C. Minutes of October 25, 2021 Special Meeting and Workshop Session
- D. Payments of Invoices Exceeding \$1,500
- E. Receive Monthly Financial Highlight Report
- F. Investment Report for Quarter ending September 30, 2021
- G. Ratify Port Commission approval of the following Leases:
 - 1) Spiretek, Nautical Landings Office Building, Suite 2; \$1,850/month; 1 year + 1 year option
 - 2) Bay Ltd., Nautical Landings Office Building, Suite 5; \$1,450/month; 1 year + 1 year option
 - 3) Rick Lewis dba Port Lavaca Plumbing, Nautical Landings Office Building, Suite 1D; \$450/month; 1 year + 1 year option

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 all consent agenda items as listed:

Seconded by Councilman District 1 Smith

Voting Yea:

Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilman District 5 Ward

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

1. **Receive update from representative of Sparklight (Formerly Cable One) about launching a new Video Streaming Service within the City of Port Lavaca. Presenter is David T. Hilarides**

General Manager of Sparklight, David T. Hilarides, was in attendance and advised Council about launching a new Video Streaming Service within the City of Port Lavaca.

No action necessary and none taken.

2. **Receive and approve presentation of the Calhoun County E9-1-1 Emergency Communication District Proposed 2022 Fiscal Budget in accordance with the Health and Safety Code, Title 9 Safety, Subtitle B Emergencies, Chapter 772 Local Administration of Emergency Communications, Sec 772.309(4) Governing Body of Participating Jurisdiction. Presenter is Rachel Morales**

Raquel Morales, Calhoun County E9-1-1 District Manager was in attendance to present their 2022 Fiscal Year Budget. She advised the budget must be approved by the 9-1-1 Board and then presented to and approved by the Commissioner's Court of the county for which the district is established and the Governing Body of the Principal Municipality (City of Port Lavaca). The board shall perform an independent financial audit of the district annually and present to all participating public agencies. This is in accordance with the Health and Safety Code, Title 9 Safety, Subtitle B Emergencies, Chapter 772 Local Administration of Emergency Communications, Section 772.309(4) Governing Body of Participating Jurisdiction.

Motion made by Councilman District 5 Ward

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

THAT, Council hereby approves presentation of the Calhoun County E9-1-1 Emergency Communication District Proposed 2022 Fiscal Budget in accordance with the Health and Safety Code, Title 9 Safety, Subtitle B Emergencies, Chapter 772 Local Administration of Emergency Communications, Sec 772.309(4) Governing Body of Participating Jurisdiction.

Seconded by Councilman District 1 Smith

Voting Yea:

Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilman District 5 Ward

3. **Consider waiver of parade fees for the “Veteran and Active Military Parade” on Thursday, November 11, 2021, beginning at 9:30 a.m. at Jackson Roosevelt Elementary School and assistance with traffic control. Presenter is Colin Rangnow**

Police Chief Rangnow advised Council that Ms. Tracy Wooldridge, teacher at Jackson-Roosevelt Elementary School, has requested to have a “Veteran and Active Military Parade” on Thursday, November 11, 2021, beginning at 9:30 a.m., assistance with traffic control and also waiver of any fees associated with this event. Staff recommends approval of this request. The procession, will be as follows:

- Route- start on the little eagle side, drive through to the right and enter the big eagle pick-up lane - Corner of Jackson and 5th Street
- It is recommended to block Jackson St at the intersection of Jackson and Seadrift St and the intersection of Jackson and 5th St.

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 grants the request for the “Veteran and Active Military Parade” on Thursday, November 11, 2021, beginning at 9:30 a.m. at Jackson Roosevelt Elementary School, assistance with traffic control and also waives all applicable fees in connection with this event.

Seconded by Councilman District 1 Smith

Voting Yea:

Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilman District 5 Ward

4. **Consider request of Our Lady of the Gulf Catholic Church for traffic control and waiver of fees for their annual “Eucharistic Procession Parade” on Sunday, November 21, 2021 beginning at 5:00 p.m. Presenter is Colin Rangnow**

Police Chief Rangnow advised Council that Our Lady of the Gulf Catholic Church has requested to have their annual Eucharistic Procession parade on Sunday, November 22, 2020, assistance with traffic control and also waiver of all applicable fees in connection with this event. Staff recommends approval of this event.

Motion made by Councilman District 5 Ward

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

THAT, in accordance with recommendation of staff, Council hereby grants the request of Our Lady of the Gulf Catholic Church to have their annual Eucharistic Procession parade on Sunday, November 21, 2021 beginning at 5:00 p.m., assistance with traffic control and also waives all applicable fees in connection with this event.

Seconded by Councilman District 1 Smith

Voting Yea:

Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippet, Councilman District 5 Ward

5. **Consider request of the Chamber of Commerce for closing off several streets, traffic control and waiver of fees for the Annual "Lighted Christmas Parade" on Friday, December 03, 2021, beginning at 6:30 p.m. Presenter is Tania French**

Tania French advised Council that the Port Lavaca Chamber of Commerce requests approval for the annual lighted Christmas parade, Friday, December 03, 2021 at 6:30 p.m., to close several streets during parade, assist with traffic control and also waiver of all applicable permit fees associated with the event. She said the parade will begin at Bayfront Peninsula Park, travel down E. Main Street to N. Virginia Street, to Sam Faubion Drive and will end at the Sandcrab Stadium.

Motion made by Councilman District 2 Dent

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

THAT, in accordance with the recommendation of staff, Council hereby approves the request of the Calhoun County Chamber of Commerce to hold their annual Lighted Christmas Parade on Friday, December 03, 2021 beginning at approximately 6:30 p.m.; to close several streets during parade, assist with traffic control and also waives all applicable permit fees associated with the event.

Seconded by Councilman District 5 Ward

Voting Yea:

Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippet, Councilman District 5 Ward

6. **Consider request of Port Lavaca Main Street, Inc. for closure of Main Street from Virginia Street to Commerce Street; and if needed, also close Colorado Street and Guadalupe Street between Live Oak Street and Railroad Street for "Merry on Main" event on Saturday, December 04, 2021. Presenter is Tania French**

Tania French advised Council that the “Merry on Main” event is a combined effort of Port Lavaca Main Street, Inc, the Port Lavaca Chamber of Commerce and the City Events Team. She said they are requesting closure of Main Street between Virginia and Commerce streets; and if needed, also close Colorado Street and Guadalupe Street between Live Oak Street and Railroad Street, during the hours from 7:00 a.m. thru 5:00 p.m. Saturday, December 04, 2021 for this event. She said if council grants the request, they will file the appropriate paperwork with Texas Department of Transportation (TxDOT).

Motion made by Councilman District 5 Ward

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

THAT, in accordance with recommendation of staff, Council hereby approves request of Port Lavaca Main Street, Inc, the Port Lavaca Chamber of Commerce and the City Events Team for closure of Main Street from Virginia Street to Commerce Streets; and if needed, also close Colorado Street and Guadalupe Street between Live Oak Street and Railroad Street for “Merry on Main” event on Saturday, December 04, 2021 during the hours from 7:00 a.m. thru 5:00 p.m.

Seconded by Councilman District 3 Tippit

Voting Yea:

Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilman District 5 Ward

7. **Consider award of construction contract for the Street & Drainage Improvement Project Phase 1, for the Community Development Block Grant – Disaster Recovery (CDBG-DR) Contract No. 20-065-071-C198 Hurricane Harvey, to Lester Contracting. Presenter is Jody Weaver**

Interim City Manager Weaver reminded Council that as previously reported, staff recently received bids for Phase 1 of the Community Development Block Grant – Disaster Recovery (CDBG-DR) Street and Drainage Improvements project. Three (3) bids were received on October 12, 2021 and the Bid Tabulation is as follows:

- | | |
|----------------------------|----------------|
| • Lester Contracting, Inc. | \$2,168,200.05 |
| • Brannan Paving Co., Ltd. | \$2,229,471.40 |
| • Rexco, Inc. | \$2,666,391.75 |

Weaver said this low bid amount is \$1,060,880.05 over the amount of Grant Funds that had been budgeted for this Phase 1 work.

Weaver said that at the Special Council meeting on October 25, 2021, Council appropriated \$1,060,880.05 of General Fund Reserves toward this project, so that grant funds need not be transferred from Phase 2 in order to award this Phase 1 project.

Weaver said the scope of this Phase 1 work encompasses an area that has no underground storm drainage and very little curb and gutter, but generally drains to the Corporation Ditch. She said this project will improve the drainage and aesthetics of this area around S. Lavaca Street and S. Juanita Street, south of Austin Street.

CivilCorp recommends awarding this project to the low bidder, Lester Contracting, Inc. in the amount of \$2,168,200.05 and staff concurs.

Motion made by Councilman District 1 Smith

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

THAT, in accordance with the recommendation of staff, Council hereby authorize award of construction contract for the Street & Drainage Improvement Project Phase 1, for the Community Development Block Grant – Disaster Recovery (CDBG-DR) Contract No. 20-065-071-C198 Hurricane Harvey, to Lester Contracting, Inc. in the amount of \$2,168,200.05 and 420 calendar days, from receipt of Order to Proceed, to complete the project.

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

Seconded by Councilman District 5 Ward

Voting Yea:

Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippet, Councilman District 5 Ward

8. **Consider Resolution No. R-110821-1 of the City of Port Lavaca, Texas, authorizing Professional Service Provider(s) selection for American Rescue Plan Act (ARP Act) Program(s). Presenter is Jody Weaver**

Motion made by Councilman District 2 Dent

WHEREAS, participation in American Rescue Plan Act (ARP Act) program(s) requires implementation by professionals experienced in the administration of federally-funded projects;

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

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

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

Section 1.	That <u>GrantWorks, Inc.</u> is selected to provide project-related administration services for ARP Act program(s).
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Section 2.	That any and all project-related services contracts or commitments made with the above-named service provider(s) are dependent on the successful negotiation of a contract with the service provider(s).
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BE IT FURTHER RESOLVED that the Mayor is hereby authorized to execute all instruments necessary to effect such agreement.

Seconded by Councilman District 5 Ward

Voting Yea:

Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilman District 5 Ward

9. Consider acceptance of Texas A&M Forest Service Grant in the amount of \$20,000.00 and use to purchase Firefighting Personal Protective equipment (PPE). Presenter is Joe Reyes

Fire Chief Reyes advised Council that the Texas A&M Forest Service had sent a letter advising the City that the application for grant assistance under the Rural Volunteer Fire Department Assistance Program (HB 2604) has been approved in the amount of \$20,000.00. The City is responsible for a 10% match for this grant that will require \$2,000.00.

Reyes said the City has 19 full-time firefighters and 15 volunteer firefighters, for a total of 34 personnel who utilize firefighting Personal Protective Equipment (PPE). He said if the City were to outfit all personnel with PPE at once, the cost would be \$3,000 each for a total of \$102,000.00. He said the City periodically supplements its budget as opportunities arise in order to accelerate gear replacement to stay below the 10-year maximum service limit of its firefighting Personal Protective Equipment (PPE). He said staff recommends Council approve accepting the Texas A&M Forest Service Grant in the amount of \$20,000.00 with the 10% match from the City in the amount of \$2,000.00 for the purchase of firefighting Personal Protective Equipment (PPE).

Motion made by Councilman District 2 Dent

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

THAT, in accordance with the recommendation of staff, Council hereby approves accepting the Texas A&M Forest Service Grant in the amount of \$20,000.00 with the 10% match from the City in the amount of \$2,000.00 for the purchase of firefighting Personal Protective Equipment (PPE).

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, Councilman District 5 Ward

10. **Consider approval of Budget Amendment GF-002 for 2021-2022 Fiscal Year. Presenter is Susan Lang**

Finance Director Lang advised Council that the City has the opportunity to accept a Grant from the Texas A&M Forest Service to fund additional Personal Protective Equipment (PPE) for the Fire Department. She said if Council approves this grant, it will be necessary to recognize the additional revenue and additional expense that will be added to the City's budget for fiscal year 2022. Accepting the grant will require the City to fund an additional \$2,000.00, which was not budgeted. Staff recommends approving Budget Amendment GF-002 for 2021-2022 Fiscal Year.

Motion made by Councilman District 3 Tippit

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

THAT, in accordance with the recommendation of staff, Council hereby approves Budget Amendment GF-002 for 2021-2022 Fiscal Year, a copy which is on file in the office of the Director of Finance.

Seconded by Councilman District 1 Smith

Voting Yea:

Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilman District 5 Ward

11. **Consider approval of Budget Amendments GF-001 and TCDP-001 for 2021-2022 Fiscal Year. Presenter is Susan Lang**

Finance Director Lang advised Council that they had approved Resolution No. R-102521-1 at the October 25, 2021 special meeting in order to commit \$1,060,880.05 from its General Fund towards the construction cost of the street and drainage improvement project for the Community Development Block Grant – Disaster Recovery (CDBG-DR) Contract No. 29-065-071-C198.

She said the budget amendments will reflect City Council's wishes to utilize unreserved fund balance in the General Fund and allocate to the Project Fund for the CDBG-DR project in the TCDP Fund (136).

Lang said the State of Texas, through disaster relief funds for Hurricane Harvey, has committed \$4,289,790.00 in grant funds towards the construct costs of the street and drainage improvements. Due to escalating construction costs, the City is committing an additional \$1,060,880.05 of unreserved fund balance in order to supplement the escalating costs of construction.

Motion made by Councilman District 1 Smith

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

THAT, in accordance with the recommendation of staff, Council hereby approves Budget Amendments GF-001 and TCDP-001 for 2021-2022 Fiscal Year, a copy which is on file in the office of the Director of Finance.

Seconded by Councilman District 3 Tippit

Voting Yea:

Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilman District 5 Ward

12. **Consider Resolution No. R-110821-2 of the City of Port Lavaca, Texas, authorizing a Finance Contract for the purpose of procuring water meters. Presenter is Susan Lang**

Finance Director Lang commented that the City Council has discussed and approved the procurement of new water meters on multiple occasions. She said the final step in this process is to approve a resolution to secure the financing of the water meters through Government Capital Corporation (GCC) and to issue the financing contract as a "qualified tax exempt" obligation.

Lang said that as previously discussed, this will be a five-year commitment with the principal amount of \$2,400,000.00 at an interest rate of approximately 2.2% and annual payments to be approximately \$513,000.00. The first payment to begin one year after signing contract.

Lang said the City continues to invest in water and sewer line infrastructure replacement projects throughout the City, and the proper accounting of the amount of water being used by users of the system is necessary to protect and preserve the investments for future users. She said staff recommends approval of Resolution No. R-110821-2 regarding a finance contract for the purpose of procuring water meters.

Motion made by Councilman District 5 Ward

WHEREAS, contingent upon the approval of the Attorney of City of Port Lavaca (the "Issuer"), the Issuer desires to enter into that certain Finance Contract by and between the Issuer and Government Capital Corporation ("GCC") for the purpose of financing "Water Meters". The Issuer desires to designate this Finance Contract as a "qualified tax-exempt obligation" of the Issuer for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

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

Section 1. That the Issuer will enter into a Finance Contract with GCC for the purpose of financing "Water Meters".

Section 2. That the Finance Contract by and between the City of Port Lavaca and GCC is designated by the Issuer as a "qualified tax-exempt obligation" for the purposes of Section 265 (b) (3) of the Internal Revenue Code of 1986, as amended.

Section 3. That the Issuer will designate the Interim City Manager, or designee, as an authorized signer of the Finance Contract by and between the City of Port Lavaca and GCC.

Section 4. That the City will use loan proceeds for reimbursement of expenditures related to the Property.

Seconded by Councilman District 2 Dent

Voting Yea:

Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilman District 5 Ward

13. **Consider recommendation of the Port Commission to approve the first reading of an Ordinance (S-3-21) amending Base Ordinance No. S-16-85 to reduce the right-of-way width of Leonard Buren Road in City Harbor (road right-of-way that leads to Clegg lift station and Adjacent property). Presenter is Jody Weaver**

Interim City Manager Weaver advised Council that in 1985, a 50 ft wide road right-of-way was dedicated (name Leonard Buren Road) to provide public access to a tract of land (912 Broadway, PID #27873) as well for use of a City sewer Lift Station (Clegg Lift Station).

Weaver said the Port Commission is interested in advertising for lease the available land on three sides of the harbor inlet. Since this road right-of-way provides only 1.3 ft clearance between the bulkhead and the right-of-way line, it divides the available land in two parts.

By reducing the width of the right-of-way, it provides at least 25 feet of clearance from one side of the harbor inlet to the other for a future tenant. The reduced R-O-W still provides adequate access for the property at 912 Broadway. The R-O-W is widened at the east end to correspond to the location of the gate yet still maintain at least 25 ft clearance from the bulkhead. Weaver said there are letters that have been mailed certified to the owner of 912 Broadway to provide him an opportunity to comment; however, staff has not received any correspondence from him.

Weaver said that with this change in the right-of-way, it is believed that the tract around the harbor inlet will have more value and bring a greater rent payment. She said Port Commission recommends approving the first reading of this ordinance to reduce the right-of-way of Leonard Buren Road as presented in the accompanying sketch, a copy which is attached to ordinance.

Motion made by Councilman District 3 Tippit

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

THAT, in accordance with the recommendation of the Port Commission and staff, Council hereby approves said ordinance (S-3-21) on this its first reading and there will be more specification for the second reading as proposed by Interim City Manager Weaver.

Seconded by Councilman District 2 Dent

Voting Yea:

Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilman District 5 Ward

14. **Consider recommendation of Planning Board for approval of a 2-lot Preliminary Plat. Generally located at the northeast corner of Austin Street and Alcoa Street. The legal description for this parcel is A0035 MAXIMO SANCHEZ, TRACT PT 11 PLD, ACRES 1.96. The property identification for this site is 39302. Presenter is Jessica Carpenter**

Interim City Manager Weaver advised Council that Development Services Director Carpenter had been monitoring meeting on Zoom; however, her computer froze and locked her out of meeting. Weaver presented the item via Carpenter's memorandum:

The applicant is asking Council to consider approval of the 2-lot Preliminary Plat located at the northeast corner of Austin Street and Alcoa Street. The legal description for this parcel is A0035 MAXIMO SANCHEZ, TRACT PT 11 PLD, ACRES 1.96. The property identification for this site is 39302.

Applicant has adhered to the proper subdivision plat submittal and review procedural process prior to presentation before the Planning Board and is in compliance with the platting process prior to development.

This plat is unnamed at this time. This preliminary plat is a 1.96-acre parcel and the intent is to subdivide this parcel into two (2) lots. Lot one being 1.37 acres and is vacant. Lot two being 0.69 acres and has an existing retail food establishment on site. Each lot has full frontage. Lot one has frontage on Alcoa Drive and lot two has frontage on Austin Street. The existing restaurant on lot two has all of the proper permits in the record of file back to 2015 when the structure was built. The Planning Board recommends approval and staff concurs.

Motion made by Councilman District 2 Dent

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

THAT, in accordance with the recommendation of the Planning Board and staff, Council hereby approves a 2-lot Preliminary Plat, located at the northeast corner of Austin Street and Alcoa Street. The legal description for this parcel is A0035 MAXIMO SANCHEZ, TRACT PT 11 PLD, ACRES 1.96. The property identification for this site is 39302.

Seconded by Councilman District 3 Tippit

Voting Yea:

Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilman District 5 Ward

15. **Consider recommendation of the Planning Board for approval of a conceptual car wash. To be located at 2248 FM 3084, also known as Half League Road. The legal description for this property is A0035 MAXIMO SANCHEZ, TRACT PT 30 in Calhoun County, Texas. Being .187 acres. Presenter is Jessica Carpenter**

Interim City Manager Weaver advised Council that Development Services Director Carpenter had been monitoring meeting on Zoom; however, her computer froze and locked her out of meeting.

Weaver presented the item via Carpenter's memorandum:

The applicant is asking Council to consider approval of a conceptual car wash to be located at 2248 FM 3084, also known as Half League Road. The legal description for this property is A0035 Maximo Sanchez, portion of tract 30 in Calhoun County, Texas; being .187 acres.

The applicant is proposing to construct a car wash at this location. A fire access easement is required from the YMCA property to this property, as discussed with Fire Chief Reyes. The Future Land Use map designates this parcel as Commercial; therefore, the proposed car wash, is compliant with the Future Land Use map.

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.

The Planning Board recommends approval and staff concurs.

Motion made by Councilman District 2 Dent

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

THAT, in accordance with the recommendation of the Planning Board and staff, Council hereby approves a conceptual car wash. to be located at 2248 FM 3084, also known as Half League Road. The legal description for this property is A0035 MAXIMO SANCHEZ, TRACT PT 30 in Calhoun County, Texas; being .187 acres.

Seconded by Councilman District 3 Tippit

Voting Yea:

Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilman District 5 Ward

16. **Consider recommendation of the Planning Board for approval of a Preliminary Plat. The proposed Preliminary Plat is located at 2248 FM 3084, also known as Half League Road. The legal description for this property is A0035 MAXIMO SANCHEZ, TRACT PT 30 in Calhoun County, Texas. Being .187 acres. Presenter is Jessica Carpenter**

Interim City Manager Weaver advised Council that Development Services Director Carpenter had been monitoring meeting on Zoom; however, her computer froze and locked her out of meeting. Weaver presented the item via Carpenter's memorandum:

The applicant is asking Council to consider approval of a Preliminary Plat, located at 2248 FM 3084, also known as Half League Road. The legal description for this property is A0035 MAXIMO SANCHEZ, TRACT PT 30 in Calhoun County, Texas. Being .187 acres.

The applicant has adhered to the proper subdivision plat submittal and review procedural process prior to presentation before the Planning Board and also with the platting process prior to development.

This preliminary plat if approved and recorded, is anticipated to be developed for a proposed car wash. The applicant has a predevelopment meeting scheduled for November 3rd to discuss the car wash site development standards. There is a fire access easement requirement from the YMCA property and the applicant has received verbal approval from the YMCA for the fire assessment. The city will draft the fire access easement document for recordation in the platting process.

The Planning Board recommends approval and staff concurs.

Motion made by Councilman District 2 Dent

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

THAT, in accordance with the recommendation of the Planning Board and staff, Council hereby approves a Preliminary Plat, located at 2248 FM 3084, also known as Half League Road. The legal description for this property is A0035 MAXIMO SANCHEZ, TRACT PT 30 in Calhoun County, Texas. Being .187 acres.

Seconded by Councilman District 3 Tippit

Voting Yea:

Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilman District 5 Ward

17. **Consider recommendation of the Planning Board for approval of a conceptual industrial shop, industrial storage, and business office use to be located on Henry Barber Way. The legal description for this location is A0137 SAMUEL SHUPE, TRACT PT 1, ACRES 12.449. The PIN # for this property is 14186. Presenter is Jessica Carpenter**

Interim City Manager Weaver advised Council that Development Services Director Carpenter had been monitoring meeting on Zoom; however, her computer froze and locked her out of meeting. Weaver presented the item via Carpenter's memorandum:

The applicant is asking Council to consider approval of a Conceptual Industrial Shop, Industrial Storage, and Business Office-use to be located on Henry Barber Way. The legal description for this location is A0137 SAMUEL SHUPE, TRACT PT 1, ACRES 12.449. The PIN # for this property is 14186.

The applicant, (Arnulfo) Gonzalez Industrial Insulation Inc, is proposing an Industrial and Business Office-Use located on Henry Barber Way. The site location is currently not platted and has a Cell Tower on-site and drainage to the rear of the property adjacent to Chocolate Bayou.

The proposal is to develop the site with the following:

- 1(one) building serving as a general office and industrial shop
- 1(one) Storage Building
- Parking
- Driveway to shop from Henry Barber Way
- Driveway access to general (private/public) parking adjacent to office

The Future Land Use map designates this parcel as Light Industrial; therefore, the proposed industrial maintenance services servicing Formosa and business office use is compliant with the Future Land Use map.

The Planning Board recommends approval and staff concurs.

Motion made by Councilman District 2 Dent

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

THAT, in accordance with the recommendation of the Planning Board and staff, Council hereby approves a Conceptual Industrial Shop, Industrial Storage, and Business Office-use to be located on Henry Barber Way. The legal description for this location is A0137 SAMUEL SHUPE, TRACT PT 1, ACRES 12.449. The PIN # for this property is 14186.

Seconded by Councilman District 1 Smith

Voting Yea:

Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilman District 5 Ward

18. **Consider recommendation of the Planning Board for approval of a 3-lot Preliminary Minor Plat, Port Lavaca Crossing. Located south of Tiney Browning Boulevard on SH 35 North. Being 3.19 acres. The original tracts for this proposed plat are identified as PIN# 29954 and PIN# 86163 of the Calhoun County CAD. Presenter is Jessica Carpenter**

Interim City Manager Weaver advised Council that Development Services Director Carpenter had been monitoring meeting on Zoom; however, her computer froze and locked her out of meeting. Weaver presented the item via Carpenter's memorandum:

The applicant is asking Council to consider approval of a 3-lot Preliminary Minor Plat, Port Lavaca Crossing Subdivision. This Plat is located South of Tiney Browning Boulevard on SH 35 North, being 3.19 acres. The original tracts for this proposed plat are identified as PIN# 29954 and PIN# 86163 of the Calhoun County CAD.

G & W Engineering, the applicant for the proposed Port Lavaca Crossing Subdivision plat is requesting to subdivide the 9.678-acre parcel and a 1.07-acres parcel totaling 10.748-acres into three (3) lots. A remainder tract will be left unplatted, being 7.558-acres to the East of the Wal-Mart subdivision.

The current legal description for Tract-1 is A0012 ALEJANDRO ESPARZA, TRACT PT 1 WILSON, NOBLE & BOYDE, ACRES 9.678 and PIN# 29954.

The current legal description for Tract-2 is A0012 ALEJANDRO ESPARZA, TRACT PT 1 WILSON, NOBLE & BOYDE, ACRES 1.07 and PIN# 86163.

The Proposed Port Lavaca Crossing Preliminary Minor Plat is being subdivided into three (3) lots.

- Lot 1, being 1.05-acres, has a proposed development of a Verizon store and a Quick Service Restaurant to be constructed at this location.
- Lot 2, being 1.07-acre,s has a proposed Burger King to be developed at this location.
- Lot 3, being 1.07-acres, has the existing White Oak development on site.

The developers for the proposed Burger King on Lot 2 have attended a predevelopment meeting with the city and are preparing to submit the building plans for the Burger King.

The remainder tract of 7.558-acres that is not included in the Port Lavaca Crossing Preliminary Minor Plat is under contract for purchase. The future owners of this parcel have attended a predevelopment meeting with the city for a proposed future residential development. The new tentative owners are aware this tract of land will be required to be platted prior to any permits issued and development to occur.

The Planning Board recommends approval and staff concurs.

Motion made by Councilman District 2 Dent

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

THAT, in accordance with the recommendation of the Planning Board and staff, Council hereby approves a 3-lot Preliminary Minor Plat, Port Lavaca Crossing Subdivision, located South of Tiney Browning Boulevard on SH 35 North, being 3.19 acres. The original tracts for this proposed plat are identified as PIN# 29954 and PIN# 86163 of the Calhoun County CAD.

Seconded by Councilman District 1 Smith

Voting Yea:

Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilman District 5 Ward

Mayor announced a recess at 7:53 p.m.

19. **Announcement by Mayor that City Council will retire into closed session:**

- **For consultation with City Attorney on matters in which the duty of the Attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act (Title 5, Chapter 551,–Section 551.071(2) of the Texas Government Code). Presenter is Mayor Whitlow**
- **To discuss personnel matters in accordance with Title 5, Section 551.074 of the Texas Government Code (to discuss appointment, employment, evaluation, responsibilities and duties, reassignment, discipline or dismissal of an officer or employee, or to hear a complaint or charge against an officer or employee [City Manager]). Presenter is Mayor Whitlow**

Mayor Whitlow announced that Council would take a short recess at 7:53 p.m.

Mayor Whitlow announced that Council would retire into closed session at 8:01 p.m.

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

Mayor Whitlow announced that Council was back in open session at 8:19 p.m.

No action necessary and none taken.

IX. ADJOURNMENT

Mayor asked for motion to adjourn.

Motion made by Councilman District 3 Tippit, Seconded by Councilman District 1 Smith

Voting Yea:

Councilman District 1 Smith, Councilman District 2 Dent, Councilman District 3 Tippit, Councilman District 5 Ward

Meeting adjourned at 8:21 p.m.

These minutes were approved on December 13, 2021.

ATTEST:

Jack Whitlow, Mayor

Mandy Grant, City Secretary

COMMUNICATION

SUBJECT: Minutes of November 22, 2021 Special Meeting

INFORMATION:



CITY COUNCIL SPECIAL MEETING

Monday, November 22, 2021 at 5:30 PM

Council Chambers at City Hall, 202 n. Virginia Street, Port Lavaca, Texas 77979

MINUTES

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

On this the 22nd day of November, 2021, the City Council of the City of Port Lavaca, Texas, convened in a special meeting at 5:30 p.m. at the regular meeting place in Council Chambers at City Hall, 202 North Virginia Street, Port Lavaca, Texas, with the following members in attendance:

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

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 5:37 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)*

- Consider award of the TPWL National Recreational Trails Grant project. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council that the City of Port Lavaca was awarded a \$200,000 Recreational Trails Grant in 2019. She said after a year waiting on the environmental study and another year for Texas Parks and Wildlife (TPWL) to make upgrades to their online portal system, staff received the grant contract this past summer. Staff contracted with Urban Engineering to prepare the construction bid documents for this project along with other improvements as part of the second Phase of the Bayfront Peninsula Park Walking Trail & Park Improvements.

A total of 4 Bids were received on November 16 and they are as follows:

Bidders:	Total Base Bid + Alternate No. 1	Calendar Days to Complete
1. K-C Lease Service, Inc. DBA MatagordaConstruction & Materials	\$542,666.00	68
2. Sylva Construction, LLC	\$618,107.19	160
3. Staff Concrete Construction	\$629,847.90	90
4. Lester Contracting, Inc.	\$687,848.00	180

Weaver said the Alternate bid is to include pavement improvements from the new raised walkway to the Veterans Memorial. This would be similar to the improvements made in Phase 1. Staff is proposing a raised walkway across the entrance road as a traffic calming feature. With the completion of this project there will be an exact 1.0-mile lighted walking trail loop around the Park and approximately 0.5-mile bike loop in the park.

The Low Bidder is K-C Lease Service, Inc. DBA MatagordaConstruction & Materials:

Amount for Base Bid	\$426,173.00
Amount for Alternate 1	\$116,493.00
Total Sum for Base plus Alternate 1	\$542,666.00

FINANCIAL IMPLICATIONS: There is a total of \$500,766.00 included in the 2021-2022 Capital Improvement budget for this construction project (this includes the \$200,000.00 grant funds).

An award of the Base Bid and the Paving Improvements Alternate would require additional funds of \$41,900.00. The Auditors have completed the Fiscal Year End (FYE) 2020 Audit and are in the process of writing the report for presentation to Council on December 13. The Audit reveals a gain of \$200,780.00 in our reserves balance from that we had assumed when preparing the FYE 2022 budget.

Weaver said the Community's response to the improvements completed as part of Phase 1 has been extremely positive. The park is being well used for fishing, walking/jogging and other family outings. This project will provide a safe place for bikers to ride as well as provide a full 1.0-mile loop for walking and jogging. It contributes towards completion of Action Item 4 of the 2016 Comprehensive Plan - "to complete the improvements at Bayfront Park".

Recommendation by Matt Glaze, Project Engineer, of Urban Engineering is for the contract for the aforementioned project be awarded to K-C Lease Service, Inc. DBA Matagorda Construction & Materials and the Parks Board and staff concur.

Motion made by Councilman District 5 Ward

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

THAT, in accordance with recommendation of the Recreation and Parks Board and staff, Council hereby awards the Texas Parks and Wildlife (TPWL) National Recreational Trails Grant project to K-C Lease Service, Inc. DBA Matagorda Construction & Materials in the sum of \$542,666.00 with 68 calendar days to complete the project, after Receipt of Notice to Proceed.

After further discussion and without a second, Councilman Ward withdrew his motion.

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 the Recreation and Parks Board and staff, Council hereby awards the Texas Parks and Wildlife (TPWL) National Recreational Trails Grant project to K-C Lease Service, Inc. DBA Matagorda Construction & Materials in the sum of \$542,666.00 with 68 calendar days to complete the project, after Receipt of Notice to Proceed.

BE IT ALSO RESOLVED that the required additional funds, in the amount of \$41,900.00 from the Reserves Balance, are also authorized to be used for this project.

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

Seconded by Councilman District 5 Ward.

Voting Yea:

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

2. **Consider approval of Additive Change Order to the Renovation of the Southern Pacific Depot. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council that a contract was awarded on September 10 to Barefoot Construction to renovate the Southern Pacific Railroad Depot for a cost of \$189,820.00 which was only \$755.00 below what was budgeted. Weaver said the progress to date includes demolition and reconstruction of the exterior deck/platform, leveling up of the east end of the structure, installation of the soffit under the east end roof structure, and repair of the damaged area of the main roof and associated trusses and the Asbestos contractor has also completed the removal of the asbestos siding.

In making the repairs to the damaged area of the roof, more deteriorated lumber was encountered than had been estimated. The construction contract includes unit prices for any additional quantity of plywood and lumber, which Mark voluntarily reduced from the dollar amount bid, when he realized that he had misunderstood the bid item and the price he bid was much higher than it should have been. The additional board foot of lumber and square footage of plywood required to complete this roof repair at the unit prices amounted to an additional \$19,564.00.

Mr. Barefoot identified that a portion of the exterior beam supporting the main building on the north side was severely deteriorated and discovered that the wooden piers supporting the beams under the main portion of the building were sitting only a few inches below the natural grade and were in many instances deteriorated. We worked with Lynn Engineering and provided a plan to install new CMU piers, replace the north beam, level the structure up and tie it into the new concrete piers being constructed under the new open deck area, to provide lateral support. This Change Order 1, which also includes a repair to correct the sagging of two window headers and additional trim to better match the 1908 photo, amounted to \$20,038.00. Due to the need to continue with these improvements before being able to move forward with the remainder of the project, and it being less than \$25,000, Weaver approved this Change Order No. 1.

When the siding was removed from the north side of the west end of the building, it was realized that termites had been active in some of the wood foundation and wall studs in this area. Again, working with Lynn Engineering, Mr. Barefoot has submitted a proposed Change Order to make foundation repairs and level up the west end of the building and replace the rotten wall studs as well as replace the wood flooring. Removal of the wood flooring is necessary to make the foundation repairs and several soft spots in the flooring have been discovered. The cost for this Change Order 2 is \$17,425.00. Apart from this contract, staff is getting proposals for termite treatment of the site.

For Council's consideration, Weaver asked Mr. Barefoot to provide a price to extend the exterior deck/platform along the north side of the building to just past the sliding doors to recreate the deck (minus the stairs) as it was in the 1908 photograph. This would involve a 10' x 21' addition to the deck. He is proposing to do that at the prorated cost of the deck that was bid and is currently in the contract. This would be \$42.86/sf

FINANCIAL IMPLICATIONS:

To date the project has cost \$38,847.00 more than was budgeted. This includes the \$19,564.00 additional cost due to actual lumber quantities and the above described \$20,038.00 Change Order 1. Understand that there could possibly still be additional cost due to actual lumber quantities, but at this time we believe we have identified all of the significant issues with the structure.

To fund both the needed foundation improvements on the west end of the building and the deck extension would be another \$27,283.00 on this contract. This would bring the total cost to \$66,130 over what was budgeted. As mentioned in the Memo regarding the award of the Texas Parks and Wildlife (TPWL) Bayfront project, the FYE 2020 Audit has shown that there is in reality \$200,780.00 more in General Fund Reserves than we had assumed when preparing this year's budget. Assuming approval of the TPWL grant project award, there still remains \$158,880.00 of this amount. After funding this additional \$66,130.00, there would remain \$92,750.00 of this amount of additional General Fund Reserves above what was assumed for the Fiscal Year End (FYE) 2022 budget.

Staff recommends that Council approve Change Order No. 2 in a total amount of \$46,847.00, to be funded with General Fund Reserves. This Change Order reflects \$17,425.00 for the west end structural repairs, \$9,858.00 for the additional deck area and \$19,564.00 for the additional as-built quantities to date.

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 Change Order No. 2 from Barefoot Construction, for the Renovation of the Southern Pacific Depot, in the total amount of \$46,847.00, to be funded with General Fund Reserves.

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

Seconded by Councilman District 6 Barr.

Voting Yea:

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

3. **Receive Presentation of final report from AECOM on the City's Water Supply Feasibility Study. Presenter is Wayne Shaffer**

Public Works Director Shaffer introduced Susan Spore, a representative of AECOM and she made a presentation of a final report on the City's Water Supply Feasibility Study.

No action needed and none taken.

4. **Receive Presentation of final report from AECOM on the City's Lynn's Bayou Wastewater Treatment Plant (WWTP) expansion. Presenter is Wayne Shaffer**

Public Works Director Shaffer introduced Ron Cass, a representative of AECOM and he made a presentation of a final report on the City's Lynn's Bayou Wastewater Treatment Plant (WWTP) expansion.

No action needed and none taken.

5. **Consider approval of two (2) AECOM Task Orders. Presenter is Wayne Shaffer**

Public Works Director Shaffer advised Council of the following task orders for a sum of \$562,046.00:

- Task Order No. 3 regarding "next step" activity regarding the City's Water Supply.
- Task Order No. 4 to prepare construction documents for immediate needs at the City's Lynn's Bayou Wastewater Treatment Plant (WWTP).

Mayor announced that this agenda item would be passed.

V. ADJOURN SPECIAL MEETING

Mayor asked for motion to adjourn.

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

Voting Yea:

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

Special Meeting adjourned at 7:23 p.m.

These minutes were approved on December 13, 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
01-104030 ADVANCE CLEAN SOFT WASHING					
INV 10029	11/5/2021 11/10/2021	11/10/2021 58685	PRESSURE WASHING BAUER COMMUNITY CENTER	BAUER COMMUNITY CENTER	\$5,000.00
01-100854 AMERICAN TIRE DISTRIBUTORS					
INV S155626611	8/17/2021 9/30/2021	11/10/2021 58669	TIRES	FIRE DEPARTMENT	\$2,137.44
01-100040 ANNOUNCEMENTS PLUS TOO					
INV 657	11/12/2021 11/24/2021	11/24/2021 58791	JACKETS - SAFETY PROGRAM	NON DEPARTMENTAL	\$4,117.00
01-101855 THIRKETTLE CORPORATION					
INV INV0085169	10/29/2021 11/10/2021	11/10/2021 58689	COMPOUND METER	UTILITY MAINTENENCE	\$4,540.87
01-100989 AT&T MOBILITY II, LLC					
INV 10152021	11/2/2021 11/24/2021	11/24/2021 58792	WIRELESS TOUGH BOOK SERVICES	TECHNOLOGY (POLICE DEPARTMENT)	\$10,254.00
01-103058 BAREFOOT CONSTRUCTION					
INV 001921	11/4/2021 11/10/2021	11/10/2021 58690	RENOVATION OF TRAIN DEPOT	ECONOMIC DEVELOPMENT	\$17,607.60
INV 001922	11/4/2021 11/10/2021	11/10/2021 58690	RENOVATION OF TRAIN DEPOT	ECONOMIC DEVELOPMENT	\$10,305.00

VENDOR/INVOICE #	ITEM DT/ POST DT	PAY DT/ CHECK #	DESCRIPTION	DEPARTMENT	AMOUNT
01-103058 BAREFOOT CONSTRUCTION					
INV 001925	11/4/2021 11/10/2021	11/10/2021 58690	RENOVATION OF TRAIN DEPOT	ECONOMIC DEVELOPMENT	\$29,799.00
INV 001926	11/17/2021 11/24/2021	11/24/2021 58851	RENOVATION OF TRAIN DEPOT	ECONOMIC DEVELOPMENT	\$29,799.00
INV 001927	11/17/2021 11/24/2021	11/24/2021 58851	RENOVATION OF TRAIN DEPOT	ECONOMIC DEVELOPMENT	\$5,355.00
01-102150 BRANNAN PAVING CO. LTD					
INV 009692	8/31/2021 9/30/2021	11/10/2021 58671	GEORGE STREET CIP PROJECT 2019-2020	STREET CONSTRUCTION	\$10,312.86
INV 009692-2	8/31/2021 9/30/2021	11/10/2021 58671	GEORGE STREET CIP PROJECT 2019-2020	STREET CONSTRUCTION	\$58,994.94
01-100096 CALHOUN COUNTY APPRAISAL DISTRICT					
INV 2022-1	11/8/2021 11/24/2021	11/24/2021 58796	1ST QTR CCAD FEES	NON DEPARTMENTAL	\$22,331.69
01-101569 CALHOUN COUNTY YMCA					
INV 10/2021	11/17/2021 11/24/2021	11/24/2021 58797	MEMBERSHIP DUES OCTOBER 2021	ALL DEPARTMENTS	\$1,641.00

VENDOR/INVOICE #	ITEM DT/ POST DT	PAY DT/ CHECK #	DESCRIPTION	DEPARTMENT	AMOUNT
01-102565 CARD SERVICE CENTER					
INV 0305/102021	11/7/2021 11/24/2021	11/24/2021 58799	CREDIT CARD CHARGES	ALL DEPARTMENTS	\$6,808.21
01-102691 CULLEN, CARSNER, SEERDEN					
INV 22442	11/1/2021 11/10/2021	11/10/2021 58704	PROFESSIONAL LEGAL SERVICES	PORT REVENUE FUND	\$3,699.53
01-102609 DATAPROSE, LLC					
INV DP2103956	10/31/2021 11/10/2021	11/10/2021 58708	UTILITY BILLING OCTOBER 2021	UTILITY BILLING	\$2,732.96
01-101523 DERRICK CONSTRUCTION CO.					
INV 20025	9/30/2021 11/24/2021	11/24/2021 58784	DREDGE SMITH HARBOR	PORT REVENUE FUND	\$280,012.50
01-102882 FRONTIER SOUTHWEST INC.					
INV 18830907065/112021	11/10/2021 11/24/2021	11/24/2021 58816	PHONE CHARGES NOVEMBER 2021	ALL DEPARTMENTS	\$2,205.47
01-100174 G & W ENGINEERS, INC.					
INV 9101.206-1021	10/31/2021 11/24/2021	11/24/2021 58817	SEWER IMPROVEMENT STUDY	ECONOMIC DEVELOPMENT	\$3,862.25

VENDOR/INVOICE #	ITEM DT/ POST DT	PAY DT/ CHECK #	DESCRIPTION	DEPARTMENT	AMOUNT
01-102645 GEXA ENERGY, LP					
INV 32833488-4	10/25/2021 11/10/2021	11/10/2021 58719	ELECTRICITY SERVICES OCTOBER 2021	ALL DEPARTMENTS	\$35,590.24
01-104038 GLOBAL EQUIPMENT COMPANY INC.					
INV 118413256	11/12/2021 11/24/2021	11/24/2021 58852	DRINKING FOUNTAIN	PARKS & RECREATION	\$5,324.99
01-102152 GREAT AMERICA LEASING CORP					
INV 30369743-1	9/30/2021 9/30/2021	11/10/2021 58673	COPIER RENTAL	CITY HALL	\$3,113.63
01-100186 GUADALUPE BLANCO RIVER					
INV SI013874	11/8/2021 11/10/2021	11/10/2021 58721	WATER PURCHASED OCTOBER 2021	NON DEPARTMENTAL	\$101,969.28
01-100187 GUADALUPE BLANCO RIVER					
INV SI013846	11/3/2021 11/10/2021	11/10/2021 58722	STORED WATER IN CANYON LAKE	NON DEPARTMENTAL	\$35,168.00
01-102860 MCCI, LLC					
INV RN5172	10/13/2021 11/10/2021	11/10/2021 58729	LASERFICHE RENEWAL	TECHNOLOGY (CITY SECRETARY)	\$5,567.56

VENDOR/INVOICE #	ITEM DT/ POST DT	PAY DT/ CHECK #	DESCRIPTION	DEPARTMENT	AMOUNT
01-104019 KIMBERLY D GRIFFITH					
INV 202111029712	10/29/2021 11/10/2021	11/10/2021 58730	SHORELINE CLEAN-UP PROJECT	NON DEPARTMENTAL	\$4,156.25
01-102904 JESSE JAMES LLC					
INV 1763	10/7/2021 11/10/2021	11/10/2021 58733	IT SERVICES 10/7/21-11/6/21	TECHNOLOGY (POLICE DEPARTMENT)	\$1,810.00
INV 1777	11/7/2021 11/24/2021	11/24/2021 58824	IT SERVICES 11/7/21-12/6/21	TECHNOLOGY (POLICE DEPARTMENT)	\$1,835.00
INV 1779	11/10/2021 11/24/2021	11/24/2021 58824	3 DELL INSPIRON COMPUTERS	TECHNOLOGY (CITY SECRETARY)	\$3,850.00
INV 1780	11/10/2021 11/24/2021	11/24/2021 58824	DELL VOSTRO COMPUTERS	TECHNOLOGY (POLICE DEPARTMENT)	\$1,700.00
INV 1781	11/17/2021 11/24/2021	11/24/2021 58824	IT SERVICES 11/17/21-12/16/21	TECHNOLOGY (ALL DEPARTMENTS)	\$2,500.00
01-102016 MARVELOUS GARDENS INC.					
INV 6573-2	11/15/2021 11/24/2021	11/24/2021 58854	MEDIAN MOWING	STREETS	\$3,910.00

VENDOR/INVOICE #	ITEM DT/ POST DT	PAY DT/ CHECK #	DESCRIPTION	DEPARTMENT	AMOUNT
01-100267 MCCREARY, VESELKA					
INV 10/2021	11/22/2021 11/24/2021	11/24/2021 58825	COLLECTION DELINQUENT TAX FEES	NON DEPARTMENTAL	\$2,431.24
01-100980 ODESSA PUMPS & EQUIPMENT					
INV 673846	10/18/2021 11/10/2021	11/10/2021 58742	PARTS AND LABOR	WWTP	\$3,188.44
01-103938 P&W TREE TRIMMING					
INV INV0138	11/6/2021 11/10/2021	11/10/2021 58745	HAUL BRUSH & BULK SECTION 1	NON DEPARTMENTAL	\$2,125.00
INV INV0142	11/22/2021 11/24/2021	11/24/2021 58831	HAUL BRUSH SECTION 2	NON DEPARTMENTAL	\$1,700.00
01-101184 PORT LAVACA FORD					
INV 295616	11/4/2021 11/10/2021	11/10/2021 58746	REPAIRS TO UNIT #3631	POLICE DEPARTMENT	\$1,631.61
01-100372 QUALITY HOT-MIX, INC.					
INV 27025	10/28/2021 11/10/2021	11/10/2021 58750	LIMESTONE	STREETS	\$4,181.04
INV 27055	11/4/2021 11/10/2021	11/10/2021 58750	PB4 ROCK - ROAD GRAVEL	STREETS	\$3,200.44

VENDOR/INVOICE #	ITEM DT/ POST DT	PAY DT/ CHECK #	DESCRIPTION	DEPARTMENT	AMOUNT
01-102309 REPUBLIC SERVICES #847					
INV 0847-01179945	10/31/2021 11/10/2021	11/10/2021 58754	GARBAGE COLLECTION	NON DEPARTMENTAL	\$60,473.86
01-103898 RUSSELL MARINE LLC					
INV 12613	10/11/2021 9/30/2021	11/1/2021 137	CONSTRUCTION OF LHB FISHING PIER	LIGHTHOUSE BEACH	\$28,156.27
INV 12613-1	10/11/2021 9/30/2021	11/1/2021 137	CONSTRUCTION OF LHB FISHING PIER	LIGHTHOUSE BEACH	\$68,253.73
INV 12627	10/11/2021 11/24/2021	11/17/2021 142	CONSTRUCTION OF LHB FISHING PIER	LIGHTHOUSE BEACH	\$102,674.84
INV 12627-1	10/11/2021 11/24/2021	11/17/2021 142	CONSTRUCTION OF LHB FISHING PIER	LIGHTHOUSE BEACH	\$10,243.38
01-100408 TCEQ					
INV CWQ0066317	10/7/2021 11/10/2021	11/10/2021 58762	WWTP PERMIT	WWTP	\$18,247.60
01-100418 TML INTERGOVERNMENTAL RISK					
INV 9059-112021	11/1/2021 11/10/2021	11/10/2021 58765	INSURANCE	ALL DEPARTMENTS	\$210,662.10

VENDOR/INVOICE #	ITEM DT/ POST DT	PAY DT/ CHECK #	DESCRIPTION	DEPARTMENT	AMOUNT
01-100455 VICTORIA POOL SERVICE & SUPPLY					
INV 542410	10/26/2021 11/10/2021	11/10/2021 58772	SAND FILTER	PARKS & RECREATION	\$28,269.29
01-103910 WP CONSTRUCTION					
INV 18	10/25/2021 11/10/2021	11/10/2021 58774	PARKS WAREHOUSE	PARKS & RECREATION	\$38,700.00

TOTAL INVOICES PAID OVER \$1500.00	\$1,302,150.11
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CITY OF PORT LAVACA Section VII. Item #C.

Account Number: XXXX XXXX XXXX 0305

Billing Questions:
800-367-7576Website:
www.cardaccount.netSend Billing Inquiries To:
Card Service Center, PO Box 569120, Dallas, TX 75356FIRST NATIONAL BANK IN PORT LAVACA Credit Card Account Statement
October 9, 2021 to November 7, 2021

SUMMARY OF ACCOUNT ACTIVITY

Previous Balance	\$6,081.52
- Payments	\$6,081.52
- Other Credits	\$46.59
+ Purchases	\$6,854.80
+ Cash Advances	\$0.00
+ Fees Charged	\$0.00
+ Interest Charged	\$0.00
= New Balance	\$6,808.21

Account Number XXXX XXXX XXXX 0305
 Credit Limit \$26,500.00
 Available Credit \$19,691.00
 Statement Closing Date November 7, 2021
 Days in Billing Cycle 30

PAYMENT INFORMATION

New Balance: \$6,808.21
 Minimum Payment Due: \$204.25
 Payment Due Date: December 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
10/25	10/25	F1127009A00CHGDDA	AUTOMATIC PAYMENT - THANK YOU	\$6,081.52-
			TOTAL XXXXXXXXXXXX0305	\$6,081.52-
10/12	10/13	55432868X5V31EDK7	AMZN MKTP US*275F26K01 AMZN.COM/BILL WA	\$377.86
10/21	10/22	5543286965SSAQBJD	AMZN MKTP US*2Y44M4QH1 AMZN.COM/BILL WA	\$26.99
			COLIN RANGNOW	
			TOTAL XXXXXXXXXXXX0727	\$404.85
11/02	11/03	82711169J0007X5L6	JOHN E. REID & ASSOCIA CHICAGO IL	\$820.00
			ERIC SALES	

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: \$6,808.21
 Minimum Payment Due: \$204.25
 Payment Due Date: December 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

11273390700003050002042500006808215



TRANSACTIONS (continued)

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

Tran Date	Post Date	Reference Number	Transaction Description	Amount
TOTAL XXXXXXXXXXXX0776				\$820.00
10/25	10/26	85383909A0006LSZM	SHELTERMANAGER LTD ROTHERHAM LN	\$350.00
10/27	10/27	55432869Q5SDNSRVZ	AMZN MKTP US*IN6130RF3 AMZN.COM/BILL WA	\$121.88
10/27	10/28	55432869Q5SL74VHJ	VISTAPR*VISTAPRINT.COM 866-8936743 MA	\$305.24
10/29	10/31	85140519ES66F91AH	EXPRESS BADGING COCOA BEACH FL	\$150.80
KAREN NEAL				
TOTAL XXXXXXXXXXXX0784				\$927.92
10/11	10/12	05410198W8JPNX4PP	BEST BUY 00006031 VICTORIA TX	\$64.93
10/18	10/19	554295093LST75039	BADGEANDWALLET.COM 9142361260 NY	\$276.00
10/18	10/19	152702193QPF9VWMN	EBAY O*25-07746-40945 SAN JOSE CA	\$40.02
11/01	11/02	55429509HRTYM00PT	PAYPAL *SOUTHEASTER 4029357733 FL	\$700.00
11/01	11/02	55263529JBLHJZLJT	HARBOR FREIGHT TOOLS 2 VICTORIA TX	\$69.24
JAVIER RAMOS				
TOTAL XXXXXXXXXXXX0867				\$1,150.19
10/08	10/10	05314618S00QJ84K8	PINCHERS RESTAURANT EL CAMPO TX	\$111.05
10/22	10/24	5543286995SGK85DB	DAYS INN & SUITES FBG FREDERICKSBUR TX	\$180.79
CHECK-IN 10/22/21 FOLIO #220784				
10/22	10/24	023053798HEVKMKX0	DAS AUSLANDER, INC. FREDERICKSBUR TX	\$79.54
10/27	10/28	82711169D0000BZYT	SIGMA LUX LLC INDIANAPOLIS IN	\$323.30
11/01	11/02	55488729JBLYJGABN	TEXAS COMM FIRE PROT 5129363842 TX	\$56.49
11/01	11/03	82306069JS66FDY9G	VICTORIA COLLEGE VICTORIA TX	\$25.00
JUAN LUNA				
TOTAL XXXXXXXXXXXX0941				\$776.17
10/06	10/11	55432868S5SB7010N	MARRIOTT MARQUISHOUSTO HOUSTON TX	\$129.10
CHECK-IN 10/06/21 FOLIO #M28329				
10/26	10/27	52708089B609TB57W	TRAINING 5124593124 TX	\$90.00
10/26	10/27	52708089B609TB584	TRAINING 5124593124 TX	\$375.00
WAYNE SHAFFER				
TOTAL XXXXXXXXXXXX1212				\$594.10
10/23	10/24	5543286985SDYDAVX	WALMART.COM AA 800-966-6546 AR	\$148.83
10/26	10/27	72700889BS66H62GA	THE GREEN IGUANA GRILL PORT LAVACA TX	\$112.30
MANDY GRANT				
TOTAL XXXXXXXXXXXX1238				\$261.13
10/16	10/17	5543286915V4EGTTE	AMZN MKTP US AMZN.COM/BILL WA CREDIT	\$46.59-
10/08	10/10	55432868S5V5D9H1Y	BUC-EE'S #30 WHARTON TX	\$19.21
10/06	10/11	55432868S5SB700QJ	MARRIOTT MARQUISHOUSTO HOUSTON TX	\$129.10
CHECK-IN 10/06/21 FOLIO #M28319				
10/12	10/13	55432868X5V26P02Y	SQ *LACEY'S LITTLE BAK GOSQ.COM TX	\$40.00
10/15	10/15	5543286905STPHVY6	AMZN MKTP US*2Y16B5CY1 AMZN.COM/BILL WA	\$50.73
10/20	10/21	5543286955SGMK35S	SQ *LACEY'S LITTLE BAK GOSQ.COM TX	\$80.00
10/20	10/21	051404895MHE2M0B1	H-E-B #434 PORT LAVACA TX	\$87.24
10/28	10/29	52704879DM19P2LAK	HYATT REGENCY LOST PIN 8885874589 TX	\$185.00
CHECK-IN 11/10/21 FOLIO #41138550				
11/03	11/04	75337009LDMP2Z5E9	TRI-STATE CONSULTANTS 3182861933 TX	\$150.00
JESSICA CARPENTER				
TOTAL XXXXXXXXXXXX1329				\$694.69
10/12	10/12	55432868X5SXSVP RJ	TEXAS MUNICIPAL LEAGUE 512-231-7400 TX	\$185.00
10/29	10/31	02300969E8PLXLKQK	GOVERNMENT FINANCE OFF CHICAGO IL	\$150.00
10/30	10/31	55432869F5SA9B42G	ULINE *SHIP SUPPLIES 800-295-5510 WI	\$51.59
SUSAN LANG				

Transactions continued on next page



CITY OF

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
			TOTAL XXXXXXXXXXXX1345	\$386.59
10/06	10/13	55432868X5V3W80LL	MARRIOTT MARQUISHOUSTO HOUSTON TX	\$129.90
		CHECK-IN 10/06/21	FOLIO #M28677	
			JOE REYES JR	
			TOTAL XXXXXXXXXXXX0215	\$129.90
10/06	10/11	55432868S5SB70164	MARRIOTT MARQUISHOUSTO HOUSTON TX	\$74.98
		CHECK-IN 10/06/21	FOLIO #M28356	
10/08	10/11	55548078SMG2FDFG	AVENIDA NORTH GARAGE HOUSTON TX	\$96.00
10/16	10/17	5543286915SEJ3279	J2 *EFAX CORPORATE SVC 323-817-1155 CA	\$154.26
10/18	10/19	5543286935SZ23NDV	UPS*BILLING CENTER 800-811-1648 GA	\$10.80
11/01	11/03	55207399J0092W9NH	AUTHORIZE.NET SAN FRANCISCO CA	\$30.00
			JOANNA WEAVER	
			TOTAL XXXXXXXXXXXX0249	\$366.04
10/17	10/18	5531020922DYNTNL3	AMZN MKTP US*2Y35F8321 AMZN.COM/BILL WA	\$31.99
10/26	10/27	52704879BLQHL30NX	ADOBE ACROPRO SUBS 4085366000 CA	\$194.72
11/04	11/05	25457339M000DKEJP	PREP BLAST 615-6893546 TN	\$43.50
11/04	11/05	72700889LS66DF1VS	MAIN STREET SHIPPING C PORT LAVACA TX	\$26.42
			CYNTHIA HEYSQUIERDO	
			TOTAL XXXXXXXXXXXX0264	\$296.63

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	30	\$0.00
Cash Advances	14.24% (v)	\$0.00	30	\$0.00

(v) - variable

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

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

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

COMMUNICATION

SUBJECT: 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 
Subject: FY 21-22 Financial Highlights through **November 30, 2021**
Date: December 6, 2021

Below are the following reports for the period ending **November 30, 2021**, or **16.67%** of the year:

The major highlights of the Report are as follows:

Property Tax collections as reported by CCAD - are **\$2,264,572** for the year as of October. Collections in FY21-22 are 47.9% of total adjusted tax levy. Total current year Property Taxes Outstanding as of October is **\$2,462,747**.

In the General Fund, revenues through **11/30/21** are **30.9%** of budget. In addition:

1. *Current Property Tax* collections - are **\$2,195,547** for the year as of October. Collections in FY21-22 are 55.3% of budget.
2. *Sales Tax* collections through November were **\$589,163** or 17.9% of budget. Collections through November in FY 20-21 were **\$542,147**.
3. *Licenses & Permits* collections are **\$18,742** for the year, or 8.2% of budget. Collections through November in FY 20-21 were **\$49,024**.
4. *Bauer Center Rentals* through November are **\$9,650** or 19.3% of budget. Collections through November in FY 20-21 were **\$5,850**.
5. *Court Fines* are **\$11,199** for the year, or 9.3% of budget. Collections through November in FY 20-21 were **\$7,335**.

Expenditures in the General Fund for the year are **25.5%** of budget.

In the Utility Fund, revenues as of **11/30/21** are **27%** of budget. In addition:

1. *Metered Water* sales through November are **\$340,344 or 16.9%** of budget.
2. *Residential Sewer* sales through November are **172,516 or 16.2%** of budget.
3. *Garbage Billings* through November are **\$129,293 or 18.6%** of budget.

Expenditures in the Utility Fund for the year are **13.6%** of budget.

Summary – FY 2021-2022 through 11/30/21

<u>Fund</u>	<u>Revenues</u>	<u>% Budget</u>	<u>Expense</u>	<u>% Budget</u>	<u>Revenues Less Expense</u>
General	\$2,917,971	30.9%	\$2,196,164	25.5%	\$721,807
Utility	1,638,644	27%	613,831	13.6%	1,024,813
HOT	2,518	0.4%	28,921	2.8%	(26,402)
Beach	3,985	2.2%	8,607	38.3%	(4,621)
Port	98,353	0.6%	332,900	2.9%	(234,547)
Total					\$1,481,050



**Port Lavaca
PROPERTY TAX COLLECTION REPORT
October 31, 2021**

TAXES DUE AT CERTIFICATION	4,726,568.66
Adjustments to Date	750.35
TOTAL TAX LEVY	4,727,319.01

2020 Tax Collections

	Base	Penalties & Interest	Total
October	2,264,571.55	0.00	2,264,571.55
November			0.00
December			0.00
January			0.00
February			0.00
March			0.00
April			0.00
May			0.00
June			0.00
July (Delinquent as of July 1, 2021)			0.00
August			0.00
September			0.00
TOTAL	2,264,571.55	0.00	2,264,571.55

	% Collected	Last Year % Collected
TRANSFERRED TO DELINQUENT ROLL	47.90%	51.30%
July, Aug, and Sept Payments	0.00	

2020 TAXES OUTSTANDING	2,462,747.46
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% Current Outstanding	52.10%
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DELINQUENT COLLECTIONS

	Base	Penalties & Interest	Total
October	6,452.35	3,130.88	9,583.23
November			0.00
December			0.00
January			0.00
February			0.00
March			0.00
April			0.00
May			0.00
June			0.00
July			0.00
August			0.00
September			0.00
TOTAL	6,452.35	3,130.88	9,583.23

DELINQUENT TAXES OUTSTANDING	410,260.39
TOTAL TAXES OUTSTANDING	2,873,007.85

COMMUNICATION

SUBJECT: Final Plat, Rafei Subdivision No. 2 located at 2248 FM 3084, also known as Half League Road. ID is A0035 Maximo Sanchez, Tract PT 30, being .187 acres

INFORMATION:

CITY OF PORT LAVACA

MEETING: December 13, 2021

DATE: 12.07.21

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: JESSICA CARPENTER, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: Consider recommendation of the Planning Board for approval of the Final Plat, Rafei Subdivision No. 2. The proposed final plat is located at 2248 FM 3084, also known as Half League Road. The legal description for this property is A0035 MAXIMO SANCHEZ, TRACT PT 30 in Calhoun County, Texas. Being .187 acres.

Chapter 42 - SUBDIVISIONS AND PLATS

https://library.municode.com/tx/port_lavaca/codes/code_of_ordinances?nodeId=PTIICOOR_CH42SUP_L_ARTIINGE_S42-5PO

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

Sec. 42-2. - Purpose.

(c) The city planning board, 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 Board.

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 board. 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 board in accordance with this chapter.

The applicant is in compliance with the platting process prior to development.

Sec. 42-79. - Approval.

Once the final plat has been approved by the city council, the city secretary shall complete the city secretary's certification on the two reproducible positives.

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.

This final plat if approved and recorded, is anticipated to be developed for a proposed car wash. The applicant has completed a predevelopment meeting with city staff.

Planning Board approved the Preliminary Plat at the November 01, 2021, Planning Board meeting.

City Council approved the Preliminary Plat at the November 08, 2021, City Council meeting.

Staff Recommendation: Approve

Approval of the Final Plat, Rafei Subdivision No. 2. The proposed final plat is located at 2248 FM 3084, also known as Half League Road. The legal description for this property is A0035 MAXIMO SANCHEZ, TRACT PT 30 in Calhoun County, Texas. Being .187 acres.

Planning Board Recommendation: Approve

Approval of the Final Plat, Rafei Subdivision No. 2. The proposed final plat is located at 2248 FM 3084, also known as Half League Road. The legal description for this property is A0035 MAXIMO SANCHEZ, TRACT PT 30 in Calhoun County, Texas. Being .187 acres.

Attachments:

- Car Wash Final Plat Map
- Car Wash Site Plan
- Car Wash Exhibits
- Parcel CAD map

RAFEI SUBDIVISION NO. 2

0.19 ACRE SUBDIVISION

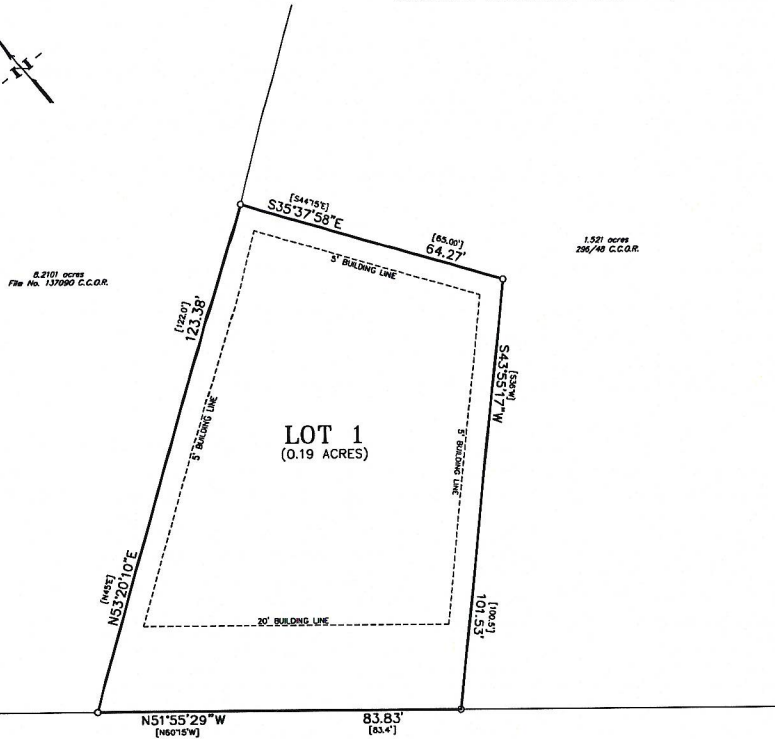
BEING ALL OF 0.187 ACRE IN GENERAL WARRANTY DEED RECORDED
IN FILE NO. 2020-00204 C.C.O.R.
MAXIMO SANCHEZ SURVEY, ABSTRACT NO. 35 OF CALHOUN COUNTY, TEXAS

CHECKED BY:
H.A.D.
DATE:
OCT. 20, 2021
SCALE:
1" = 20'

G & W ENGINEERS, INC.
ENGINEERING • SURVEYING • PLANNING
205 W. LIVE OAK STREET, PORT LAVACA, TEXAS 77979
TBP'S FIRM NO.: 10022100
(361) 552-4509; PORT LAVACA (979) 323-7100; BAY CITY

FILE NO.:
7118-002
JOB NO.:
7118-002
SHEET NO.:
1 OF 1

FINAL PLAT



CERTIFICATE OF OWNERSHIP

STATE OF TEXAS
COUNTY OF CALHOUN

I, THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS THE RAFEI SUBDIVISION NO. 2, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSE, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

ETHAN RAFEI (QUEST TRUST COMPANY FBO REPRESENTATIVE)

STATE OF TEXAS
COUNTY OF _____

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 _____ DAY OF _____ 2021.

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 _____ PAGE _____ 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 THE _____ DAY OF _____ 2021.

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 _____ AND ALL PRIOR YEARS.

IF APPLICABLE, THE ABOVE-DESCRIBED PROPERTY HAS/S RECEIVING SPECIAL APPRAISAL BASED ON ITS USE, AND ADDITIONAL ROLLBACK TAXES MAY BECOME DUE BASED ON THE PROVISIONS OF THE SPECIAL APPRAISAL (COMPTROLLER RULE §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.

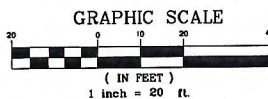
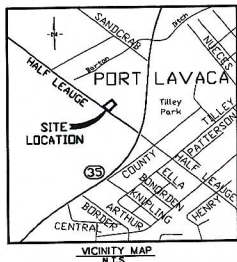
ST. _____
JESSE W. HUBBELL,
CHIEF APPRAISER

PRELIMINARY, THIS DOCUMENT SHALL NOT
BE RECORDED FOR ANY PURPOSE AND
SHALL NOT BE USED OR VIEWED OR RELIED
UPON AS A FINAL SURVEY DOCUMENT

11-05-2021
RELEASE DATE

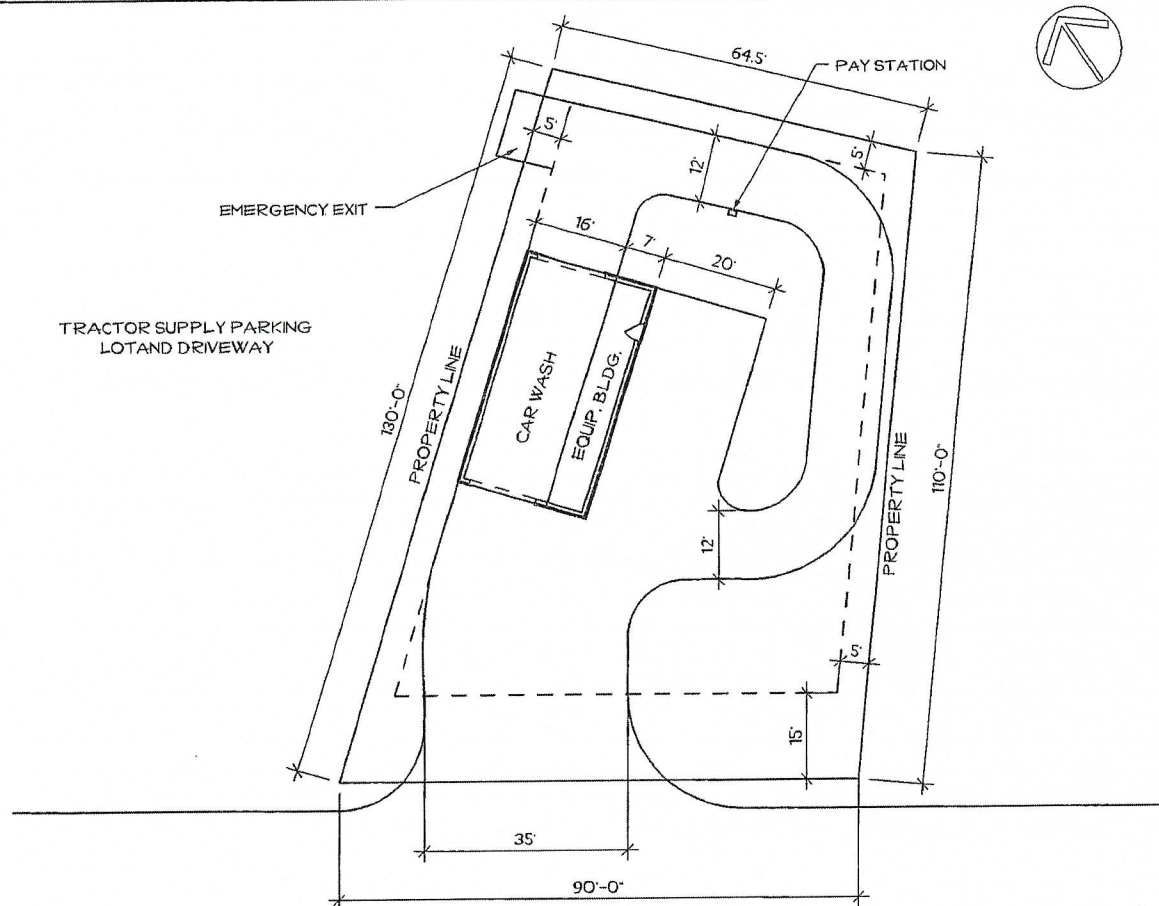
I, HENRY A. DANYSH, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREON REPRESENTS THE RESULT OF A SURVEY MADE ON THE GROUND UNDER MY DIRECTION ON OCTOBER 20, 2021.

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



- LEGEND
- EXISTING 5/8" IRON ROD UNLESS NOTED
 - ⊙ EXISTING 3/4" IRON ROD
 - C.C.O.R. CALHOUN COUNTY DEED RECORDS
 - C.C.O.R. CALHOUN COUNTY OFFICIAL RECORDS
 - [] PLAT OR DEED CALL

NOTE: BEARINGS SHOWN HEREON ARE TEXAS STATE PLANE SOUTH CENTRAL ZONE NAD83 GRID BASED ON STATION HAPC-0219 ON THE RTK NETWORK.



A0035 MAXIMO SANCHEZ
TRACT PT30
0.187 ACRES



GENERAL NOTES

No.	REVISION/ISSUE	DATE

ALL DRAWINGS ARE THE PROPERTY OF THE DESIGNER AND
THEY ARE NOT TO BE REPRODUCED IN WHOLE OR IN PART
WITHOUT THE WRITTEN CONSENT OF THE DESIGNER.

CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS BEFORE COMMENCING WORK AND TO REPORT ANY DISCREPANCIES TO THE DESIGNER.

VEF Engineering

527 Elmhurst Drive
Port Lavaca, TX 77979
(361) 920-6240
TX Firm No. 17596

PROJECTNAME

Automated Car Wash
2248 FM 3084
Port Lavaca, TX

CLIENT:

Ethan Rafei

DRAWING:

DRAWING:
PRELIMINARY SITE PLAN

SCALE: 1"=20'

DATE: FEB. 2021

DRAWN BY:

Y: VEF

CHECKED BY:

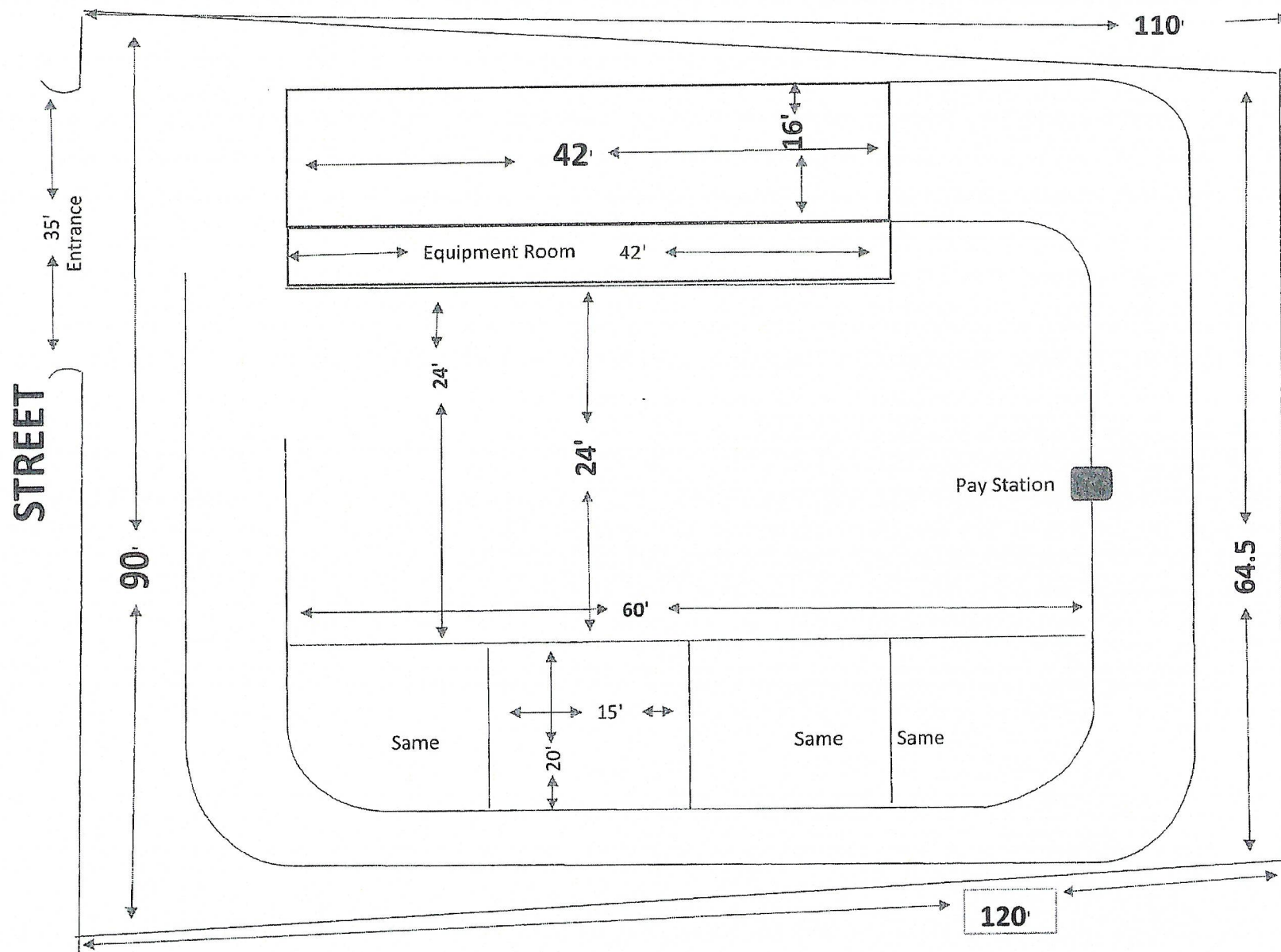
BY: VEF

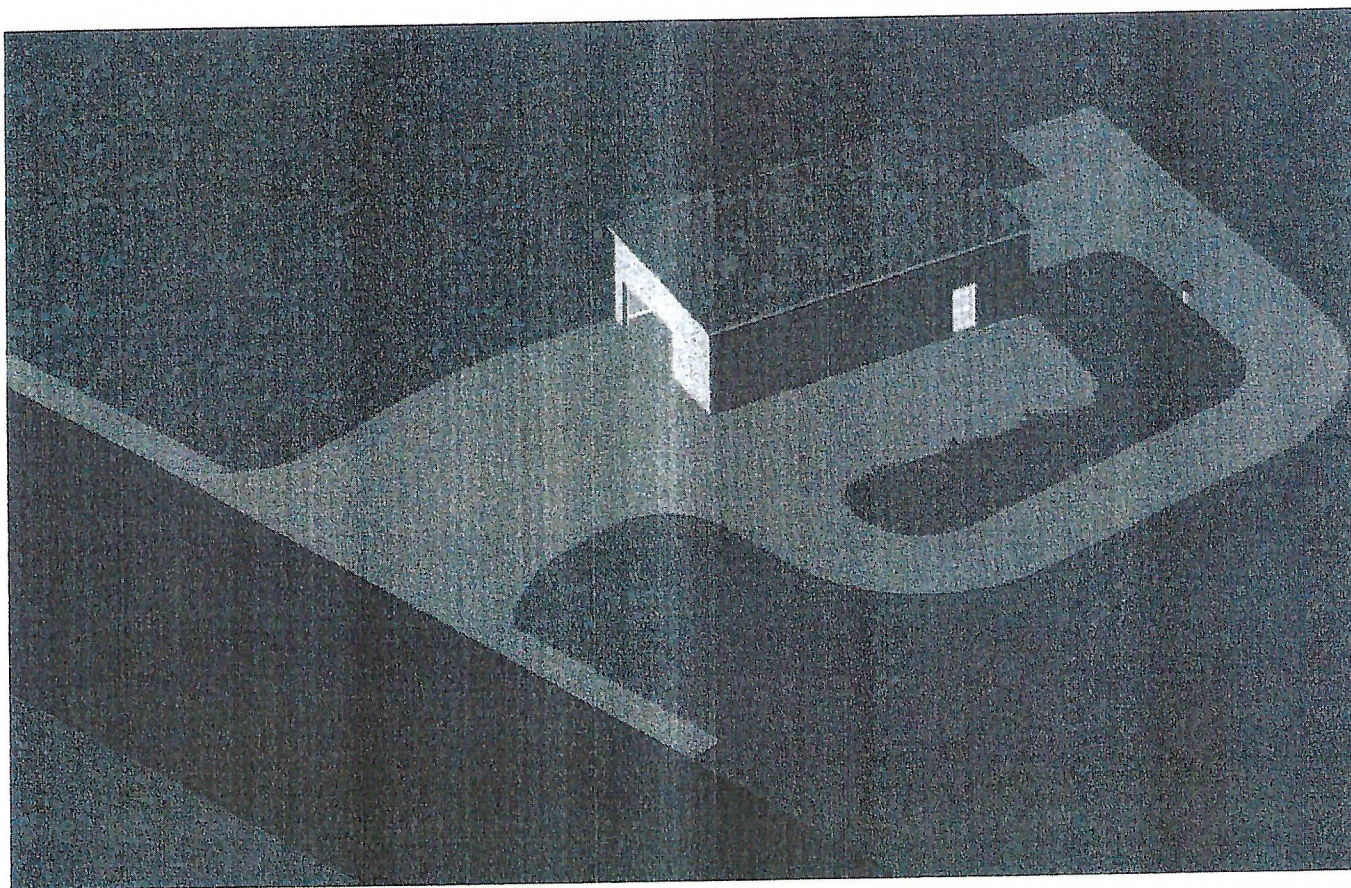
APPROVED BY:

ED BY:
VEF

SHEB

1





GENERAL NOTES

No.	REVISION/ISSUE	DATE

ALL DRAWINGS ARE THE PROPERTY OF THE DESIGNER AND
 THEY ARE NOT TO BE REPRODUCED OR COPIED IN ANY
 MANNER WITHOUT THE WRITTEN CONSENT OF THE DESIGNER.
 CONTRACTOR TO CHECK AND VERIFY ALL DIMENSIONS
 BEFORE COMMENCING WORK AND TO REPORT ANY
 DISCREPANCIES TO THE DESIGNER.

VEF Engineering

527 Elmhurst Drive
 Port Lavaca, TX 77979
 (361) 920-6240
 TX Firm No. 17596

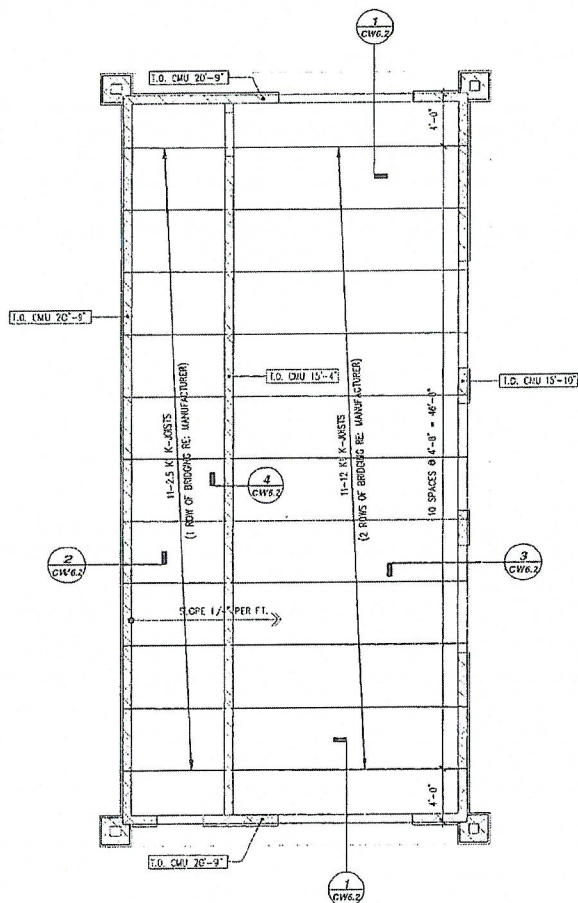
PROJECT NAME:
Automated Car Wash
 2248 FM 3084
 Port Lavaca, TX

CLIENT:
Ethan Rafei

DRAWING:
PRELIMINARY RENDERING

SCALE: 1/8" = 1'-0" DATE: FEB. 2021

DRAWN BY: VEF	SHEET: 2
CHECKED BY: VEF	
APPROVED BY: VEF	



NOTE ON CMU WALL:
ALL CMU WALLS SHALL BE LOAD BEARING WALLS. (U.O.N.)

NOTE ON ROOF JOISTS

REFER TO JOIST MANUFACTURER SHOP DRAWINGS
FOR JOISTS, SIZE, DEPTH, AND CONNECTION DETAILS.
MANUFACTURER SHALL SUBMIT SHOP DRAWINGS TO ENGINEER-OF-RECORD
FOR APPROVAL PRIOR TO COMMENCING JOIST MANUFACTURING.

ROOF FRAMING PLAN

SCALE: 1/4" = 1'-0"

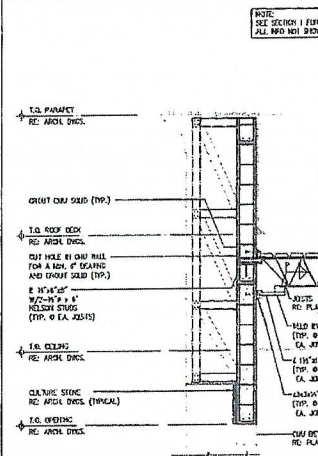
PLAN LEGEND

1. **10. NEW 0-105** DECORATES TOP OF CURT WALL IN FEET & BONES ABOVE FINISHED SLAB

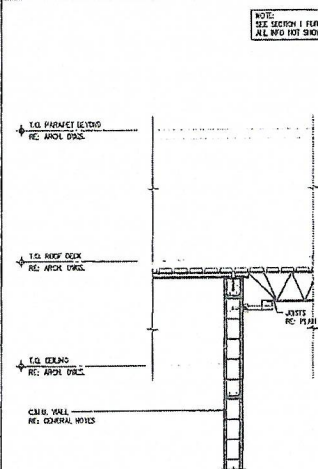
GENERAL NOTES: COORDINATION W/ ARCH. DWGS.

1. CONTRACTOR SHALL REVIEW ARCHITECTURAL AND STRUCTURAL DRAWINGS CAREFULLY TO INSURE COORDINATION OF ALL PHASES OF CONSTRUCTION OCCURRING IN SAME COURSE. DISCREPANCIES SHALL BE BROUGHT TO THE ATTENTION OF BOTH ARCHITECT AND ENGINEER, PRIOR TO PROCEEDING WITH CONSTRUCTION WORK.
2. THE FOLLOWING ITEMS IN PARTICULAR, HAVE TO BE CLOSELY COORDINATED BETWEEN ARCHITECTURAL AND STRUCTURAL DRAWINGS:
 - A. ALL FOUNDATIONS.
 - B. SLAB AND FLOOR ELEVATIONS, SLOPES, LOCATIONS AND DIMENSIONS OF ANY RECESSES.
 - C. PLUMBING, GAS, VENT & ELECTRICAL OUTLETS, ETC.
 - D. DOORS AND WINDOW LOCATIONS.
 - E. CEILING HEIGHTS AND CEILING CONDITIONS.
 - F. ROOF GEOMETRY AND SLOPES.

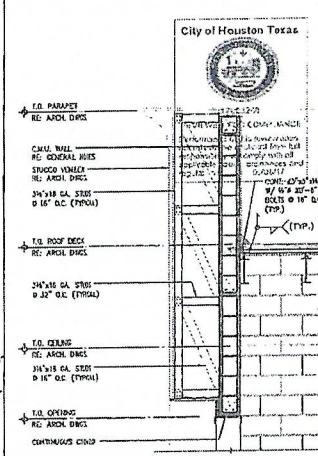
3. CONTRACTOR IS ADVISED THAT IN ALL ITEMS LISTED UNDER PARAGRAPH 2 ABOVE, ARCHITECTURAL DETAILS WILL GENERALLY TAKE PRECEDENCE OVER STRUCTURAL DRAWINGS.



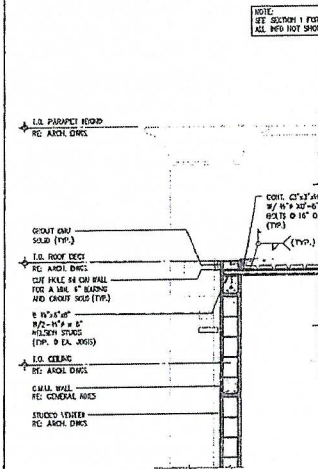
3 SECTION: TYPICAL ROOF FRAMING @ REAR EXT. WALL



4 SECTION: TYP. ROOF FRAMING @ INT. LOAD-BEARING W



1 SECTION: TYPICAL ROOF FRAMING @ REAR EXT. WALL



2 SECTION: TYPICAL ROOF FRAMING @ RIGHT EXT. WALL

[illegible]

INTERFIELD

Engineering I
401 STUDEBAKER SUITE 300
HOUSTON, TEXAS 77002
TEL. (713)
780-0309
TX REG. NO. F-5511
WWW.INTERFIELD.NET



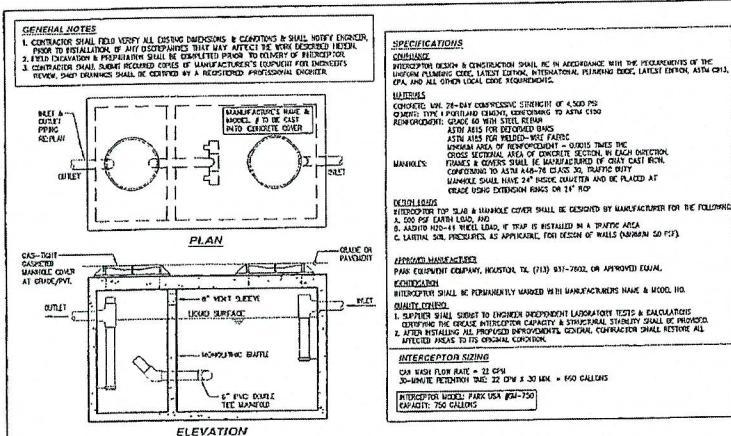
SCALE: 1 INCH = 1 FOOT
GRAPHIC SCALE
LANDMARK INDUSTRIES, LTD.
PROPOSED C-STORE/
CARWASH/SERVICE STATION
14101 NORTHWEST FREEWAY
HOUSTON, TX 77040

CARWASH ROOF
FRAMING PLAN

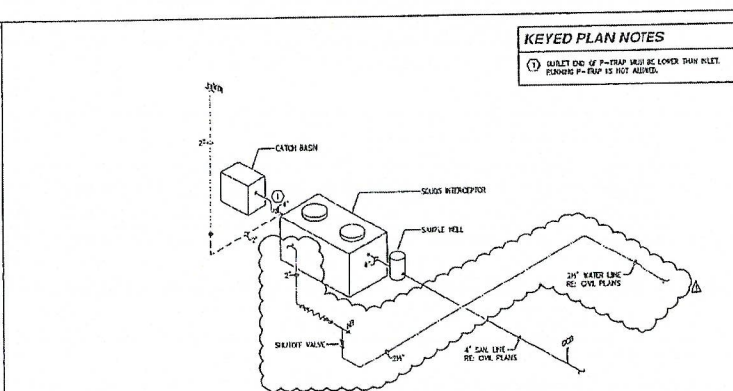
PROJECT NO: 13041.00

DATE: 12/07/18
DRAWN BY: RJA
CHECKED BY: MFO

SHEET: CW6.1 of 10



1 DETAIL: SOLIDS INTERCEPTOR

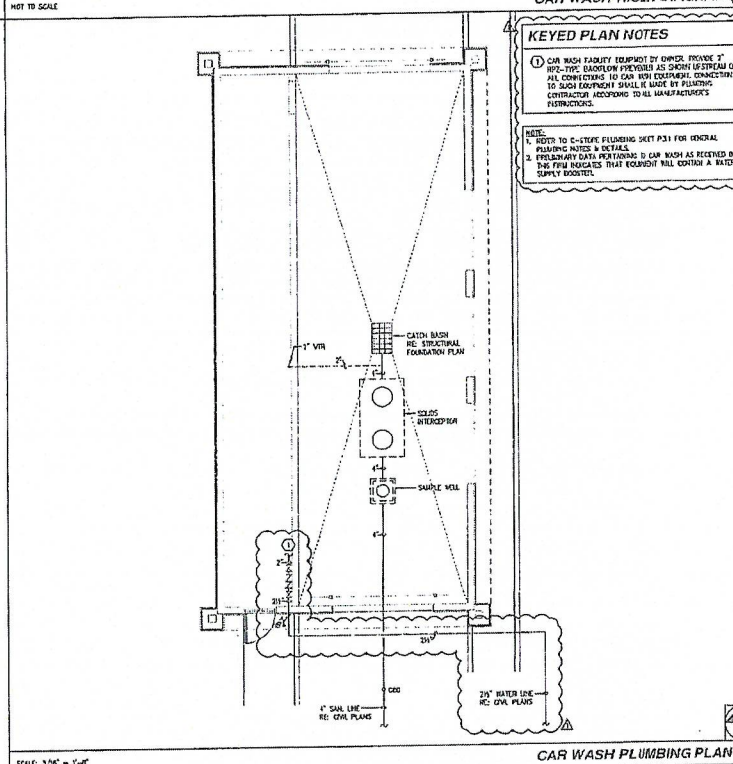


KEYED PLAN NOTES

- ① CURLET END OF P-TRAP MUST BE LOWER THAN INLET.
FLUSHING P-TRAP IS NOT ALLOWED.

PLUMBING LEGEND		
SYMBOL	DESCRIPTION	REMARKS
1	WATER SUPPLY	65 GPM
2	WATER SUPPLY	125 GPM
3	WATER RETURN	65 GPM
4	WATER RETURN	125 GPM
5	WATER, SANITARY FLOW	500, 40 PPS, 50V
6	WATER FLOW	500, 40 PPS, 50V
7	VENT EXHAUST FLOW	500, 40 PPS, 50V
8	WATER (CONDENSATE, TRAP FLOW)	500, 40 PPS, 50V
9	VENT EXHAUST FLOW	500, 40 PPS, 50V
10	FLOOR DRAIN	
11	WATER FLOW	
12	FLOOR DRAIN	
13	WATER FLOW	
14	WATER FLOW	
15	FLOOR DRAIN	
16	FLOOR/CEILING CLEANOUT	
17	WALL CLEANOUT	
18	CAP OF 1/2 IN. PIPE	
19	GATE VALVE	
20	BLIND VALVE	
21	CHECK VALVE	
22	SHUT-OFF VALVE	
23	PRESSURE RELIEF VALVE	
24	WATER FLOW	
25	WATER FLOW	
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99	WATER FLOW	
100	WATER FLOW	

CAR WASH RISER DIAGRAM (E)



KEYED PLAN NOTES

- ① CAR WASH FACILITY EQUIPMENT BY OWNER PROVIDE 2" HP2-TYPE BACKFLOW PREVENTER AS SHOWN UPSTREAM OF ALL CONNECTIONS TO CAR WASH EQUIPMENT. CONNECTIONS TO SUCH EQUIPMENT SHALL BE MADE BY PLUMBING CONTRACTOR ACCORDING TO ALL MANUFACTURER'S INSTRUCTIONS.

NOTE:
1. REFER TO C-STORE FLOORING SHEET P.31 FOR GENERAL FLOORING NOTES & DETAILS.
2. PRELIMINARY DATA PERTAINING TO CAR WASH AS RECEIVED BY THIS FIRM INDICATES THAT SOLVENT WILL CONTAIN A WATER SUPPLY BOOSTER.

NOTES:
1. THIS IS A STANDARD SYMBOL LIST. ALL SYMBOLS DO NOT NECESSARILY APPEAR ON PLANS.
2. REFER TO ENGINE EXPLANATIONS TABLE FOR ADDITIONAL INFORMATION.

GRAPHIC SCALE			
ISSUE HISTORY		REVISIONS	
DATE	ISSUED FOR	DATE	DESCRIPTION
	CLIENT REVIEW	6/25/17	ADD COMMENTS DATED 6/27/17
12/13/16	PERMIT		
	BIDDING		
	CONSTRUCTION		
	MAINT. RELEASE		

THE INTERFIELD GROUP
 ARCHITECTURE / PLANNING / ENGINEERING
 431 STANTFORD, SUITE 300
 HOUSTON, TEXAS 77002
 TEL. (713) 760-8831
 TELEX REG. INC. 448
 TELEX REG. INC. 448

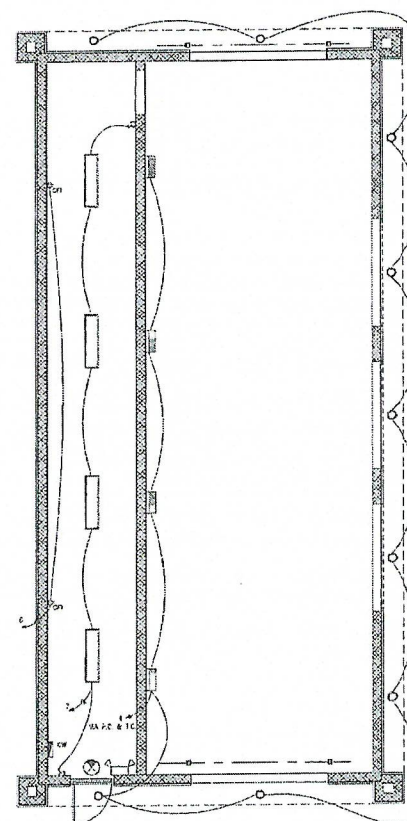
LANDMARK INDUSTRIES, LTD.
 PROPOSED C-STORE & CARWASH SERVICE STATION ADDITION
 14101 NORTHWEST FREEWAY (STORE NO. 95404)
 HOUSTON, TEXAS 77040

CARWASH PLUMBING PLAN, RISER, & DETAIL

A	CHECKED BY: JCK	DATE: 12/22/11	CW8.1 OF
	CHECKED BY: MFG	PROJ NO.: 13041.00	

MACHINE TYPE: 460 MACHINE PART: 600 A/C REFRIG: 22000 HEAT EXCHANGER: NEWA 1				NOTES: 1. ALL BR45 TO BE 1P/25A U.K.O. 2. BALANCE ALL LONG 3. LABEL ALL CIRCUITS				
VOLTAGE: 120/208 PHASE: 3 WIRE: 3 WIRE SIZE: 24/10 CU PER PHASE				PANEL C/W				
CIRCUIT	DESCRIPTION	VA LOAD	WIRE	BREAK	ERROR	NOTE	VA LOAD	CIRCUIT DESCRIPTION
				1	1			
				2	2			
				3	3			
				4	4			
				5	5			
				6	6			
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				42	42			

CONNECTED LOAD = 53353 x 1.25 = 104920 VA
AT 208V, 3Ø ----- 721 AMPS



PLAN NOTES

- [illegible]

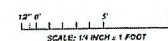
ELECTRICAL LEGEND

POWER PLANT		DESCRIPTION	
A		ENGINE RUN (PULSED, INCREASED PULSATION, & OF FREQUENCY MODULATION)	
		WIND	
		FLAME/FLAME	
		EXHAUSTION SWITCH	
		TRANSFORMERS	
		EXHAUSTION TRIP	
		EXHAUST	
		EXHAUST FAN (ECL, MECHANICAL FAN)	
		SINGLE PHASE POWER SWITCH	
		SINGLE PHASE MOTOR	
		SWITCH - DOUBLE PHASE, 3 PHASE, 4 WAY	
		SWITCH SWITCH	
		OCCUPANT SENSOR: WITH MANUAL SWIT	
		KEY-OPERATED SWITCH	
		FLEET LIGHT SWITCH	
		SAMPLE RECEIPTABLE	
		DUPLICATE RECEIPTABLE	
		ROAD RECEIPTABLE	
		RECEIPTABLE RATED AT 250V	
		LOOP-WOUND RECEIPTABLE	
		COILS-WOUND RECEIPTABLE	
		RECEIPTABLE SQUARED UNDER COUNTER	
		RECEIPTABLE WITH GRATING THAT CANNOT ENTER/ENTERED	
		EXTERIOR USE RECEIPTABLE-RECEIPTABLE WITH GTO	
		INSTANT-RECEIPTABLE	
		GROUND MOUNTED SAMPLE RECEIPTABLE	
		PUSH BUTTON CONTROL	

LIGHTING LEGEND

SYMBOL	DESCRIPTION
	1000 BOM 5W LED, 120V, 1W HP BATTERY BACK-UP
	EMERGENCY LIGHT 3-W 32, 120V, 1W HP BATTERY BACK-UP
	1000 BOM 5W LED, 120V
	4000 BOM 5W LED, 120V
	4000 BOM 5W LED, 120V
	4000 BOM 5W LED, 120V
	4000 BOM 5W LED, 120V
	4000 BOM 5W LED, 120V
	4000 BOM 5W LED, 120V
	4000 BOM 5W LED, 120V
	4000 BOM 5W LED, 120V

1. THIS IS A STANDARD SYMBOL LIST. ALL SYMBOLS DO NOT NEED ANY APPAR OR PLANS.
2. ALL RECEPTACLES TO BE PAGED AT 204, 125W UOON.
3. ALL SWITCHES TO BE MOUNTED AT 48" AFF WALL.
4. ALL RECEPTACLES AND OTHER OBJECTS TO BE MOUNTED AT 12" AFF NON.



GRAPHIC SCALE

ISSUE HISTORY		REVISIONS	
DATE	ISSUED FOR	DATE	DESCRIPTION
12/13/15	COUNT REVIEW		
	PERMIT		
	BIDDING		
	CONSTRUCTION		

FIRM REVIEW								
	THE INTERFIELD GROUP ARCHITECTURE; PLANNING; ENGINEERING 491 STAFFORD ROAD, SUITE 500 HANSTON, TEXAS 78063						TEL. (712) 749-0257 TOLL FREE 1-800-7-5481 TRAC REG. NO. 207741	

LANDMARK INDUSTRIES, LTD.
PROPOSED C-STORE & CARWASH: SERVICE STATION ADDITION

14101 NORTHWEST FREEWAY (STORE NO. 93409)
HOUSTON, TEXAS 77040

CAR WASH ELECTRICAL PLAN

CLAIM BY: CLX	DATE: 10/09/13	SHEET: 1
---------------	----------------	----------

DECLASSIFIED BY: 60322 JRS/STP
DATE: 08-19-2010

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Journal compilation © 2006 Blackwell Publishing Ltd

56

1. *Journal of Management Studies*, 1996, 33, 1, 1-14.

Property Identification #: 38209

Property Information: 2022

Owner Identification #: 116111

Section VII. Item #E.

Geo ID: A0035-00000-0153-00
Situs 2248 FM 3084 PORT LAVACA,
Address: TX 77979
Property Type: Real
State Code: C1

Legal A0035 MAXIMO SANCHEZ
Description: TRACT PT 30, ACRES .187
Abstract: A0035
Neighborhood: PORT LAVACA EAST
Appraised Value: N/A
Jurisdictions: G05, NV6, S01, C04, FML,
CAD, GWD

Name: QUEST TRUST COMPANY
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: Final Plat, a 2-lot, Gorgies Subdivision located at northeast corner of Austin Street and Alcoa Street. ID is A0035 Maximo Sanchez, Tract PT 11 PLD, Acres 1.96, PIN is 39302

INFORMATION:

CITY OF PORT LAVACA

MEETING: December 13, 2021

DATE: 12.07.21

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: JESSICA CARPENTER, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: Consider recommendation of the Planning Board for approval of a 2-lot final plat, Gorgies Subdivision. Generally located at the northeast corner of Austin Street and Alcoa Street. The legal description for this parcel is A0035 MAXIMO SANCHEZ, TRACT PT 11 PLD, ACRES 1.96. The property identification for this site is 39302.

Chapter 42 - SUBDIVISIONS AND PLATS

https://library.municode.com/tx/port_lavaca/codes/code_of_ordinances?nodeId=PTIICOOR_CH42SUPL_ARTIINGE_S42-5PO

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 board, 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 Board.

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 board. 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 board in accordance with this chapter.

The applicant is in compliance with the platting process prior to development.

CITY OF PORT LAVACA

Sec. 42-79. - Approval.

Once the final plat has been approved by the city council, the city secretary shall complete the city secretary's certification on the two reproducible positives.

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.

This final plat is a 1.96-acre parcel. The intent is to subdivide this parcel into two (2) lots. Lot one being 1.37 acres and is vacant. Lot two being 0.69 acres and has an existing retail food establishment on site. Each lot has full frontage. Lot one has frontage on Alcoa Drive and lot two has frontage on Austin Street. The existing restaurant on lot two has all of the proper permits in the record of file back to 2015 when the structure was built.

Planning Board approved the Preliminary Plat at the November 01, 2021, Planning Board meeting.

City Council approved the Preliminary Plat at the November 08, 2021, City Council meeting.

Staff Recommendation: Approve

Approval of a 2-lot final plat, Gorgies Subdivision. Generally located at the northeast corner of Austin Street and Alcoa Street. The legal description for this parcel is A0035 MAXIMO SANCHEZ, TRACT PT 11 PLD, ACRES 1.96. The property identification for this site is 39302.

Planning Board Recommendation: Approve

Approval of a 2-lot final plat, Gorgies Subdivision. Generally located at the northeast corner of Austin Street and Alcoa Street. The legal description for this parcel is A0035 MAXIMO SANCHEZ, TRACT PT 11 PLD, ACRES 1.96. The property identification for this site is 39302.

Attachments:

- Final Plat
- CAD for PIN 39302
- Image of lot 1
- Image of lot 2

GORGIES SUBDIVISION

1.96 ACRE SUBDIVISION

BEING ALL OF 1.96 ACRES IN GENERAL WARRANTY DEED RECORDED IN FILE NO. 129673 C.C.O.R.
MAXIMO SANCHEZ SURVEY, ABSTRACT NO. 35 OF CALHOUN COUNTY, TEXAS

Section VII. Item #F.

CHECKED BY:
H.A.D.
DATE:
OCT. 25, 2021
SCALE:
1" = 50'

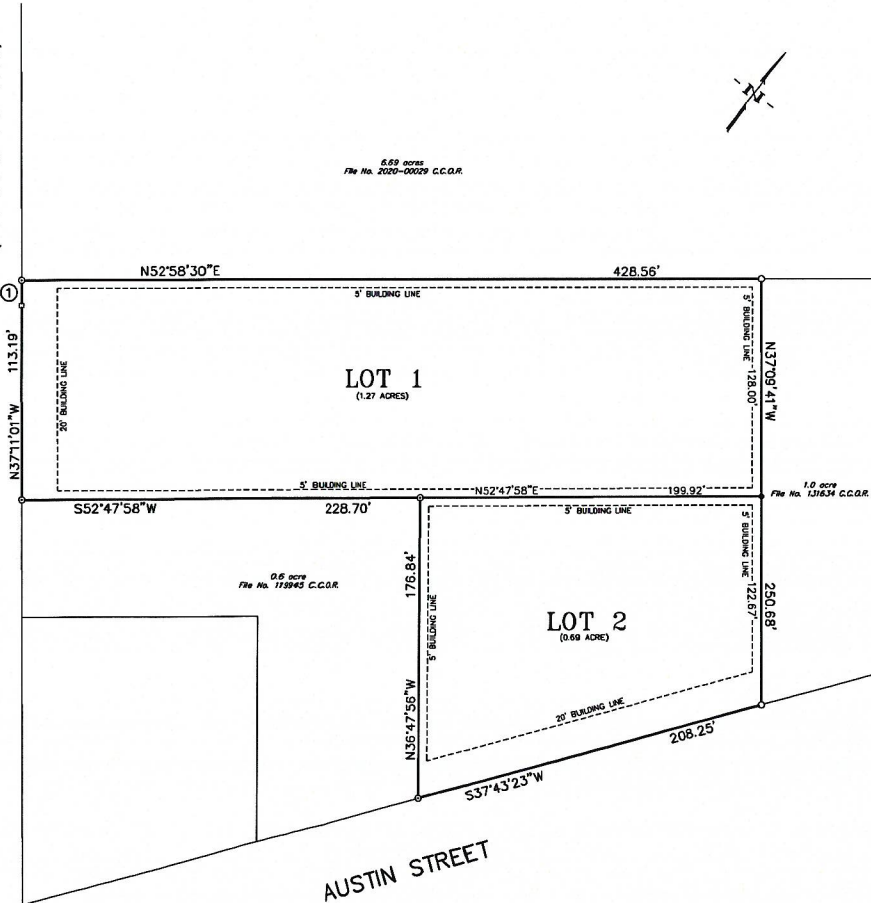
G & W ENGINEERS, INC.
• ENGINEERING • SURVEYING • PLANNING •
205 W. LIVE OAK STREET, PORT LAVACA, TEXAS 77979
TELEPHONE NO. 10022100
(361) 552-4509; PORT LAVACA (979) 323-7100; BAY CITY

FILE NO.:
10127-001
JOB NO.:
10127-001
SHEET NO.:
1 OF 1

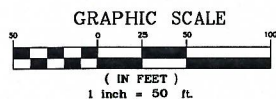
FINAL PLAT

(F.M. ROAD. NO. 1090)

ALCOA DRIVE



① CURVE DATA
DELTA= 00°08'48"
RADIUS= 5774.63'
LONG CH.= N36°45'30"W
14.77'



LEGEND

- EXISTING 5/8" IRON ROD UNLESS NOTED
- EXISTING CONCRETE MONUMENT
- SET 5/8" IRON ROD WITH PLASTIC CAP
- C.C.O.R. CALHOUN COUNTY DEED RECORDS
- C.C.O.R. CALHOUN COUNTY OFFICIAL RECORDS
- [] PLAT OR DEED CALL

NOTE: BEARINGS SHOWN HEREON ARE TEXAS STATE PLANE SOUTH CENTRAL ZONE NAD83 GRID BASED ON STATION HAPC-0219 ON THE RIK NETWORK.

CERTIFICATE OF OWNERSHIP

STATE OF TEXAS
COUNTY OF CALHOUN

I, THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS THE GORGIES SUBDIVISION, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSE, DRAINS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

EMILIANA OLACHA-RODRIGUEZ

STATE OF TEXAS
COUNTY OF _____

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED EMILIANA OLACHA-RODRIGUEZ, 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 _____ DAY OF _____ 2021.

NOTARY PUBLIC, STATE OF TEXAS

COUNTY CLERK CERTIFICATE

STATE OF TEXAS
COUNTY OF CALHOUN

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 _____ PAGE _____ 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 THE _____ DAY OF _____ 2021.

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 _____ AND ALL PRIOR YEARS.

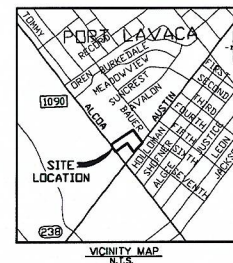
IF APPLICABLE, THE ABOVE-DESCRIBED PROPERTY HAS/IS RECEIVING SPECIAL APPRAISAL BASED ON ITS USE, AND ADDITIONAL ROLLBACK TAXES MAY BECOME DUE BASED ON THE PROVISIONS OF THE SPECIAL APPRAISAL (CNP/ROLLBACK RULE 9.3040) OR PROPERTY OMITTED FROM THE APPRAISAL ROLL AS DESCRIBED UNDER TAX CODE SECTION 25.21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

SIGNED THIS THE _____ DAY OF _____ 2021.

BY: _____
JESSE W. HUBBELL
CHIEF APPRAISER

PRELIMINARY. THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

11-05-2021
RELEASE DATE



I, HENRY A. DANYSH, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREON REPRESENTS THE RESULT OF A SURVEY MADE ON THE GROUND UNDER MY DIRECTION ON OCTOBER 25, 2021.

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



Property Identification #: 39302

Property Information: 2022

Owner Identification #: 97172

Geo ID: A0035-00000-0313-00
 Situs 1901 W AUSTIN ST PORT
 Address: LAVACA, TX 77979
 Property Type: Real
 State Code: F1

Legal Description: A0035 MAXIMO SANCHEZ,
 TRACT PT 11 PLD, ACRES
 1.96
 Abstract: A0035
 Neighborhood: PORT LAVACA WEST
 Appraised Value: N/A
 Jurisdictions: G05, NV6, S01, C04, FML,
 CAD, GWD

Name: OLACHIA-RODRIGUEZ
 EMILIANA
 Exemptions:
 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.





Section VII. Item #F.

☀ 9°N (T) ● 28°36'3"N, 96°38'15"W ±22ft ▲ 20ft



22 Oct 2021, 08:49:07



☀ 322°NW (T) ● 28°36'3"N, 96°38'11"W ±13ft ▲ 20ft



COMMUNICATION

SUBJECT: Final Replat, Lot 1, Block 1 of W. Peikert Subdivision located on the southwest corner of Peikert and Henry Barber Way, PIN is 19688

INFORMATION:

CITY OF PORT LAVACA

PB MEETING: December 13, 2021

DATE: 12.07.2021

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: JESSICA CARPENTER, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: Consider recommendation of the Planning Board for approval of a final replat of Lot 1A, 2A, and 3A Block 1 of the original W. Peikert Subdivision Lot 1, Block 1. Recorded in Vol. "Z", Pg. 125, Calhoun County Plat Records, Samuel Shupe Survey, A-137 Calhoun County, Texas. Located on the southwest corner of Peikert and Henry Barber Way. The property identification for this site is 19688.

The property owner, Onel Diaz is replatting to 3-lots. Lot 1A has an existing single-family residence. Lot 2A has an existing stick built residence as well. Only Lot 3A is proposed for a manufactured home upon the variance approval to permit a manufactured home to be placed on these lots.

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. 42-106. - Application—Required.

The subdivider or his duly authorized representative shall appear before the planning commission, at an official meeting, and submit a formal application for replat approval.

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

The preliminary replat was approved by the Planning Board on August 5th of 2019, and by City Council on August 12th of 2019. The only change from the preliminary replat approval to the final replat is lot 2A and lot 3A have a 15ft. front yard setback reduced from the original proposed 25ft. front yard setback from Peikert. This was reviewed and approved by city management.

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 property owner is adhering to the replat process prior to applying for building permits.

Department Comments:

Engineering: Reviewed and approved of the site standards when it was approved in 2019.

Fire: No comment

Public Works: No Comment

Development Services: Comply with building permit processes upon replat approval and recordation.

Planning Board approved the Preliminary Replat at the August 05, 2019, Planning Board meeting.

City Council approved the Preliminary Replat at the August 12, 2019, City Council meeting.

Planning Board approved the Final Replat at the December 06, 2021, Planning Board meeting.

Staff Recommendation: Approve

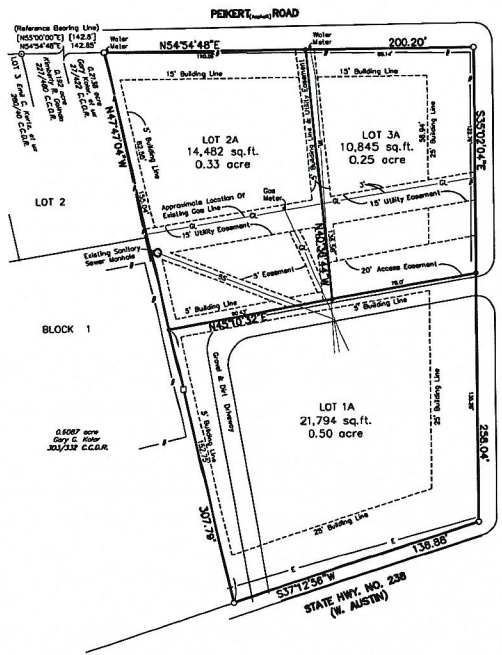
Approval of a final replat of Lot 1A, 2A, and 3A Block 1 of the original W. Peikert Subdivision Lot 1, Block 1. Recorded in Vol. "Z", Pg. 125, Calhoun County Plat Records, Samuel Shupe Survey, A-137 Calhoun County, Texas. Located on the southwest corner of Peikert and Henry Barber Way. The property identification for this site is 19688.

Planning Board Recommendation: Approve

Approval of a final replat of Lot 1A, 2A, and 3A Block 1 of the original W. Peikert Subdivision Lot 1, Block 1. Recorded in Vol. "Z", Pg. 125, Calhoun County Plat Records, Samuel Shupe Survey, A-137 Calhoun County, Texas. Located on the southwest corner of Peikert and Henry Barber Way. The property identification for this site is 19688.

Attachments:

- Replat
- Calhoun CAD 19688
- Aerial map

		DRAWN BY: O.W.D. CHECKED BY: D.J.E. DATE: NOV. 22, 2021 SCALE: 1" = 50'
		VICINITY MAP NTS
LEGEND ○ FOUND EXISTING IRON ROD UNLESS NOTED ● 3/8" 1/2" IRON ROD WITH PLASTIC CAP [] PLAT OR DEED CALL — EXISTING CHAINLINE FENCE — EXISTING POWERLINE — EXISTING GAS LINE — EXISTING WATER LINE — EXISTING SEWER LINE	STATE OF TEXAS COUNTY OF CALHOUN I, _____, City Secretary of the City of Port Lavaca as incorporated City in Calhoun County, Texas do hereby certify that the foregoing plat was approved by the Planning Board of said City as approved by law, and that the resolution operators of record in Volume _____ Page _____ 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 _____ day of _____, 2021. _____ City Secretary City of Port Lavaca, Calhoun County State of Texas	RE-PLAT OF PEIKERT SUBDIVISION BEING LOT 1A, 2A AND 3A, BLOCK 1 OF THE ORIGINAL W. PEIKERT SUBDIVISION LOT 1, BLOCK 1, RECORDED IN VOL. "Z", PG. 125, CALHOUN COUNTY PLAT RECORDS, SAMUEL SHUPE SURVEY, A-137, CALHOUN COUNTY, TEXAS
STATE OF TEXAS COUNTY OF CALHOUN I, _____, Clerk of County Court and County Clerk of Calhoun County, Texas, do hereby certify that the foregoing Re-Plat of Lot 1, Block 1 of the W. Peikert Subdivision, in the town of Port Lavaca, Calhoun County, Texas, duly authorized was filed for record in my office on the _____ day of _____, 2021, at _____ 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 County of Calhoun State of Texas	FINAL ELLIS SURVEYING Dennis J. Ellis, P.O. Box 7343, Victoria, Texas 77903 1-361-571-2082 (Cell) 1-361-579-7099 (Fax)	
STATE OF TEXAS COUNTY OF CALHOUN I, (we) the undersigned, owner(s) of the land shown on this plat, being LOT 1, BLOCK 1, W. PEIKERT SUBDIVISION, as per the recorded plat in Volume "Z", Page 125, a subdivision in the town of Port Lavaca, Calhoun County, Texas and whose name(s) are subscribed hereto, hereby dedicate to the public forever all streets and easements thereon shown for the purpose and consideration therein expressed. Given under my hand and seal of office this the _____ day of _____, 2021. _____ Notary Public Calhoun County, Texas	APPRaiser's CERTIFICATION STATE OF TEXAS COUNTY OF CALHOUN I hereby certify that the ad valorem taxes on the land included within the boundaries of this plat are paid for the tax year _____ 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. _____ CALHOUN COUNTY APPRAISAL DISTRICT BY: _____ Chief Appraiser	I DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON ON NOVEMBER 19, 2021. _____ DENNIS J. ELLIS REGISTERED PROFESSIONAL LAND SURVEYOR TEXAS NO. 4736
		FIRM REGISTRATION NO. 10194034 1 OF 1

Property Information: 2022

Legal Description: PEIKERT, BLOCK 1, LOT 1, 1.087 ACS

Abstract: S0340

Neighborhood: PEIKERT

Appraised Value: N/A

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

Owner Identification #: 112

Name: DIAZ ONEL

Exemptions: HS

DBA: Null

Calhoun CAD Map Search

This product is for information:
engineering, or surveying purp
approximate relative location c
any and all liability in connecti





COMMUNICATION

SUBJECT: Final Plat, a 3-lot, Port Lavaca Crossing located south of Tiney Browning Boulevard on SH 35 North, being 3.19 acres, PIN is 29954 and PIN 86163

INFORMATION:

CITY OF PORT LAVACA

MEETING: December 13, 2021

DATE: 12.08.21

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: JESSICA CARPENTER, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: Consider recommendation of the Planning Board for approval of a 3-lot Final Plat, Port Lavaca Crossing. Located south of Tiney Browning Boulevard on SH 35 North. Being 3.19 acres. The original tracts for this proposed plat are identified as PIN# 29954 and PIN# 86163 of the Calhoun County CAD.

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.

G & W Engineering, the applicant for the proposed Port Lavaca Crossing Subdivision plat is requesting to subdivide the 9.678-acre parcel and a 1.07-acres parcel totaling 10.748-acres into three (3) lots. A remainder tract will be left unplatted being 7.558-acres to the east of the Wal-Mart subdivision.

The current legal description for tract-1 is A0012 ALEJANDRO ESPARZA, TRACT PT 1 WILSON, NOBLE & BOYDE, ACRES 9.678. The Calhoun County CAD property identification number for this 9.678-acres is PIN# 29954. The current legal description for tract-2 is A0012 ALEJANDRO ESPARZA, TRACT PT 1 WILSON, NOBLE & BOYDE, ACRES 1.07. The Calhoun County CAD property identification number for this 1.07-acres is PIN# 86163.

The Proposed Port Lavaca Crossing Final Plat is being subdivided into three (3) lots. Lot one (1) being 1.05-acres, lot two (2) being 1.07-acres. Lot three (3) also being 1.07-acres. Lot 1 has a proposed development of a Verizon store and a Quick Service Restaurant to be constructed at this location. Lot 2 has a proposed Burger King to be developed at this location. Lot 3 has the existing White Oak development on site.

The developers for the proposed Burger King on Lot 2 has attended a predevelopment meeting with the city and are preparing to submit the building plans for the Burger King.

The remainder tract of 7.558-acres that is not included in the Port Lavaca Crossing Preliminary Minor Plat is under contract for purchase. The future owners of this parcel have attended a predevelopment meeting with the city for a proposed future residential development. The new tentative owners are aware this tract of land will be required to be platted prior to any permits issued and development to occur.

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. 42-79. - Approval.

Once the final plat has been approved by the city council, the city secretary shall complete the city secretary's certification on the two reproducible positives.

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.

Each lot is being platted and prepared to be developed for retail development in full compliance of Sec. 42-5. – Policy.

Planning Board approved the Preliminary Plat at the November 01, 2021, Planning Board meeting.

City Council approved the Preliminary Plat at the November 08, 2021, City Council meeting.

Planning Board Recommendation: December 06, 2021 - Approval

Approval of a 3-lot Final Plat, Port Lavaca Crossing. Located south of Tiney Browning Boulevard on SH 35 North. Being 3.19 acres. The original tracts for this proposed plat are identified as PIN# 29954 and PIN# 86163 of the Calhoun County CAD.

Attachments:

Port Lavaca Crossing Final Plat
 Port Lavaca Crossing Final Utility Plan
 CAD PIN# 86163
 CAD PIN# 29954

PORT LAVACA CROSSING

3.19 ACRE SUBDIVISION

CHECKED BY:
H.A.D.
DATE:
NOV. 29, 2021
SCALE:
1" = 50'

G & W ENGINEERS, INC.
ENGINEERING • SURVEYING • PLANNING
205 W. LIVE OAK STREET, PORT LAVACA, TEXAS 77979
TDELS FIRM NO.: 10022100
(361) 552-4509; PORT LAVACA (979) 323-7100; BAY CITY

FILE NO.:
10179-001
JOB NO.:
10179-001
SHEET NO.:
1 OF 1

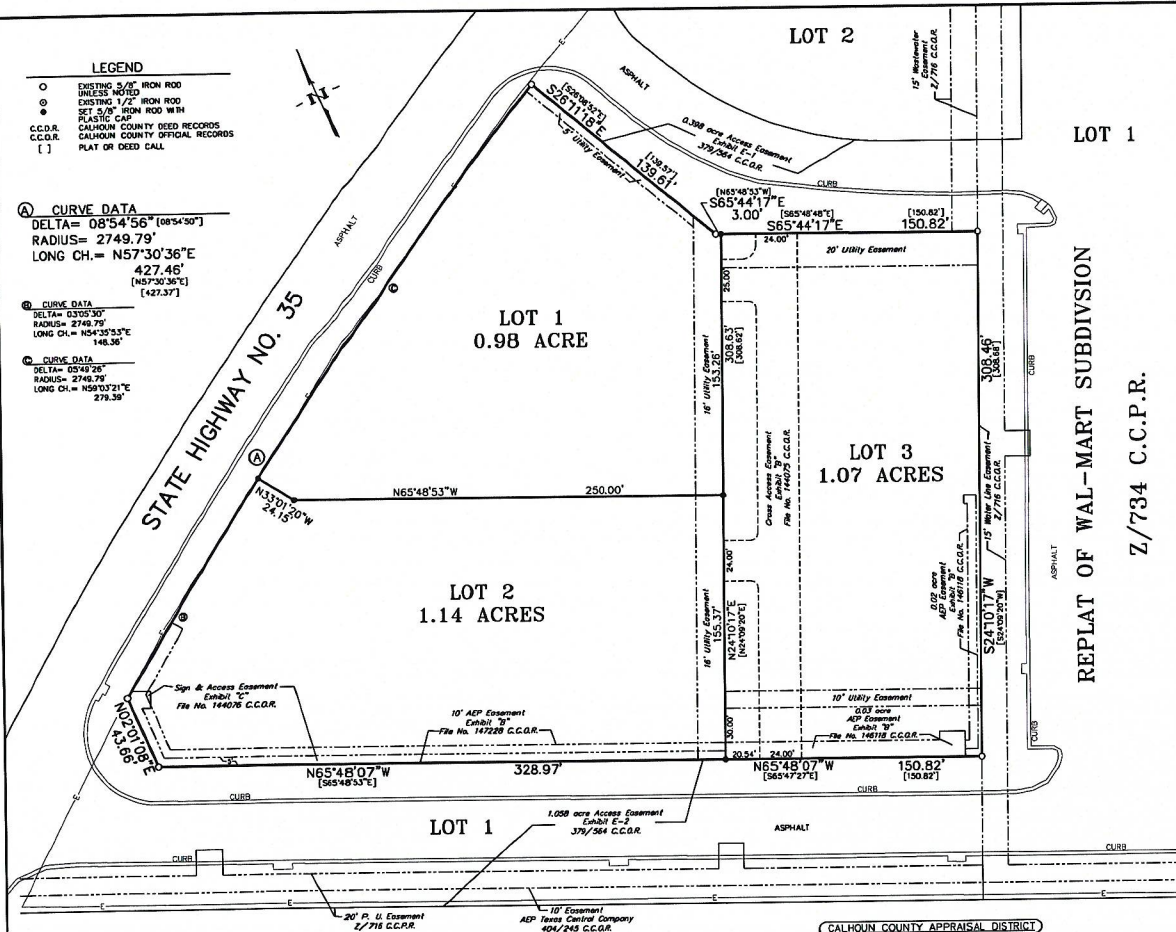
FINAL PLAT

- LEGEND**
- EXISTING 3/4" IRON ROD
 - EXISTING 1/2" IRON ROD
 - SET 5/8" IRON ROD WITH PLASTIC CAP
 - CALHOUN COUNTY DEED RECORDS
 - CALHOUN COUNTY OFFICIAL RECORDS
 - [] PLAT OR DEED CALL

A CURVE DATA
DELTA= 08°54'56" [08°54'30"]
RADIUS= 2749.79'
LONG CH.= N57°30'36"E
427.46'
[N57°30'30"] [427.37']

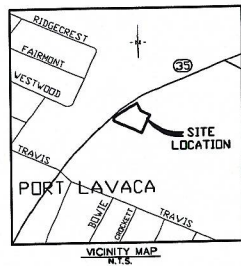
B CURVE DATA
DELTA= 03°05'30"
RADIUS= 2749.79'
LONG CH.= N54°20'53"E
148.30'

C CURVE DATA
DELTA= 05°40'26"
RADIUS= 2749.79'
LONG CH.= N59°03'21"E
279.39'

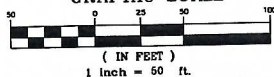


NOTE: BEARING SHOWN HEREIN ARE TEXAS STATE PLANE SOUTH CENTRAL ZONE NAD83 GRID

FLOOD DATA
ACCORDING TO THE APPROXIMATE SCALE OF THE NATIONAL FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 48020000E, REVISED OCTOBER 18, 2014, THIS PROPERTY IS LOCATED IN ZONE Z.



GRAPHIC SCALE



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 _____ PAGE _____ 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 _____ DAY OF _____, 2021.

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

I, HENRY A. DANYSH, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PLAT SHOWN HEREIN REPRESENTS THE RESULT OF A SURVEY MADE ON THE GROUND UNDER MY DIRECTION ON NOVEMBER 4, 2021.

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



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 _____ AND ALL PRIOR YEARS.

IF APPLICABLE, THE ABOVE-DESCRIBED PROPERTY HAS/S 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 (9)].

SIGNED THIS THE _____ DAY OF _____, 2021.

BY:
JESSE R. HUBBELL
CHIEF APPRAISER

COUNTY CLERK CERTIFICATE

STATE OF TEXAS
COUNTY OF CALHOUN

CERTIFICATE OF OWNERSHIP

STATE OF TEXAS
COUNTY OF CALHOUN

I, THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS THE PORT LAVACA CROSSING, AND WHOSE NAME IS SUBSCRIBED HERETO, HEREBY DEDICATE TO THE USE OF PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSE, GRANTS, EASEMENTS AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED.

OWNER OF LOTS 1 & 2
ROBERT LEBOW TRUST

STATE OF TEXAS
COUNTY OF _____

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED ROBERT LEBOW, 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 _____ DAY OF _____, 2021.

NOTARY PUBLIC, STATE OF TEXAS

OWNER OF LOTS 1 & 2
DAVID LEBOW TRUST

STATE OF TEXAS
COUNTY OF _____

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED DAVID LEBOW, 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 _____ DAY OF _____, 2021.

NOTARY PUBLIC, STATE OF TEXAS

OWNER OF LOTS 1 & 2
LEONARD LEBOW TRUST

STATE OF TEXAS
COUNTY OF _____

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED LEONARD LEBOW, 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 _____ DAY OF _____, 2021.

NOTARY PUBLIC, STATE OF TEXAS

OWNER OF LOT 3
PORT LAVACA CROSSING, LLC

STATE OF TEXAS
COUNTY OF _____

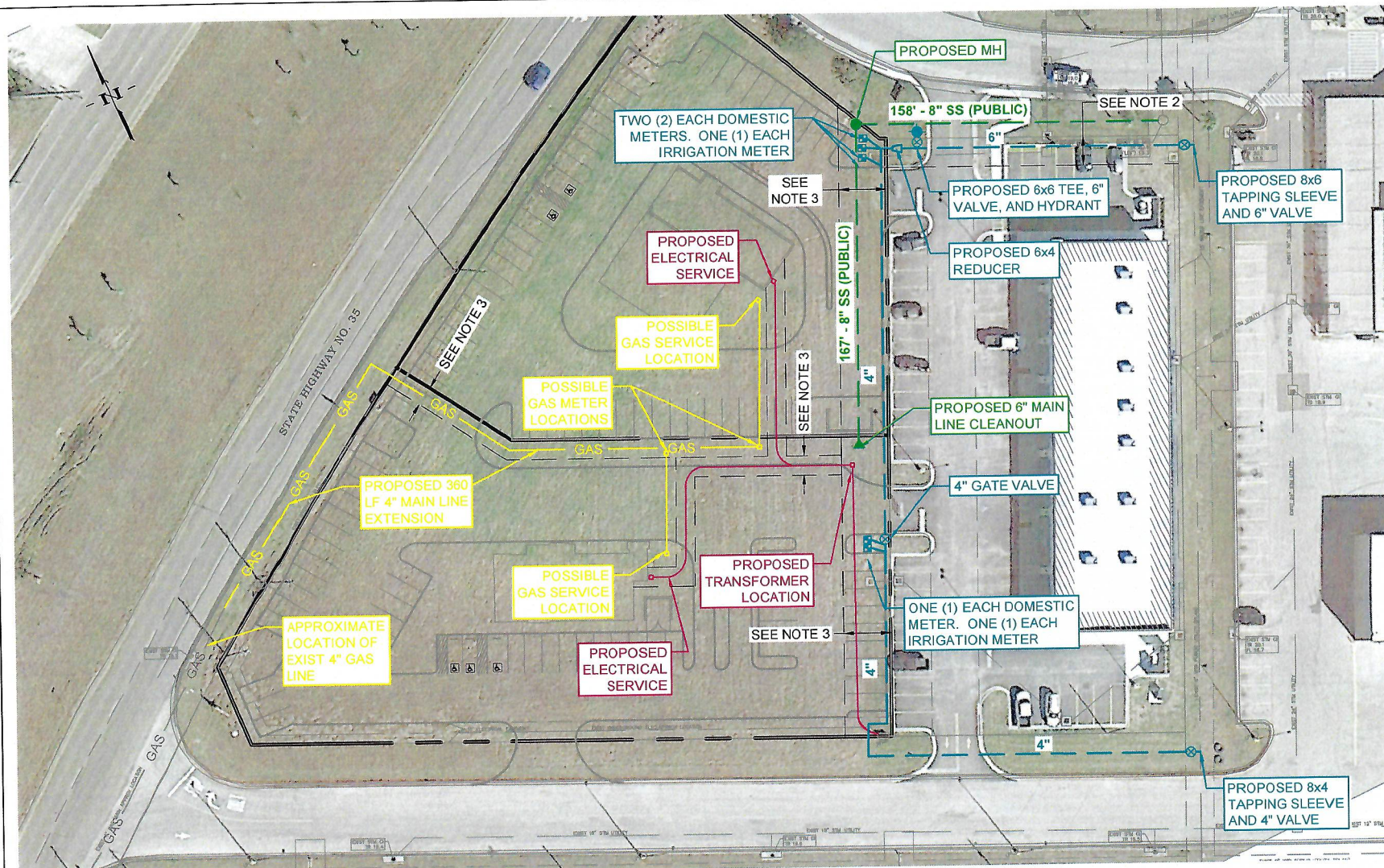
BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED _____ KNOWN TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSES AND CONSIDERATIONS THEREIN EXPRESSED.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS _____ DAY OF _____, 2021.

NOTARY PUBLIC, STATE OF TEXAS

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE AND SHALL NOT BE USED OR VIEWED OR RELIED UPON AS A FINAL SURVEY DOCUMENT

11-30-2021
RELEASE DATE



- NOTES :
1. WATER METERS :
DOMESTIC = 1.5"
IRRIGATION = 1.0"
 2. WILL REQUIRE EASEMENT BY SEPARATE INSTRUMENT, IF NOT PLATTED.
 3. WILL BE REQUIRED WHEN PLATTING.

UTILITIES EXHIBIT WALMART OUTLOT DEVELOPMENT PORT LAVACA, TEXAS

- NOTES :
4. ALL EASEMENT LOCATIONS ARE BASED ON PRELIMINARY DATA AND MAY CHANGE AS MORE DATA IS ACQUIRED

DRAWN BY:
S.P.M.
CHECKED BY:
S.P.M.
DATE:
10/26/21
SCALE:
1"=50'

G & W ENGINEERS, INC.

ENGINEERING • SURVEYING • PLANNING

205 W. LIVE OAK STREET, PORT LAVACA, TEXAS 77979
TBP# FIRM NO.: F04188
(361) 552-4509; PORT LAVACA (979) 323-7100; BAY CITY

PRELIMINARY

JOB NO.:
10179.002
SHEET NO.:
1 OF 1

Property Identification #: 86163

Property Information: 2022

Owner Identification #: 104560

Section VII. Item #H.

Geo ID: A0012-00000-0222-A0
Situs 300 TINEY BROWNING BLVD
Address: PORT LAVACA, TX 77979
Property Type: Real
State Code: F1

Legal Description: A0012 ALEJANDRO
ESPARZA, TRACT PT 1
WILSON, NOBLE & BOYDE,
ACRES 1.07
Abstract: A0012
Neighborhood: PORT LAVACA
COMMERCIAL
Appraised Value: N/A
Jurisdictions: G05, NV6, S01, C04, FML,
CAD, GWD

Name: PORT LAVACA CROSSING LLC
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.

Property Identification #: 29954

Property Information: 2022

Owner Identification #: 55412

Geo ID:	A0012-00000-0222-00
Situs	300 TINEY BROWNING BLVD
Address:	PORT LAVACA, TX 77979
Property	
Type:	Real
State	
Code:	D1

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

Name: LEBOW ROBERT TRUST
Exemptions:
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.

COMMUNICATION

SUBJECT: Consider request of the Port Lavaca Events Committee to close E. Railroad Street, between N. Virginia Steet and N. Colorado Street, from 8:00 a.m. to 4:00 p.m. every Sunday and every third Saturday of the month during the 2022 calendar year in order to sponsor “Boujee on the Bay” and “Depot Day” Events. Presenter is Tania French

INFORMATION:

CITY OF PORT LAVACA

COUNCIL MEETING: DECEMBER 13, 2021

DATE: 12/6/2021

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

FROM: TANIA FRENCH, PORT LAVACA EVENTS COMMITTEE

SUBJECT: E. RAILROAD STREET CLOSURE FOR “BOUJEE ON THE BAY”
AND “DEPOT DAYS” EVERY SUNDAY AND EVERY THIRD
SATURDAY OF THE MONTH IN 2022 CALENDAR YEAR

BACKGROUND:

Port Lavaca Depot Days started mid 2021 on the third Saturday of the month. Mad Batter Cheesecakes also started Boujee on the Bay, a local Farmer's Market in 2021 which is held the third Sunday of the month. As we work to grow both events, we are joining forces and moving the Farmer's Market to the Depot with the future goal of adding in cooking and art demonstrations upon completion of the Depot renovations. In order to add consistency and grow, Boujee on the Bay will become a weekly farmers market, held on Sunday, with the third weekend being larger with Depot Days on Saturday featuring shopping vendors in addition to local produce and goods.

REQUEST:

We are requesting the closure of E. Railroad Street between N. Virginia and N. Colorado Streets from 8:00 a.m. to 4:00 p.m. every Sunday and every third Saturday of the month in 2022.

COMMUNICATION

SUBJECT: Consider Resolution No. R-121321-1 to cast votes on the official ballot for the election of members to the Board of Directors for the Calhoun County Appraisal District for a two-year term beginning January 1, 2022 and ending on December 31, 2023. Presenter is Jody Weaver

INFORMATION:

CALHOUN COUNTY APPRAISAL DISTRICT
 426 West Main Street * P.O. Box 49
 Port Lavaca, Texas 77979
 Appraisal: (361) 552-8808
 Collections: (361) 552-4560
 Fax: (361) 552-4787
 Website: www.calhouncad.org



Board of Directors

William Swope, Chairman
 William Bauer, Vice Chairman
 Jessie Rodriguez, Secretary
 Vern Iyssy, Board Member
 Kevin Hill, Board Member

Chief Appraiser

Jesse W. Hubbell

10/18/2021

Greetings to the County Judge, President of the Board of Trustees for the Calhoun County Independent School District, Mayors of the Cities of Port Lavaca, Point Comfort and Seadrift:

It is now time for each governing body to vote for the Board of Directors for the Calhoun County Appraisal District for the 2022-2023 term. Please place this on your agenda for your November meeting. Submit the official results to my office no later than December 14, 2021.

I have enclosed the official ballot which includes the name of your jurisdiction, total number of votes that may be cast by your jurisdiction and the list of all candidates. You may cast all votes for one candidate or distribute any amount of your votes among the candidates. 834 votes are necessary for a candidate to be assured election to the appraisal district board.

Please note the following requirements:

- Votes must be cast by written resolution.
- A copy of the official resolution must accompany the ballot.
- The Official ballot and resolution must be returned to the chief appraiser no later than December 14, 2021. Please take action now to vote and return your results to my office as soon as possible.

No later than December 30, 2021, I will count the votes and declare the five (5) candidates receiving the largest cumulative vote totals as elected to the board. I will then submit the results to the governing body of each taxing unit in the appraisal district and to the candidates.

Remember that I must receive the official results no later than Tuesday, December 14, 2021. Please vote and submit your official results to my office as soon as possible.

Let me know if you have any questions. Your cooperation is greatly appreciated.

Respectfully,

A handwritten signature in cursive script, appearing to read "Jesse W. Hubbell".

Jesse W. Hubbell
 Chief Appraiser
jhubbell@calhouncad.org

RESOLUTION NO. R-121321-1

**A RESOLUTION OF THE CITY OF PORT LAVACA FOR THE ELECTION
OF THE BOARD OF DIRECTORS FOR THE CALHOUN COUNTY
APPRAISAL DISTRICT**

WHEREAS, this election is for the Board of Directors of the Calhoun County Appraisal District; and

WHEREAS, the Board of Directors consists of five members who serve two-year terms, the next term being January 1, 2022 through December 31, 2023; and

WHEREAS, the CITY OF PORT LAVACA, TEXAS is a taxing unit entitled to vote in the election for the Board of Directors for the Calhoun County Appraisal District, if so desired.

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

THAT, the following number of ballots are cast and submitted as exhibited on the attached official ballot in the election for the Calhoun County Appraisal District Board of Directors.

PASSED AND APPROVED on this the 13th day of December, 2021.

Jack Whitlow, Mayor

ATTEST:

Mandy Grant, City Secretary

OFFICIAL BALLOT FOR THE ELECTION OF THE BOARD OF DIRECTORS FOR THE
CALHOUN COUNTY APPRAISAL DISTRICT
2022-2023 TERM

VOTING UNIT	TOTAL VOTES AVAILABLE*
CITY OF PORT LAVACA	321
CANDIDATES	NUMBER OF VOTES CAST
BAUER, W. H. JR	
HILL, KEVIN	
LYSSY, VERN	
RODRIGUEZ, JESSIE	
SWOPE, WILLIAM	
	TOTAL:

*You may cast all your votes for one candidate or you may split your votes among any of the candidates.

This ballot must be returned with the resolution or order approving the vote no later than December 14,2021.

COMMUNICATION

SUBJECT: Services of Texas, L.P. dba Republic Services of Corpus Christi and the City of Port Lavaca. Consider presentation by Republic Services regarding the Municipal Contract between BFI Waste Presenter is Mike Reeves

INFORMATION:

November 29, 2021

Mrs. Jody Weaver
City Manager
City of Port Lavaca
202 N. Virginia St
Port Lavaca, TX. 77979

Dear Mrs. Weaver;

In accordance with Item 1 of the Third Amendment to the Municipal Contract between BFI Waste Services of Texas, LP d/b/a Republic Services of Corpus Christi and the City of Port Lavaca, we hereby submit our annual letter reflecting a **3.00% increase in the Base Rate to become effective February 1, 2022.**

The Base Residential Contract Rate as of March 1, 2021 was \$17.53 and applying the above Fixed Rate of 3.0%," **the new Base Residential Rate effective February 1, 2022 will become \$18.06.** The commercial rates will also increase by the same percentage and the Commercial Rate Matrix is attached reflecting the changes.

In the event both parties approve changes in contractual service options between now and March 1, 2022, we will modify prices accordingly. Should you have any questions concerning the price increase or our service, please do not hesitate to call me.

Sincerely,

Mike Reeves

Mike Reeves
Manager, Municipal Services
361-549-3097
MReeves@republicservices.com



Exhibit “A”
Base Rates-February 1, 2022
City of Port Lavaca

Residential Collection: (95 Gallon Carts) **\$18.06** monthly per unit
 (2Xwk garbage/1X month brush & bulky)

Additional Carts: **\$15.34** monthly per unit

Commercial 95 Gallon Carts: 2 X wk: **\$36.13** monthly per unit

FEL Dumpsters:

SIZE	X 1	X 2	X 3	X 4	X 5	XPU
2	\$113.07	\$174.53	\$228.75	\$245.82	\$349.93	\$60.77
3	\$136.65	\$214.29	\$294.85	\$376.17	\$443.84	\$60.77
4	\$162.75	\$261.31	\$376.17	\$459.38	\$558.90	\$60.77
6	\$210.55	\$349.96	\$453.77	\$624.91	\$762.46	\$60.77
8	\$284.86	\$462.45	\$661.92	\$804.48	\$980.18	\$60.77

FEL compacted trash: 4 times the unit charge above based upon size and frequency of service.

Miscellaneous Fees-

Overload Fee-	\$51.50 per occurrence
Extra Lift-	\$80.00 per request by customer
Relocation Fee-	\$51.50 per request by customer
Exchange Fee-	\$97.85 per request by customer
Delivery Fee-	\$51.50 per request by customer

Roll-Offs

Rent: \$105.24/month

Initial Delivery: \$122.20

Dry Run: \$239.11

	Haul Fee	Disposal/\$ per ton (includes Franchise Fee)
20 cyd	\$437.07	\$54.70
30cyd	\$437.07	\$54.70
40cyd	\$437.07	\$54.70
Compactors	\$437.07	\$54.70



Port Lavaca- Service Options Looking Ahead

Update – December 2021

Mike Reeves

Manager, Municipal Services



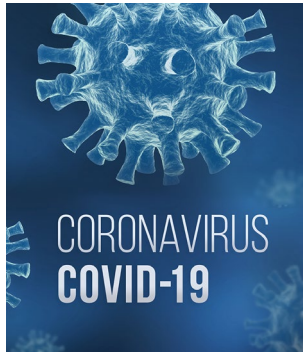
CITY OF PORT LAVACA
TEXAS



REPUBLIC
SERVICES

Top of Mind in 2022

Section VIII. Item #3.



COVID Pandemic Recovery

- Reopening enabling partial volume recovery
- Supply chain impacts to capital costs
- Cases continue to hinder operations in some markets



China Sword / Recycling

- Continued investments in domestic mills and capacity
- Global capacity still well below pre-China Sword levels
- 2021 commodity markets up due to pandemic-induced demand



Industry Wide Challenges

- National CDL driver and technician shortages driving wages up
- Labor shortages attributed to pandemic (eg: Call Center agents)



CITY OF PORT LAVACA
TEXAS

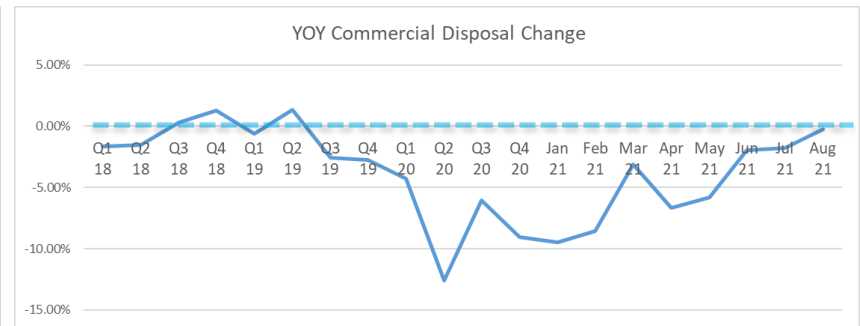
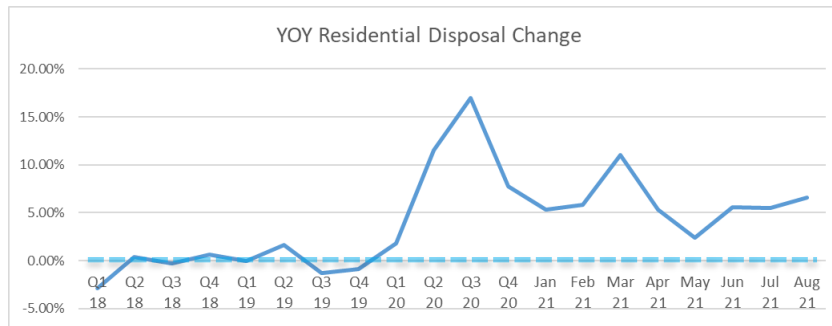
Service Options to Consider

- Menu of service options
- Timetable for City & Council approval
- Next Steps

The recycling and waste industry is far from “normal” in 2021-2022. We continue to navigate multiple unanticipated headwinds.

Pandemic Volume – Resi Remains Elevated

Section VIII. Item #3.



Residential

- Volume mirrors attempts to restore mobility
- Consistent increase over pre-pandemic levels, driven by continued work-from-home realities

Commercial

- Volumes mirror slow reopening of businesses
- Close to pre-pandemic averages

Industrial

- No significant changes

Are residential volumes at a new norm?
Continued work-from-home volume drives economic headwinds from additional disposal costs, in the lowest price line of business.

Pandemic Impacts to Supply Chain and Capital

Section VIII. Item #3.

Price of steel continues to soar

Hot-Rolled Coil Steel Futures Continuous Contract



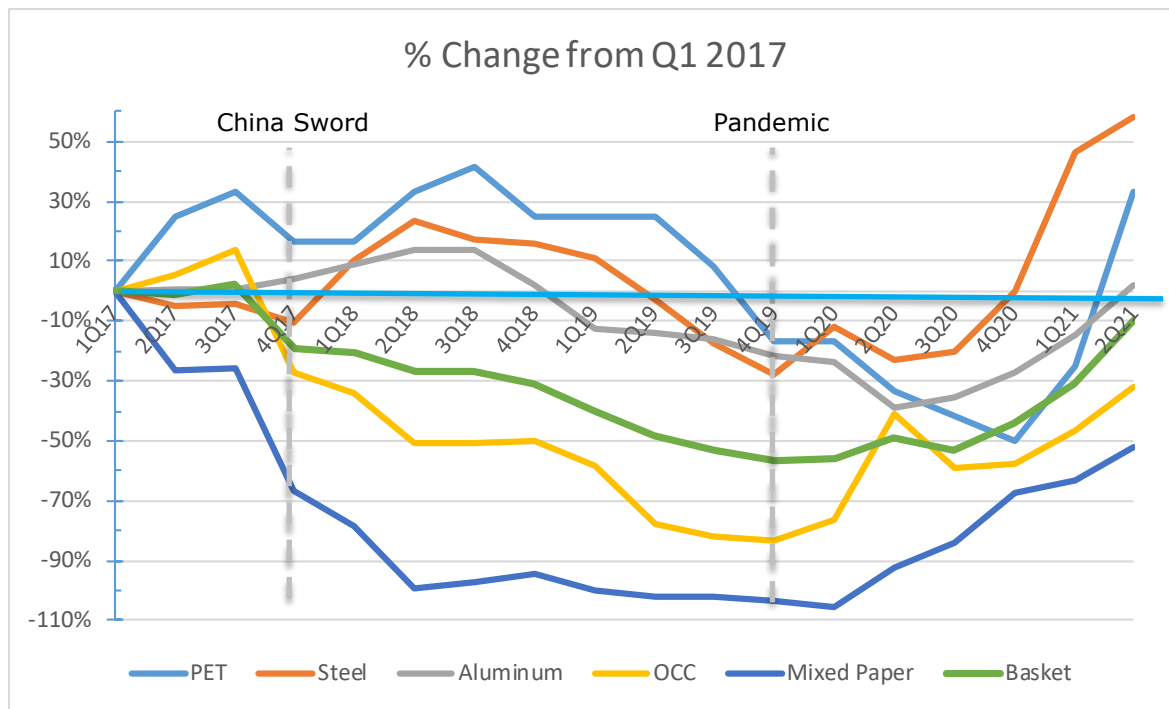
CHART: LANCE LAMBERT • SOURCE: MARKETWATCH

FORTUNE

Our industry is extremely capital intensive, requiring careful navigation of escalating costs.

Recycling: Commodity Trends

Section VIII. Item #3.



% of Republic Services Material Sold

	<u>2019</u>	<u>2020</u>	<u>2021*</u>
PET	4.5%	4.9%	4.5%
Steel	1.8%	1.6%	1.3%
Alum	1.2%	1.4%	1.3%
OCC	50%	53%	54%
Mix Paper	25%	23%	24%

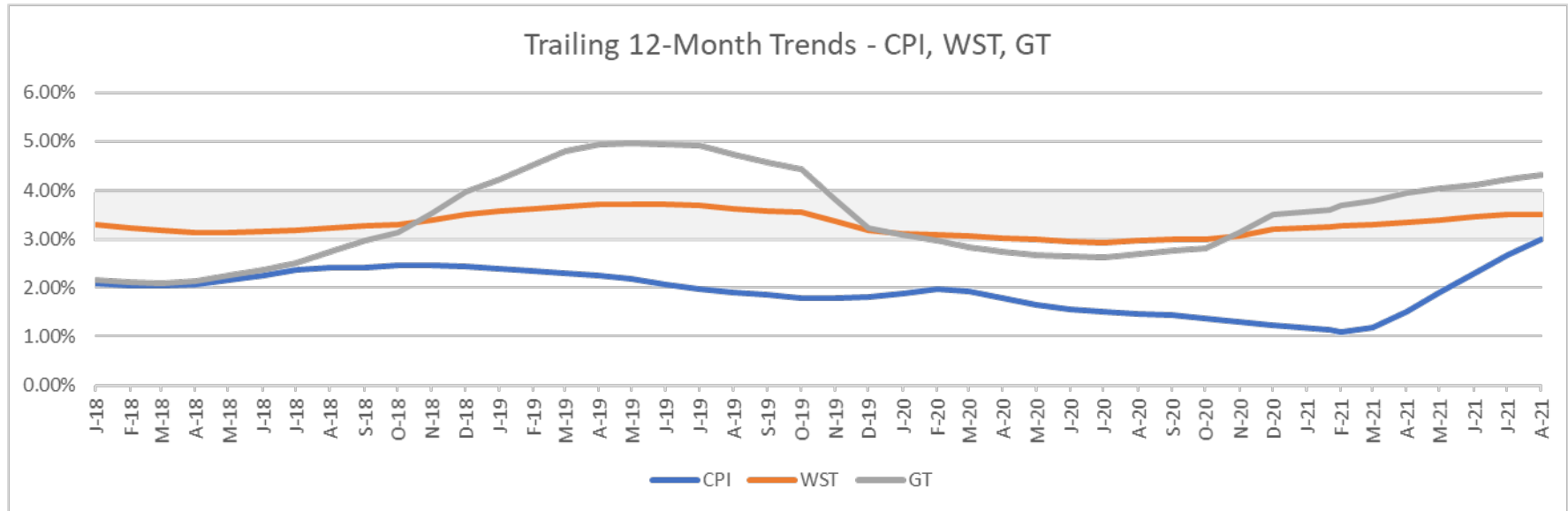
Source: STIFEL, June 2020 and June 2021

* - 2021 "Basket" is based on Jan. through July data

Residential tons are up... and commodity values are improving.

Annual Price Increase – Are You Exposed.

Section VIII. Item #3.



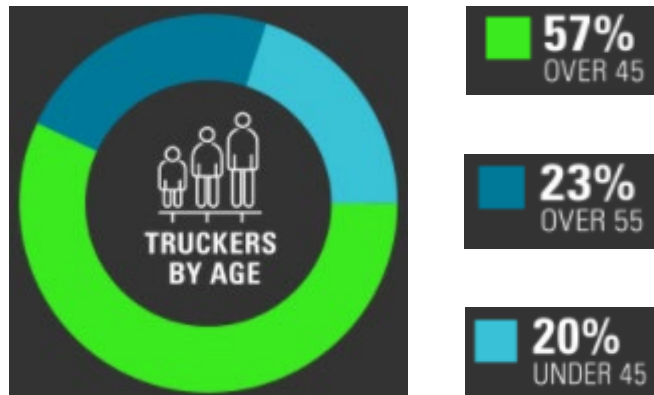
	<u>Jan</u>	<u>Feb</u>	<u>Mar</u>	<u>Apr</u>	<u>May</u>	<u>Jun</u>	<u>Jul</u>
CPI Monthly	1.40%	1.68%	2.62%	4.16%	4.99%	5.39%	5.37%
WST Monthly	3.57%	3.61%	3.53%	3.55%	3.44%	3.57%	3.69%
GT Monthly	4.42%	4.62%	4.69%	4.88%	4.34%	4.13%	4.54%

CPI will exceed industry average cost increases by end of 2021.

Cities not on WST or GT should change quickly to protect themselves and align with the proper industry index.

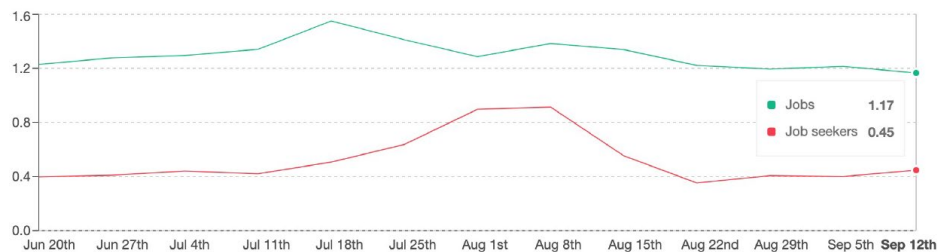
National CDL Driver Shortage

Section VIII. Item #3.



- **Fewer Drivers** – Younger workers are not entering the driver industry at a rate high enough to replace an aging driver workforce

Job Volume and Job Seeker Change – Commercial Driver



- **Growing Gap** – Open positions vs applicants
 - CDL Job Volume +17%
 - CDL Job Seeking -55%

Sources: Coyote Collective Report, EMSI Report, 2021
Indeed – US Data, August 2021

The growing gap between positions and applicants are forcing companies to offer higher pay, including \$5-10k signing bonuses and more time off.

Brush & bulk Challenges- 5 cu yards

Section VIII. Item #3.



Bulk/Light Construction Challenges

Section VIII. Item #3.



6-12 Cu Yards- Common & Customary

Section VIII. Item #3.



Port Lavaca Service Change Options

Section VIII. Item #3.

Current Service: \$17.53 per home, per month

- 2X per week waste collection (Cart contents only)
- 1X per month brush & bulky waste collection (5 cu yards)

Option 1: No Service Change

- 5-year early extension
- \$17.53 locked in for one year (2022) Rate would be **\$18.06** effective Feb 1, 2022

Option 2: (Slight price increase) \$2.00-\$4.00

- 1X per month brush & bulky collection (12 cu yards)
- 5-year early extension
- Waive residential portion of the CPI for 2022

Option 3: (Moderate price increase) \$6.00-\$8.00 per home

- 1X per month brush & bulky collection (Unlimited)
- Include light construction debris curbside
- 5-year early extension
- Waive residential portion of the CPI for 2022

Option 4: (Same price as 2022 CPI)

- 1X per quarter brush & bulky (12 cu yard)
- 5-year early extension

Option 5: (Slight price increase) \$2.00-\$4.00

- 1X per quarter brush & bulky (Unlimited)
- 5-year early extension

****All pricing changes subject to Corporate Approval**

****These options represent yard waste changes. Trash service remains as is**

Questions & Next Steps:

1. *Discuss options and alternate solutions*
2. *Staff recommendation to Council*
3. *Council presentation in January*
4. *Amend changes in Contract- February*
5. *Approval and new service effective date: March*



CITY OF PORT LAVACA
TEXAS

COMMUNICATION

SUBJECT: Consider approval of the Annual Financial Report (AFR) for the Fiscal Year ending September 30, 2020, prepared by the Audit Firm of Harrison, Waldrop & Uherek, L.L.P. Presenter is Susan Lang

INFORMATION:

CITY OF PORT LAVACA, TEXAS



ANNUAL FINANCIAL REPORT FOR THE YEAR ENDED SEPTEMBER 30, 2020

CITY OF PORT LAVACA, TEXAS

ANNUAL FINANCIAL REPORT

For the year ended September 30, 2020

CITY OF PORT LAVACA, TEXAS
ANNUAL FINANCIAL REPORT
For the year ended September 30, 2020

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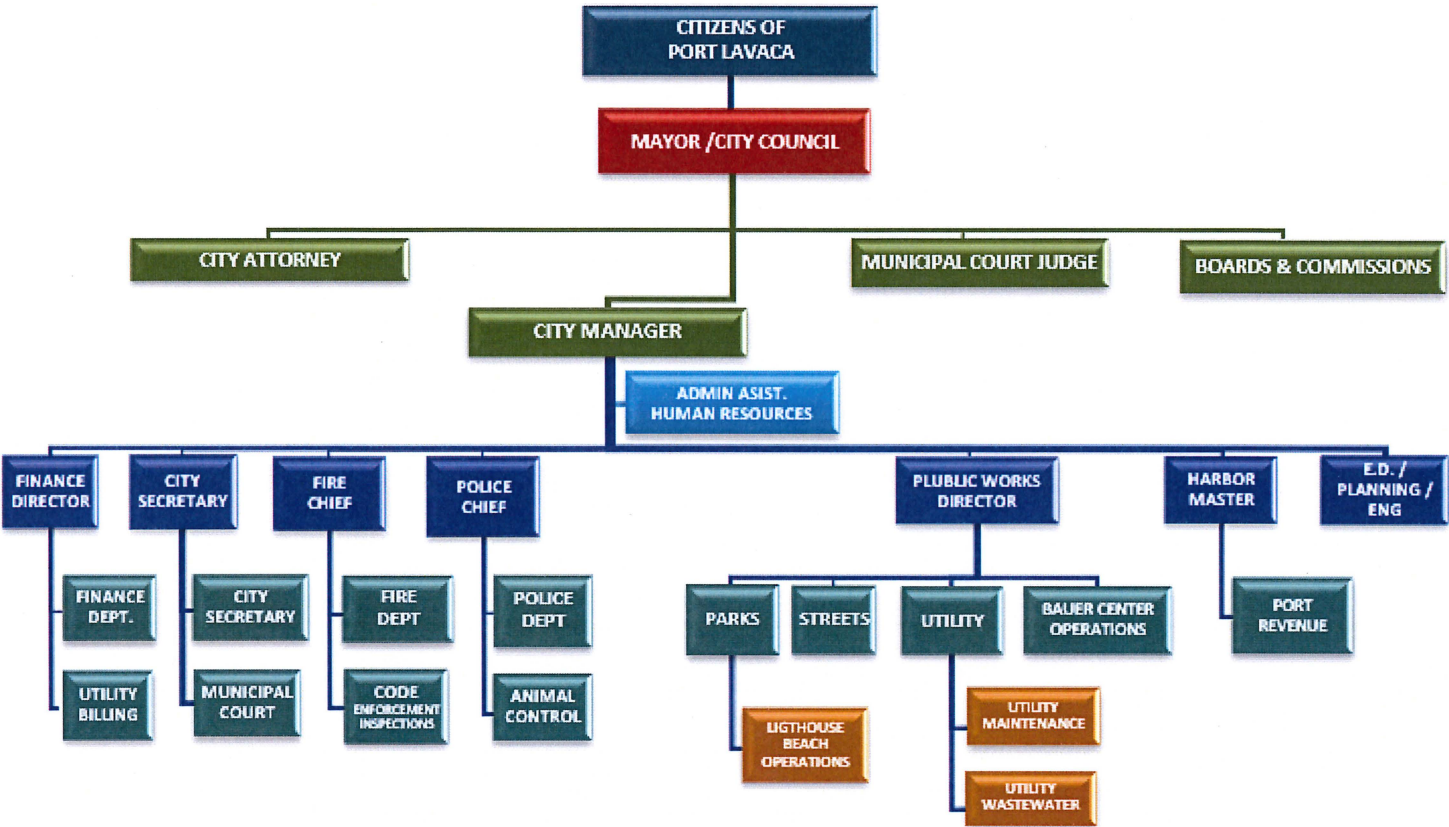
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INTRODUCTORY SECTION

CITY OF PORT LAVACA, TEXAS
ORGANIZATIONAL CHART
For the year ended September 30, 2020



City Officials

Jack Whitlow

Ken Barr

Jerry Smith

Allen Tippit

Jim Ward

Tim Dent

Rosie Padron

Elective Position

Mayor

Council Member

Council Member

Council Member

Council Member

Council Member

Mayor Pro-Tem

Key Staff

JoAnna P. Weaver

Sandra Mason

Mandy Grant

Joe Reyes, Jr.

Colin Rangnow

Wayne Shaffer

JoAnna P. Weaver

Appointive Position

Interim City Manager

Director of Finance

City Secretary

Chief of Fire

Chief of Police

Director of Public Works

Economic Director/City Engineer

FINANCIAL SECTION

HARRISON, WALDROP & UHEREK, L.L.P.



CERTIFIED PUBLIC ACCOUNTANTS
 101 S. MAIN, SUITE 400
 VICTORIA, TEXAS 77901-8142

STEPHEN W. VAN MANEN, CPA
 DENNIS C. CIHAL, CPA
 ERIC L. KUCERA, CPA
 CLAYTON P. VAN PELT, CPA
 ROBERT W. SCHAAR, CPA
 MELISSA M. TERRY, CPA

VOICE: (361) 573-3255
 FAX: (361) 573-9531

INDEPENDENT AUDITORS' REPORT

The Honorable Mayor and Members
 of the City Council
 City of Port Lavaca, Texas

Report on the Financial Statements

We have audited the accompanying financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Port Lavaca, Texas (the "City") as of and for the year ended September 30, 2020, and the related notes to the financial statements, which collectively comprise the City's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with the accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the organization's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

The Honorable Mayor and Members
of the City Council
City of Port Lavaca, Texas

Opinions

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City as of September 30, 2020, and the respective changes in financial position and, where applicable, cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the management's discussion and analysis, budgetary comparison information, schedule of changes in net pension liability and related ratios, schedules of changes in total OPEB liability and related ratios, and the schedules of employer contributions as listed in the table of contents, be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Other Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the City's basic financial statements. The introductory section and combining and individual nonmajor fund financial statements are presented for purposes of additional analysis and are not a required part of the basic financial statements. The schedule of expenditures of federal awards is presented for purposes of additional analysis as required by Title 2 U.S. *Code of Federal Regulations* (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards*, and is also not a required part of the basic financial statements.

The combining and individual nonmajor fund financial statements and the schedule of expenditures of federal awards are the responsibility of management and were derived from and relate directly to the underlying accounting and other records used to prepare the basic financial statements. Such information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the combining and individual nonmajor fund financial statements and the schedule of expenditures of federal awards are fairly stated in all material respects in relation to the basic financial statements as a whole.

The introductory section has not been subjected to the auditing procedures applied in the audit of the basic financial statements and, accordingly, we do not express an opinion or provide any assurance on it.

The Honorable Mayor and Members
of the City Council
City of Port Lavaca, Texas

Other Reporting Required by Government Auditing Standards

In accordance with *Government Auditing Standards*, we have also issued our report dated November 30, 2021, on our consideration of the City's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control over financial reporting and compliance.



HARRISON, WALDROP & UHEREK, L.L.P.
Certified Public Accountants

November 30, 2021

CITY OF PORT LAVACA, TEXAS
MANAGEMENT'S DISCUSSION AND ANALYSIS
For the year ended September 30, 2020

As management of the City of Port Lavaca, Texas (the "City"), we offer readers of the City's financial statements this narrative overview and analysis of the financial activities of the City for the year ended September 30, 2020.

FINANCIAL HIGHLIGHTS

Government-wide

- The assets and deferred outflows of the City exceeded its liabilities and deferred inflows at the close of the most recent fiscal year by \$72,025,352 (net position). Of this amount, \$20,347,665 (unrestricted net position) may be used to meet the City's ongoing obligations to citizens and creditors.
- The City's total net position increased by \$5,808,962 over the prior year.

Governmental Activities

- Net position grew from \$36,841,150 in 2019, to \$41,187,561 (an increase of 12%) as of September 30, 2020.

Business-type Activities

- Net position grew from \$29,375,240 in 2019, to \$30,837,791 (an increase of 5%) as of September 30, 2020.

Governmental Funds

- As of September 30, 2020, the City's governmental funds reported an ending fund balance of \$14,128,040, an increase of \$920,990 (7%) in comparison with the prior year.
- At the end of the fiscal year, unassigned fund balance for the General Fund was \$10,714,713 or 132% of total General Fund expenditures.
- The committed portion of the General Fund's fund balance totaled \$2,911,895. These monies were committed by the Council to pay for capital asset replacement and to be ready financially in the event of a disaster.

OVERVIEW OF THE FINANCIAL STATEMENTS

This discussion and analysis is intended to serve as an introduction to the City's basic financial statements. The City's basic financial statements are comprised of three components: 1) government-wide financial statements, 2) fund financial statements, and 3) notes to financial statements.

Organization and Flow of Financial Section Information

Independent Auditors' Report

Provides the opinion of the Independent Auditors on the fair presentation of the basic financial statements.

Management's Discussion and Analysis

This supplementary information is required for state and local government financial statements and is intended to provide a narrative introduction and analysis.

Pages 4 to 13

Government-wide Financial Statements

Provides information on governmental and business-type activities of the primary government.

Pages 14 to 17

Fund Financial Statements

Provides information on the financial position of specific funds of the primary government.

Pages 18 to 29

Notes to Financial Statements

Provides a summary of significant accounting policies and related disclosures.

Pages 30 to 58

OVERVIEW OF THE FINANCIAL STATEMENTS - (Continued)

Government-wide Financial Statements

The *government-wide financial statements* are designed to provide readers with a broad overview of the City's finances, in a manner similar to a private-sector business.

The *statement of net position* presents information on all of the City's assets and liabilities, with the difference between the two reported as net position. Over time, increases or decreases in net position may serve as a useful indicator of whether the financial position of the City is improving or deteriorating.

The *statement of activities* presents information showing how the City's net position changed during the most recent fiscal year. All changes in net position are reported as soon as the underlying event giving rise to the change occurs, regardless of the timing of related cash flows. Thus, revenues and expenses are reported in this statement for some items that will only result in cash flows in future fiscal periods (e.g., depreciation and earned but unused vacation leave).

The government-wide financial statements present functions and programs of the City that are provided for various funding sources. The government-wide financial statements can be found on pages 13-16 of this report.

Fund Financial Statements

A fund is a grouping of related accounts that is used to maintain control over resources that have been segregated for specific activities or objectives. The City, like other state and local governments, uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. The funds of the City can be divided into three categories: governmental funds, proprietary funds, and fiduciary funds.

Governmental funds are used to account for essentially the same functions reported as governmental activities in the government-wide financial statements. However, unlike the government-wide financial statements, governmental fund financial statements focus on near-term inflows and outflows of spendable resources, as well as on balances of spendable resources available at the end of the fiscal year. Such information may be useful in evaluating a government's near-term financing requirements.

Because the focus of the governmental funds is narrower than that of the government-wide financial statements, it is useful to compare the information presented in the governmental funds with similar information presented for governmental activities in the government-wide financial statements. By doing so, readers may better understand the long-term impact of the government's near-term financial decisions. Both the governmental funds balance sheet and the governmental funds statement of revenues, expenditures, and changes in fund balances provide a reconciliation to facilitate this comparison between the governmental funds and governmental activities. The basic governmental fund financial statements can be found on pages 18-23 of this report.

Proprietary funds are used to account for operations (a) that are financed and operated in a manner similar to private business enterprises - where the intent of the governing body is that the costs (expenses, including depreciation) of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges, or (b) where the governing body has decided that periodic determination of revenues earned, expenses incurred, and/or net income is appropriate for capital maintenance, public policy, management control, accountability, or other purposes. Proprietary fund financial statements can be found on pages 24-27 of this report.

Fiduciary funds are used to account for assets held by the City in a trustee capacity or as an agent for individuals, private organizations, other governments, and/or other funds. The City uses an expendable trust fund and agency funds. Expendable trust funds are accounted for in essentially the same manner as governmental funds. Agency funds are custodial in nature (assets equal liabilities) and do not involve measurement of results of operations. Fiduciary fund financial statements can be found on pages 28-29 of this report.

OVERVIEW OF THE FINANCIAL STATEMENTS - (Continued)**Notes to Financial Statements**

The notes provide additional information that is essential to a full understanding of the data provided in the government-wide and fund financial statements. The notes to financial statements can be found on pages 30-58 of this report.

Other Information

In addition to the basic financial statements and accompanying notes, required supplementary information is included which presents a budgetary comparison schedule for the City's General Fund, a schedule of changes in liability and related ratios for the TMRS Defined Benefit Pension Plan, a schedule of employer contributions for the TMRS Defined Benefit Pension Plan, a schedule of changes in Total OPEB liability and related ratios for the TMRS Supplemental Death Benefit Plan, and a schedule of employer contributions for the TMRS Supplemental Death Benefit Plan. Required supplementary information can be found on pages 59-67 of this report.

The combining and individual fund statements and schedules provide additional information pertaining to the City's nonmajor governmental funds and the General Fund's budgetary performance. This other information can be found on pages 68-84 of this report.

GOVERNMENT-WIDE FINANCIAL ANALYSIS

As noted earlier, net position may serve over time as a useful indicator of a government's financial position. The City's assets and deferred outflows exceeded liabilities and deferred inflows by \$72,025,352 as of September 30, 2020.

The largest portion of the City's net position (70%) reflects its investment in capital assets (e.g. land, buildings, vehicles, machinery and equipment, and infrastructure); less any related debt used to acquire those assets that is still outstanding. The City uses these capital assets to provide services to the individuals we serve; consequently, these assets are not available for future spending. The second largest portion of the City's net position (28%) represents unrestricted financial resources available for future operations. Additionally, a portion of the City's net position (2%) represents resources that are subject to restrictions on how they may be used.

At the end of the current fiscal year, the City is able to report positive balances in all three categories of net position for the primary government as a whole.

City of Port Lavaca, Texas

Net Position

	Governmental Activities		Business-type Activities		Total	
	2020	2019	2020	2019*	2020	2019*
Current and other assets	\$ 16,651,083	\$ 15,688,317	\$ 8,521,969	\$ 10,783,034	\$ 25,173,052	\$ 26,471,351
Capital assets, net	27,911,391	24,647,215	27,884,970	25,335,063	55,796,361	49,982,278
Total assets	44,562,474	40,335,532	36,406,939	36,118,097	80,969,413	76,453,629
Total deferred outflows of resources	245,707	703,338	91,964	203,400	337,671	906,738
Current and other liabilities	1,601,785	1,646,172	2,388,280	2,615,912	3,990,065	4,262,084
Noncurrent liabilities	1,577,531	2,439,314	3,251,021	4,314,166	4,828,552	6,753,480
Total liabilities	3,179,316	4,085,486	5,639,301	6,930,078	8,818,617	11,015,564
Total deferred inflows of resources	441,304	112,234	21,811	16,179	463,115	128,413
Net Position:						
Net investment in capital assets	26,755,385	23,390,026	23,856,570	20,419,430	50,611,955	43,809,456
Restricted	1,065,732	990,959	-	-	1,065,732	990,959
Unrestricted	13,366,444	12,460,165	6,981,221	8,955,810	20,347,665	21,415,975
Total net position	\$ 41,187,561	\$ 36,841,150	\$ 30,837,791	\$ 29,375,240	\$ 72,025,352	\$ 66,216,390

*2019 net position has been restated. See Note 19 of this report.

GOVERNMENT-WIDE FINANCIAL ANALYSIS - (Continued)

Net position of the City increased by \$5,808,962. This consisted of an increase of \$4,346,411 for governmental activities and \$1,462,551 for business-type activities.

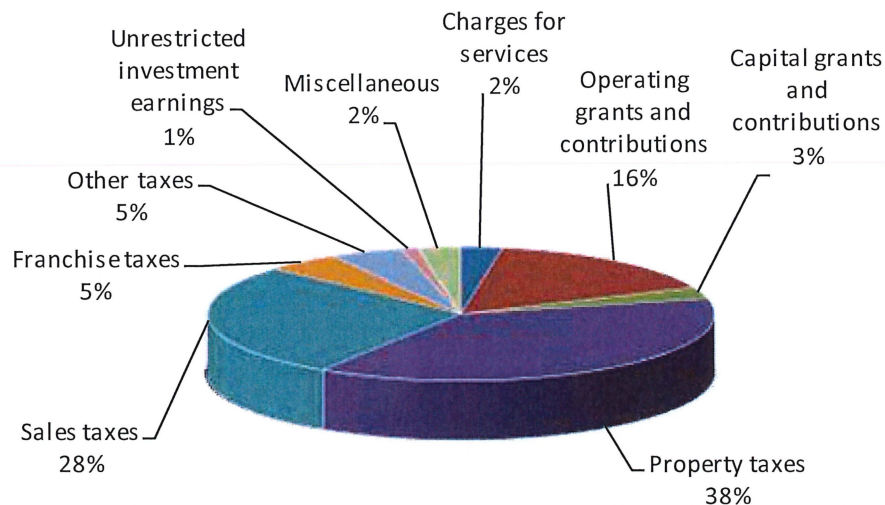
City of Port Lavaca, Texas						
Changes in Net Position						
	Governmental Activities		Business-type Activities		Total	
	2020	2019	2020	2019*	2020	2019*
REVENUES						
Program revenues:						
Charges for services	\$ 311,753	\$ 357,995	\$ 6,481,976	\$ 6,777,026	\$ 6,793,729	\$ 7,135,021
Operating grants and contributions	1,895,078	1,533,401	-	-	1,895,078	1,533,401
Capital grants and contributions	336,700	-	474,503	1,531,801	811,203	1,531,801
General revenues:						
Property taxes	4,517,719	4,310,870	-	-	4,517,719	4,310,870
Sales taxes	3,287,441	3,562,168	-	-	3,287,441	3,562,168
Franchise taxes	569,268	584,078	-	-	569,268	584,078
Other taxes	560,236	685,682	-	-	560,236	685,682
Unrestricted investment earnings	127,105	329,183	85,575	199,053	212,680	528,236
Miscellaneous	320,406	276,301	-	-	320,406	276,301
Total revenues	11,925,706	11,639,678	7,042,054	8,507,880	18,967,760	20,147,558
EXPENSES						
General government	2,053,858	3,318,934	-	-	2,053,858	3,318,934
Public safety	3,533,380	3,355,541	-	-	3,533,380	3,355,541
Public works	1,521,470	1,658,704	-	-	1,521,470	1,658,704
Parks and recreation	716,662	790,807	-	-	716,662	790,807
Interest on long-term debt	33,969	40,061	-	-	33,969	40,061
Public utilities	-	-	4,555,046	4,262,430	4,555,046	4,262,430
Port revenue	-	-	555,137	595,580	555,137	595,580
Beach operations	-	-	189,276	305,831	189,276	305,831
Total expenses	7,859,339	9,164,047	5,299,459	5,163,841	13,158,798	14,327,888
Change in net position before transfers	4,066,367	2,475,631	1,742,595	3,344,039	5,808,962	5,819,670
Transfers	280,044	274,635	(280,044)	(274,635)	-	-
Change in net position	4,346,411	2,750,266	1,462,551	3,069,404	5,808,962	5,819,670
Net position - October 1, as restated	36,841,150	34,090,884	29,375,240	26,305,836	66,216,390	60,396,720
Net position - September 30	\$ 41,187,561	\$ 36,841,150	\$ 30,837,791	\$ 29,375,240	\$ 72,025,352	\$ 66,216,390

*2019 net position has been restated. See Note 19 of this report.

GOVERNMENT-WIDE FINANCIAL ANALYSIS - (Continued)

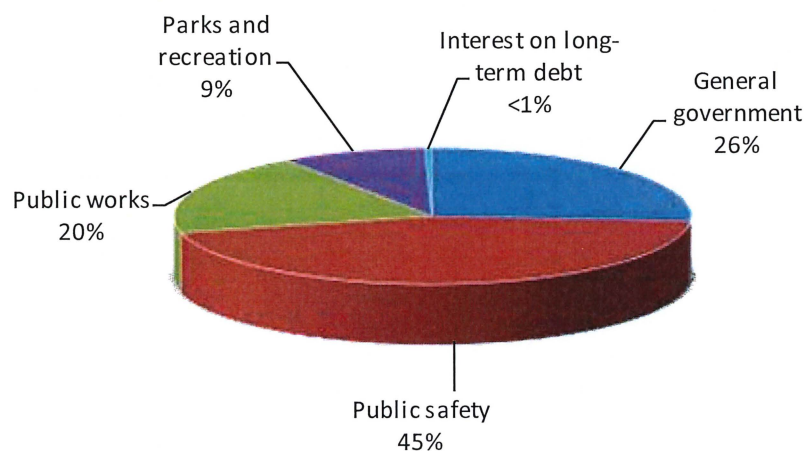
Graphic presentations of selected data from the summary tables follow to assist in the analysis of the City's activities.

Governmental Revenues



For the fiscal year ended September 30, 2020, revenues from governmental activities totaled \$11.9 million. Operating grants and contributions increased \$361,677 or 24% from fiscal year 2019. This was mainly due to the revenues received relating to Hurricane Harvey. Capital grants and contributions also increased \$336,700 from fiscal year 2019. The increase is mainly due to a CDBG grant relating to improvements to areas impacted by Hurricane Harvey.

Governmental Functional Expenses



For the fiscal year ended September 30, 2020, expenses for governmental activities totaled \$7.9 million. This is a decrease of \$1,304,708 or 14% from fiscal year 2019. This decrease was attributable to the decrease in expenses incurred by the City relating to Hurricane Harvey in fiscal year 2020 compared to 2019. 98% of the funds expended in the Hurricane Harvey Fund in fiscal year 2020 were related to capital expenses rather than general government operating expenses as in fiscal year 2019.

GOVERNMENT-WIDE FINANCIAL ANALYSIS - (Continued)

Business-type activities increased the City's net position by \$1,462,551. The key elements of this increase relate to the Public Utility Fund and the Port Revenue Fund. The Public Utility Fund had an operating income for fiscal year 2020 of \$1,111,941. The Port Revenue Fund had an increase in net position in the amount of \$420,683 which was attributable to Helena capital contributions.

FINANCIAL ANALYSIS OF THE CITY'S FUNDS

As previously noted, the City uses fund accounting to ensure and demonstrate compliance with finance-related legal requirements. The City's governmental funds are discussed below.

Governmental Funds

The focus of the City's governmental funds is to provide information on near-term inflows, outflows, and balances of spendable resources. Such information is useful in assessing the City's financing requirements. In particular, fund balances may serve as a useful measure of a government's net resources available for spending for program purposes at the end of the fiscal year.

As of September 30, 2020, the City's governmental funds, which consist of the General Fund, one debt service fund, one capital projects fund, and nine special revenue funds, reported an ending fund balance of \$14,128,040, which is an increase of \$920,990 from last year's total of \$13,207,050.

The General Fund is the chief operating fund of the City. Its fund balance decreased by \$147,808 during the fiscal year due mainly to planned capital spending of unassigned fund balance. This decrease compared favorably to the budgeted decrease in fund balance of \$2,283,565 due to revenue exceeding budgeted expectations and project delays of planned capital spending of unassigned fund balance. As a measure of the General Fund's liquidity, it may be useful to compare unassigned fund balance to total fund expenditures. Unassigned fund balance represents 132% of total General Fund expenditures as compared to 153% in the prior year. The main reason for the decrease in percentage is due to the same reasons explained above for the decrease in overall fund balance.

The net decrease in overall fund balance for governmental funds also included an increase of \$403,290 for the Hurricane Harvey Fund, a major Special Revenue Fund, a net increase of \$596,037 for the Street Construction Fund, a major Capital Projects Fund, and a net increase of \$69,471 in other governmental funds. The reason for the increases in the Hurricane Harvey Fund and the other governmental funds is due to the revenues exceeding expenditures for fiscal year 2020. The reason for the increase in the Street Construction Fund is due to transfers in from the General Fund.

Proprietary Funds

The City's proprietary fund statements provide the same type of information as found in the government-wide financial statements, but in more detail.

Unrestricted net position of the Public Utility Fund at the end of the fiscal year amounted to \$5,053,932. The increase in total net position for the year was \$957,433. Net positions of the Port Revenue Fund and the Beach Operating Fund both increased during the 2020 fiscal year by \$420,683 and \$84,435, respectively.

Other factors concerning the finances of these funds have been addressed in the discussion of the City's business-type activities.

GENERAL FUND BUDGETARY HIGHLIGHTS

Total revenues earned were \$1,228,658 greater than budgeted expectations, with tax revenues making up \$815,426 or 66% of the positive variance. Sales tax made up 48% of the variance while property tax contributed to 18% of the variance. In addition, the issuance of debt was not budgeted, which contributed \$187,825 or 15% of the variance.

Total actual expenditures were under budgeted expenditures by \$907,099. Conservative budgetary practices resulted in positive budget variances as it relates to general government, public safety, parks and recreation, public works (including streets) departments.

Differences between the General Fund's original budget and final amended budget were a net increase of \$235,945 to expenditures. A few of the changes are briefly summarized as follows:

- An increase of \$26,879 in the police department which primarily consisted of an increase of \$22,274 in maintenance to repair damaged vehicles.
- An increase of \$82,689 in the fire department which consisted of an increase of \$73,199 in capital outlay, an increase of \$4,957 in maintenance, and other miscellaneous items.
- An increase of \$119,836 in capital outlay expenditures for parks and recreation projects.

CAPITAL ASSET AND DEBT ADMINISTRATION

Capital Assets

The City's investment in capital assets as of September 30, 2020, amounts to \$55,796,361 (net of accumulated depreciation). This investment in capital assets includes land, buildings, improvements, vehicles, machinery and equipment, and infrastructure.

Major capital asset events during the current fiscal year included various infrastructure projects, improvements to the Formosa Wetlands Walkway, and the purchase of vehicles and equipment for governmental and business-type activities. Additional information on the City's capital assets can be found in Note 6 in the notes to financial statements.

City of Port Lavaca, Texas

Capital Assets (Net of Depreciation)

	Governmental Activities		Business-type Activities		Total	
	2020	2019	2020	2019*	2020	2019*
Non-Depreciable Assets						
Land	\$ 1,844,144	\$ 1,517,859	\$ 2,316,718	\$ 2,316,718	\$ 4,160,862	\$ 3,834,577
Construction in progress	4,358,662	3,443,187	3,520,313	3,358,941	7,878,975	6,802,128
Other Capital Assets						
Machinery and equipment	3,874,121	3,631,026	1,274,877	901,644	5,148,998	4,532,670
Buildings and structures	8,283,362	6,870,309	5,716,807	5,239,019	14,000,169	12,109,328
Infrastructure	33,039,649	31,826,259	44,141,049	41,797,749	77,180,698	73,624,008
Accumulated depreciation on other capital assets	(23,488,547)	(22,641,425)	(29,084,794)	(28,279,008)	(52,573,341)	(50,920,433)
Total	\$ 27,911,391	\$ 24,647,215	\$ 27,884,970	\$ 25,335,063	\$ 55,796,361	\$ 49,982,278

*2019 balances have been restated. See Note 19 of this report.

CAPITAL ASSET AND DEBT ADMINISTRATION - (Continued)**Long-term Debt**

At the end of the current fiscal year, the City had total bonds and certificates of obligation outstanding of \$5.0 million. The following table details the nature of this debt and other debt obligations of the City.

City of Port Lavaca, Texas						
Long-term Debt						
	Governmental Activities		Business-type Activities		Total	
	2020	2019	2020	2019	2020	2019
Revenue bonds	\$ -	\$ -	\$ 1,750,000	\$ 2,510,000	\$ 1,750,000	\$ 2,510,000
General obligation bonds	1,005,000	1,305,000	-	-	1,005,000	1,305,000
Certificates of obligation	-	-	2,270,000	2,430,000	2,270,000	2,430,000
Loan payable	187,825	-	-	-	187,825	-
Issuance premiums	-	-	94,717	99,436	94,717	99,436
Compensated absences	141,831	122,727	13,167	15,456	154,998	138,183
OPEB liability	272,872	221,525	30,319	30,208	303,191	251,733
Net pension liability	334,462	1,130,562	37,163	154,167	371,625	1,284,729
Total	\$ 1,941,990	\$ 2,779,814	\$ 4,195,366	\$ 5,239,267	\$ 6,137,356	\$ 8,019,081

Additional information on the City's long-term debt can be found in Note 9 in the notes to financial statements.

ECONOMIC FACTORS AND NEXT YEAR'S BUDGETS AND RATES**General Fund**

The City had been experiencing a steady growth in sales tax since 2010, however the global pandemic caused a dip in overall sales tax revenue for 2020 by 7.7%. Due to the conservative budgeting efforts of the City, this decrease did not affect the City in a negative manner; in fact, the City exceeded its budgeted sales tax revenue by almost 22%. Property values increased slightly due to improvements made as a result of repairs from Hurricane Harvey.

The City approved a Five-Year Capital Plan that continues to focus on infrastructure upgrades and improvements to streets and parks based on a "pay as you go" philosophy. Plans to add a walk and handrail to the bulkhead at Scully's will tie in a future boardwalk to Bayfront Park. The Southern Pacific Depot will be renovated and will host Market Days. Crosswalk enhancements are planned at Main and Commerce streets as well as a turning lane from Park Street. City hall and the police department are slated to have a new roof, as well as a comprehensive renovation design plan. Numerous street reconstruction projects are planned which include sidewalks and drainage for: Ezzell, Mildred and George streets. Additionally, park improvements and enhancements are planned which include a skate park.

ECONOMIC FACTORS AND NEXT YEAR'S BUDGETS AND RATES - (Continued)

Utility Fund

Future plans include a continuation of infrastructure replacement. The City has replaced many old, clay sewer lines by means of grants and has replaced antiquated water lines with Public Utility Fund revenues. Plans are to replace water lines and valves to increase water pressure, provide cleaner water, decrease water loss percentage, and reduce outages due to very old infrastructure. In keeping with the City's Five-Year Capital Plan, water lines along Broadway, Live Oak and Ezzell streets are planned, and wastewater will see upgrades to lift stations, generator purchases, and sewer line replacements along Ezzell Street.

Discussions continue with the Guadalupe-Blanco River Authority related to major upgrades/reconstruction to the water treatment facility.

Beach Fund

The City continues the improvements utilizing FEMA Public Assistance grant funds in order to repair damage caused by Hurricane Harvey.

Port Revenue Fund

The City has been awarded a Texas Parks and Wildlife Grant for a breakwater project which will improve the facilities. Continued infrastructure improvements and repair to the bulkhead and dock facilities are planned at Harbor of Refuge, City Harbor, Smith Harbor and Nautical Landings Marina.

All Major Funds

The City is working carefully to manage its fund balances. Major reconstruction projects have been scheduled to maximize the retention of the City's fund balances. Major projects are being scheduled in a manner to obtain full FEMA reimbursement where possible. At the same time, critical projects with limited potential for FEMA reimbursement continue to move forward. Based on communications with federal and state officials, reimbursements for eligible damages to public facilities is at 90% of the damages.

The City continues to move forward with the repair process. In most cases, this entails selection of consulting engineers for a project, preliminary engineering, project design and preparation of project specifications, project bidding, selection of a project contractor for each project, contracting and construction. It is a lengthy process for each project.

REQUESTS FOR INFORMATION

The financial report is designed to provide a general overview of the City's finances for all those with an interest in the government's finances. Questions concerning any of the information provided in this report or requests for additional financial information should be addressed to the City of Port Lavaca: Finance Director, 202 North Virginia, Port Lavaca, Texas 77979.

Basic Financial Statements

CITY OF PORT LAVACA, TEXAS
STATEMENT OF NET POSITION
September 30, 2020

	Governmental Activities	Business-type Activities	Total
ASSETS			
Current assets			
Cash and cash equivalents	\$ 14,286,997	\$ 7,294,604	\$ 21,581,601
Receivables (net)	775,199	1,035,876	1,811,075
Due from other governments	1,541,363	143,259	1,684,622
Prepaid items	47,524	17,369	64,893
Inventory	-	30,861	30,861
Total current assets	<u>16,651,083</u>	<u>8,521,969</u>	<u>25,173,052</u>
Noncurrent assets			
Capital assets			
Land and other assets not being depreciated	6,202,806	5,837,031	12,039,837
Assets being depreciated (net)	<u>21,708,585</u>	<u>22,047,939</u>	<u>43,756,524</u>
Total noncurrent assets	<u>27,911,391</u>	<u>27,884,970</u>	<u>55,796,361</u>
Total assets	<u>44,562,474</u>	<u>36,406,939</u>	<u>80,969,413</u>
DEFERRED OUTFLOWS OF RESOURCES			
Deferred outflow related to pension	165,111	-	165,111
Deferred outflow related to OPEB	43,777	5,647	49,424
Deferred amount on refunding	<u>36,819</u>	<u>86,317</u>	<u>123,136</u>
Total deferred outflows of resources	<u>245,707</u>	<u>91,964</u>	<u>337,671</u>

The accompanying notes are an integral part of this statement.

	Governmental Activities	Business-type Activities	Total
LIABILITIES			
Current liabilities			
Accounts payable	\$ 931,321	\$ 1,094,266	\$ 2,025,587
Payroll related liabilities	179,511	36,274	215,785
Accrued interest payable	2,571	15,938	18,509
Due to other governments	27,473	8,330	35,803
Accrued compensated absences	46,804	4,345	51,149
Unearned revenue	67,916	80,018	147,934
Customer deposits	28,534	209,109	237,643
Current portion of long-term obligations	317,655	940,000	1,257,655
Total current liabilities	<u>1,601,785</u>	<u>2,388,280</u>	<u>3,990,065</u>
Noncurrent liabilities			
Accrued compensated absences	95,027	8,822	103,849
Net pension liability	334,462	37,163	371,625
OPEB liability	272,872	30,319	303,191
Noncurrent portion of long-term obligations	875,170	3,174,717	4,049,887
Total noncurrent liabilities	<u>1,577,531</u>	<u>3,251,021</u>	<u>4,828,552</u>
Total liabilities	<u>3,179,316</u>	<u>5,639,301</u>	<u>8,818,617</u>
DEFERRED INFLOWS OF RESOURCES			
Deferred inflow related to pension	424,330	19,627	443,957
Deferred inflow related to OPEB	16,974	2,184	19,158
Total deferred inflows of resources	<u>441,304</u>	<u>21,811</u>	<u>463,115</u>
NET POSITION			
Net investment in capital assets	26,755,385	23,856,570	50,611,955
Restricted for:			
Debt service	194,426	-	194,426
Economic development, tourism and conventions	790,915	-	790,915
Public safety	26,608	-	26,608
Municipal court	53,783	-	53,783
Unrestricted	13,366,444	6,981,221	20,347,665
Total net position	<u>\$ 41,187,561</u>	<u>\$ 30,837,791</u>	<u>\$ 72,025,352</u>

CITY OF PORT LAVACA, TEXAS
STATEMENT OF ACTIVITIES
For the year ended September 30, 2020

Function/Programs	Expenses	Program Revenues		
		Charges for Services	Operating Grants and Contributions	Capital Grants and Contributions
Governmental activities				
General government	\$ 2,053,858	\$ 272,534	\$ 28,379	\$ -
Public safety	3,533,380	8,874	293,164	94,118
Public works	1,521,470	-	-	242,582
Parks and recreation	716,662	30,345	1,573,535	-
Interest on long-term debt	33,969	-	-	-
Total governmental activities	<u>7,859,339</u>	<u>311,753</u>	<u>1,895,078</u>	<u>336,700</u>
Business-type activities				
Public utilities	4,555,046	5,629,845	-	68,352
Port revenue	555,137	579,343	-	406,151
Beach operations	189,276	272,788	-	-
Total business-type activities	<u>5,299,459</u>	<u>6,481,976</u>	<u>-</u>	<u>474,503</u>
Total government	<u>\$ 13,158,798</u>	<u>\$ 6,793,729</u>	<u>\$ 1,895,078</u>	<u>\$ 811,203</u>

General revenues:

Taxes:

Property taxes, levied for general purposes

Property taxes, levied for debt service

Sales taxes

Franchise taxes

Other taxes

Unrestricted investment earnings

Miscellaneous

Transfers

Total general revenues and transfers

Change in net position

Net position - beginning, as restated

Net position - ending

The accompanying notes are an integral part of this statement.

Net (Expense) Revenue and Changes in Net Position		
Governmental Activities	Business- type Activities	Total
\$ (1,752,945)	\$ -	\$ (1,752,945)
(3,137,224)	-	(3,137,224)
(1,278,888)	-	(1,278,888)
887,218	-	887,218
(33,969)	-	(33,969)
<u>(5,315,808)</u>	<u>-</u>	<u>(5,315,808)</u>
-	1,143,151	1,143,151
-	430,357	430,357
-	83,512	83,512
-	<u>1,657,020</u>	<u>1,657,020</u>
<u>(5,315,808)</u>	<u>1,657,020</u>	<u>(3,658,788)</u>
4,188,567	-	4,188,567
329,152	-	329,152
3,287,441	-	3,287,441
569,268	-	569,268
560,236	-	560,236
127,105	85,575	212,680
320,406	-	320,406
280,044	(280,044)	-
<u>9,662,219</u>	<u>(194,469)</u>	<u>9,467,750</u>
4,346,411	1,462,551	5,808,962
<u>36,841,150</u>	<u>29,375,240</u>	<u>66,216,390</u>
<u>\$ 41,187,561</u>	<u>\$ 30,837,791</u>	<u>\$ 72,025,352</u>

CITY OF PORT LAVACA, TEXAS**BALANCE SHEET****GOVERNMENTAL FUNDS**

September 30, 2020

	General	Hurricane Harvey	Street Construction
ASSETS			
Current assets			
Cash and cash equivalents	\$ 12,658,480	\$ -	\$ 629,490
Receivables (net)	648,635	-	-
Due from other governments	700,776	840,046	-
Due from other funds	1,148,223	-	-
Prepaid items	47,524	-	-
Total assets	<u>\$ 15,203,638</u>	<u>\$ 840,046</u>	<u>\$ 629,490</u>
LIABILITIES			
Accounts payable	\$ 686,392	\$ 153,647	\$ 33,453
Payroll related payables	154,240	-	-
Due to other governments	27,473	-	-
Due to other funds	-	1,148,223	-
Customer and other deposits	28,534	-	-
Unearned revenue	67,916	-	-
Total liabilities	<u>964,555</u>	<u>1,301,870</u>	<u>33,453</u>
DEFERRED INFLOWS OF RESOURCES			
Unavailable revenue	564,951	719,298	-
Total deferred inflows of resources	<u>564,951</u>	<u>719,298</u>	<u>-</u>
FUND BALANCES			
Nonspendable	47,524	-	-
Restricted	-	-	596,037
Committed	2,911,895	-	-
Unassigned	10,714,713	(1,181,122)	-
Total fund balances	<u>13,674,132</u>	<u>(1,181,122)</u>	<u>596,037</u>
Total liabilities, deferred inflows and fund balances	<u>\$ 15,203,638</u>	<u>\$ 840,046</u>	<u>\$ 629,490</u>

The accompanying notes are an integral part of this statement.

Other Governmental Funds	Total Governmental Funds
\$ 999,027	\$ 14,286,997
126,564	775,199
541	1,541,363
-	1,148,223
-	47,524
<u>\$ 1,126,132</u>	<u>\$ 17,799,306</u>
\$ 57,829	\$ 931,321
-	154,240
-	27,473
-	1,148,223
-	28,534
-	67,916
<u>57,829</u>	<u>2,357,707</u>
<u>29,310</u>	<u>1,313,559</u>
<u>29,310</u>	<u>1,313,559</u>
-	47,524
1,038,993	1,635,030
-	2,911,895
-	9,533,591
<u>1,038,993</u>	<u>14,128,040</u>
<u>\$ 1,126,132</u>	<u>\$ 17,799,306</u>

CITY OF PORT LAVACA, TEXAS
**RECONCILIATION OF TOTAL GOVERNMENTAL FUND BALANCES TO NET POSITION
OF GOVERNMENTAL ACTIVITIES**
 September 30, 2020

Total governmental fund balances **\$ 14,128,040**

Amounts reported for governmental activities in the statement of net position are different because:

Property taxes receivable will be collected this year, but are not available soon enough to pay for the current period's expenditures, and therefore are reported as "unavailable" in the funds.

512,845

Because the focus of governmental funds is on short-term financing, some assets will not be available to pay for current-period expenditures. Those assets (for example, receivables) are offset by unavailable revenues in the governmental funds and thus are not included in fund balance.

800,714

Capital assets used in governmental activities are not financial resources and, therefore, are not reported as assets in governmental funds. The governmental capital assets at year-end consist of:

Governmental capital assets costs	\$ 51,399,938	
Accumulated depreciation of governmental capital assets	<u>(23,488,547)</u>	27,911,391

Deferred outflows of resources are not reported in the governmental funds:

Deferred amount on refunding	36,819	
Deferred amount on pension	165,111	
Deferred amount on OPEB	<u>43,777</u>	245,707

Long-term liabilities are not due and payable in the current period and therefore are not reported as liabilities in the funds. Long-term liabilities at year-end consist of:

Bonds payable	(1,005,000)	
Loan payable	(187,825)	
Accrued interest payable	(2,571)	
Compensated absences	(141,831)	
Safety pay	(25,271)	
OPEB liability	(272,872)	
Net pension liability	<u>(334,462)</u>	(1,969,832)

Deferred inflows of resources are not reported in the governmental funds:

Deferred amount on pension	(424,330)	
Deferred amount on OPEB	<u>(16,974)</u>	(441,304)

Net position of governmental activities **\$ 41,187,561**

The accompanying notes are an integral part of this statement.

CITY OF PORT LAVACA, TEXAS**STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES****GOVERNMENTAL FUNDS**

For the year ended September 30, 2020

	General	Hurricane Harvey	Street Construction
REVENUES			
Taxes			
Ad valorem	\$ 4,124,204	\$ -	\$ -
Sales	3,287,441	-	-
Other	598,381	-	-
Fines, fees, and forfeitures	220,122	-	-
Intergovernmental	367,212	1,571,448	-
Licenses and permits	168,367	-	-
Investment	116,706	-	-
Rental	30,345	-	-
Charges for services	14,708	-	-
Miscellaneous	175,052	-	-
Total revenues	<u>9,102,538</u>	<u>1,571,448</u>	<u>-</u>
EXPENDITURES			
Current			
General government	1,755,370	26,653	-
Public safety	3,548,418	-	-
Public works	1,129,316	-	-
Parks and recreation	557,569	-	-
Capital outlay	1,122,492	1,141,505	1,201,963
Debt service			
Principal retirement	-	-	-
Interest and fiscal charges	-	-	-
Total expenditures	<u>8,113,165</u>	<u>1,168,158</u>	<u>1,201,963</u>
Excess (deficiency) of revenues over expenditures	989,373	403,290	(1,201,963)
OTHER FINANCING SOURCES (USES)			
Debt issued	187,825	-	-
Transfers in	472,994	-	1,798,000
Transfers out	(1,798,000)	-	-
Total other financing sources (uses)	<u>(1,137,181)</u>	<u>-</u>	<u>1,798,000</u>
Net change in fund balances	(147,808)	403,290	596,037
Fund balances at beginning of year	<u>13,821,940</u>	<u>(1,584,412)</u>	<u>-</u>
Fund balances at end of year	<u>\$ 13,674,132</u>	<u>\$ (1,181,122)</u>	<u>\$ 596,037</u>

The accompanying notes are an integral part of this statement.

Other Governmental Funds	Total Governmental Funds
\$ 323,628	\$ 4,447,832
-	3,287,441
531,123	1,129,504
6,785	226,907
242,604	2,181,264
-	168,367
10,399	127,105
-	30,345
-	14,708
2,556	177,608
<u>1,117,095</u>	<u>11,791,081</u>
218,265	2,000,288
70,081	3,618,499
-	1,129,316
-	557,569
242,582	3,708,542
300,000	300,000
23,746	23,746
<u>854,674</u>	<u>11,337,960</u>
262,421	453,121
-	187,825
-	2,270,994
(192,950)	(1,990,950)
<u>(192,950)</u>	<u>467,869</u>
69,471	920,990
969,522	13,207,050
<u>\$ 1,038,993</u>	<u>\$ 14,128,040</u>

CITY OF PORT LAVACA, TEXAS

*RECONCILIATION OF THE GOVERNMENTAL FUNDS STATEMENT OF REVENUES,
EXPENDITURES, AND CHANGES IN FUND BALANCES TO THE STATEMENT OF ACTIVITIES
For the year ended September 30, 2020*

Total net change in fund balances - governmental funds **\$ 920,990**

Amounts reported for governmental activities in the statement of activities are different because:

Capital outlays are reported in governmental funds as expenditures. However, in the statement of activities, the cost of those assets is allocated over their estimated useful lives as depreciation expense.

Increase in capital assets	\$ 4,130,591	
Depreciation expense	<u>(866,415)</u>	3,264,176

Issuance of debt provides current financial resources to governmental funds, but issuing debt increased long-term liabilities in the statement of net position.

Loan payable		(187,825)
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Current year payments on long-term debt are expenditures in the fund financial statements, but they serve to reduce long-term liabilities in the government-wide financial statements. In the current year, these amounts consist of:

Bond principal retirement		300,000
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Because some property taxes will not be collected for several months after the City's fiscal year ends, they are not considered "available" revenues and are deferred in the governmental funds. Similarly, other revenues are not currently available at year-end and are not reported as revenue in the governmental funds.

Property taxes	83,109	
Other revenues	<u>51,516</u>	134,625

Some items reported in the statement of activities do not require the use of current financial resources and therefore are not reported as expenditures in governmental funds. These activities consist of:

Increase in compensated absences	(19,104)	
Increase in safety pay	(25,271)	
Decrease in loss on bond refunding	(10,991)	
Decrease in accrued interest	768	
Net pension costs	(5,227)	
Net OPEB costs	<u>(25,730)</u>	<u>(85,555)</u>

Change in net position of governmental activities **\$ 4,346,411**

The accompanying notes are an integral part of this statement.

CITY OF PORT LAVACA, TEXAS

STATEMENT OF NET POSITION

PROPRIETARY FUNDS

September 30, 2020

	Business-type Activities - Enterprise Funds			
	Public Utility	Port Revenue	Beach Operating	Total
ASSETS				
Current assets				
Cash and cash equivalents	\$ 5,274,363	\$ 1,519,812	\$ 500,429	\$ 7,294,604
Receivables (net)	972,458	62,967	451	1,035,876
Due from other governments	23,259	120,000	-	143,259
Prepaid items	10,085	5,449	1,835	17,369
Inventory	30,861	-	-	30,861
Total current assets	6,311,026	1,708,228	502,715	8,521,969
Noncurrent assets				
Capital assets				
Land and other assets not being depreciated	1,013,312	4,258,969	564,750	5,837,031
Assets being depreciated (net)	17,882,799	3,034,247	1,130,893	22,047,939
Net noncurrent assets	18,896,111	7,293,216	1,695,643	27,884,970
Total assets	25,207,137	9,001,444	2,198,358	36,406,939
DEFERRED OUTFLOWS OF RESOURCES				
Deferred outflow related to OPEB	5,647	-	-	5,647
Deferred amount on refunding	86,317	-	-	86,317
Total deferred outflows of resources	91,964	-	-	91,964
LIABILITIES				
Current liabilities				
Accounts payable	833,816	113,601	146,849	1,094,266
Payroll related liabilities	34,163	2,111	-	36,274
Accrued interest payable	4,101	11,837	-	15,938
Due to other governments	8,330	-	-	8,330
Accrued compensated absences	3,163	1,182	-	4,345
Unearned revenue	75,643	4,375	-	80,018
Customer deposits	207,809	400	900	209,109
Current portion of noncurrent liabilities				
Bonds and certificates	770,000	170,000	-	940,000
Total current liabilities	1,937,025	303,506	147,749	2,388,280
Long-term liabilities, net of current portion				
Accrued compensated absences	6,423	2,399	-	8,822
Net pension liability	37,163	-	-	37,163
OPEB liability	30,319	-	-	30,319
Bonds and certificates (net of unamortized deferred amounts)	980,000	2,194,717	-	3,174,717
Total long-term liabilities	1,053,905	2,197,116	-	3,251,021
Total liabilities	2,990,930	2,500,622	147,749	5,639,301
DEFERRED INFLOWS OF RESOURCES				
Deferred inflow related to pension	19,627	-	-	19,627
Deferred inflow related to OPEB	2,184	-	-	2,184
Total deferred inflows of resources	21,811	-	-	21,811
NET POSITION				
Net investment in capital assets	17,232,428	4,928,499	1,695,643	23,856,570
Unrestricted	5,053,932	1,572,323	354,966	6,981,221
Total net position	\$ 22,286,360	\$ 6,500,822	\$ 2,050,609	\$ 30,837,791

The accompanying notes are an integral part of this statement.

CITY OF PORT LAVACA, TEXAS**STATEMENT OF REVENUES, EXPENSES, AND CHANGES IN FUND NET POSITION****PROPRIETARY FUNDS**

For the year ended September 30, 2020

	Business-type Activities - Enterprise Funds			
	Public Utility	Port Revenue	Beach Operating	Total
OPERATING REVENUES				
Charges for services				
Water sales	\$ 2,336,799	\$ -	\$ -	\$ 2,336,799
Sewer services	1,889,516	-	-	1,889,516
Waste collection	798,830	-	-	798,830
Tap and service fees	337,535	-	-	337,535
Gate fees	-	-	37,070	37,070
Leases and rentals	-	472,966	232,186	705,152
Port tariffs	-	104,277	-	104,277
Miscellaneous	267,165	2,100	3,532	272,797
Total operating revenues	<u>5,629,845</u>	<u>579,343</u>	<u>272,788</u>	<u>6,481,976</u>
OPERATING EXPENSES				
Personnel services	637,155	87,213	6,839	731,207
Materials and supplies	54,789	5,209	6,553	66,551
Services	1,515,424	132,466	77,305	1,725,195
Water purchases	1,115,532	-	-	1,115,532
Maintenance and repairs	486,413	45,921	15,182	547,516
Depreciation and amortization	653,988	187,980	75,701	917,669
Miscellaneous	54,603	-	2,063	56,666
Total operating expenses	<u>4,517,904</u>	<u>458,789</u>	<u>183,643</u>	<u>5,160,336</u>
Operating income (loss)	1,111,941	120,554	89,145	1,321,640
NONOPERATING REVENUES (EXPENSES)				
Gain (loss) on sale of capital assets	-	-	(5,633)	(5,633)
Investment income	58,412	19,258	7,905	85,575
Interest and fiscal charges	(37,142)	(96,348)	-	(133,490)
Net nonoperating revenues	<u>21,270</u>	<u>(77,090)</u>	<u>2,272</u>	<u>(53,548)</u>
Income before capital contributions and transfers	1,133,211	43,464	91,417	1,268,092
Capital grants and contributions	68,352	406,151	-	474,503
Transfers out	<u>(244,130)</u>	<u>(28,932)</u>	<u>(6,982)</u>	<u>(280,044)</u>
Change in net position	957,433	420,683	84,435	1,462,551
Total net position at beginning of year, as restated	<u>21,328,927</u>	<u>6,080,139</u>	<u>1,966,174</u>	<u>29,375,240</u>
Total net position at end of year	<u>\$ 22,286,360</u>	<u>\$ 6,500,822</u>	<u>\$ 2,050,609</u>	<u>\$ 30,837,791</u>

The accompanying notes are an integral part of this statement.

CITY OF PORT LAVACA, TEXAS
STATEMENT OF CASH FLOWS
PROPRIETARY FUNDS
For the year ended September 30, 2020

	Business-type Activities - Enterprise Funds			
	Public Utility	Port Revenue	Beach Operating	Total
CASH FLOWS FROM OPERATING ACTIVITIES:				
Cash received from customers	\$ 5,522,114	\$ 676,864	\$ 272,787	\$ 6,471,765
Cash payments to suppliers for goods and services	(3,453,828)	(325,738)	(29,073)	(3,808,639)
Cash payments to employees for services	(675,790)	(85,499)	(6,839)	(768,128)
Net cash provided (used) by operating activities	<u>1,392,496</u>	<u>265,627</u>	<u>236,875</u>	<u>1,894,998</u>
CASH FLOWS FROM NONCAPITAL FINANCING ACTIVITIES:				
Transfers to other funds	(244,130)	(28,932)	(6,982)	(280,044)
Net cash provided (used) by noncapital financing activities	<u>(244,130)</u>	<u>(28,932)</u>	<u>(6,982)</u>	<u>(280,044)</u>
CASH FLOWS FROM CAPITAL FINANCING ACTIVITIES:				
Acquisition of capital assets	(1,698,728)	(1,047,598)	(689,397)	(3,435,723)
Receipts from capital grants and contributions	246,990	1,469,452	-	1,716,442
Principal paid on capital debt	(760,000)	(160,000)	-	(920,000)
Interest paid on capital debt	(38,679)	(97,588)	-	(136,267)
Net cash provided (used) by capital financing activities	<u>(2,250,417)</u>	<u>164,266</u>	<u>(689,397)</u>	<u>(2,775,548)</u>
CASH FLOWS FROM INVESTING ACTIVITIES:				
Investment income	58,412	19,258	7,905	85,575
Net cash provided (used) by investing activities	<u>58,412</u>	<u>19,258</u>	<u>7,905</u>	<u>85,575</u>
Net increase (decrease) in cash and cash equivalents	(1,043,639)	420,219	(451,599)	(1,075,019)
Cash and cash equivalents at beginning of year	6,318,002	1,099,593	952,028	8,369,623
Cash and cash equivalents at end of year	<u>\$ 5,274,363</u>	<u>\$ 1,519,812</u>	<u>\$ 500,429</u>	<u>\$ 7,294,604</u>

CITY OF PORT LAVACA, TEXAS
STATEMENT OF CASH FLOWS
PROPRIETARY FUNDS
For the year ended September 30, 2020

	Business-type Activities - Enterprise Funds			
	Public Utility	Port Revenue	Beach Operating	Total
RECONCILIATION OF OPERATING INCOME TO NET CASH PROVIDED BY OPERATING ACTIVITIES:				
Operating income	\$ 1,111,941	\$ 120,554	\$ 89,145	\$ 1,321,640
Adjustments to reconcile operating income to net cash provided by operating activities:				
Depreciation and amortization	653,988	187,980	75,701	917,669
Change in assets and liabilities:				
(Increase) decrease in accounts receivable	(157,158)	107,810	-	(49,348)
(Increase) decrease in prepaid expense	1,195	843	236	2,274
(Increase) decrease in inventory	(8,819)	-	-	(8,819)
(Increase) decrease in deferred outflow related to pension	77,320	-	-	77,320
(Increase) decrease in deferred outflow related to OPEB	(3,370)	-	-	(3,370)
Increase (decrease) in accounts and other payables	(223,128)	(142,985)	71,793	(294,320)
Increase (decrease) in payroll related liabilities	2,939	(261)	-	2,678
Increase (decrease) in due to other governments	3,685	-	-	3,685
Increase (decrease) in compensated absences	(4,264)	1,975	-	(2,289)
Increase (decrease) in net pension liability	(117,004)	-	-	(117,004)
Increase (decrease) in OPEB liability	111	-	-	111
Increase (decrease) in unearned revenue	59,563	(9,639)	-	49,924
Increase (decrease) in customer deposits	(10,135)	(650)	-	(10,785)
Increase (decrease) in deferred inflow related to pension	5,060	-	-	5,060
Increase (decrease) in deferred inflow related to OPEB	572	-	-	572
Net cash provided (used) by operating activities	<u>\$ 1,392,496</u>	<u>\$ 265,627</u>	<u>\$ 236,875</u>	<u>\$ 1,894,998</u>

The accompanying notes are an integral part of this statement.

CITY OF PORT LAVACA, TEXAS**STATEMENT OF FIDUCIARY NET POSITION****FIDUCIARY FUNDS**

September 30, 2020

	Fireman's Relief and Retirement Fund	Police Seized Nonforfeiture Fund
ASSETS		
Cash and cash equivalents	\$ -	\$ 27,076
Total assets	-	<u>27,076</u>
LIABILITIES		
Due to others	-	\$ 27,076
Total liabilities	-	<u>27,076</u>
NET POSITION		
Restricted for payment of pension benefits	-	
Total net position	<u>\$ -</u>	

The accompanying notes are an integral part of this statement.

CITY OF PORT LAVACA, TEXAS**STATEMENT OF CHANGES IN FIDUCIARY NET POSITION
FIDUCIARY FUND***For the year ended September 30, 2020*

	Fireman's Relief and Retirement Fund
ADDITIONS	
Employer contributions	\$ 2,200
DEDUCTIONS	
Benefits	2,200
Change in net position	-
Net position at beginning of year	-
Net position at end of year	\$ -

The accompanying notes are an integral part of this statement.

CITY OF PORT LAVACA, TEXAS
NOTES TO FINANCIAL STATEMENTS
September 30, 2020

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CITY OF PORT LAVACA, TEXAS
NOTES TO FINANCIAL STATEMENTS
 September 30, 2020

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The City of Port Lavaca, Texas (the "City"), was incorporated January 31, 1956, under a home rule charter. The City operates under a Council-Manager form of government. The City Council consists of the mayor and six council members. The City provides services related to the following: public safety (police and fire), highways and streets, sanitation, health and welfare, culture and recreation, economic development, planning and zoning, and general administrative services.

A. Reporting Entity

The City's basic financial statements include the accounts of all City operations. The criteria for including legally separate organizations as component units within the City's reporting entity are set forth in Section 2100 of GASB's Codification of Governmental Accounting and Financial Reporting Standards (GASB Codification). No legally separate organizations met the necessary criteria for inclusion as component units for the year ended September 30, 2020.

B. Government-wide and Fund Financial Statements

The government-wide financial statements (i.e., the statement of net position and the statement of activities) report information on all nonfiduciary activities of the City. For the most part, the effect of interfund activity has been removed from these statements. Governmental activities, which normally are supported by taxes, and intergovernmental revenues are reported separately from business-type activities, which rely to a significant extent on fees and charges for support.

The statement of activities demonstrates the degree to which the direct expenses of a given function or segment are offset by program revenues. Direct expenses are those that are clearly identifiable with a specific function or segment. Program revenues include: 1) charges to customers or applicants who purchase, use, or directly benefit from goods, services, or privileges provided by a given function or segment, and 2) grants and contributions that are restricted to meeting the operational or capital requirements of a particular function or segment. Taxes and other items not included among program revenues are reported instead as general revenues.

Separate financial statements are provided for governmental funds and proprietary funds. Major individual governmental funds and major individual enterprise funds are reported as separate columns in the fund financial statements.

C. Measurement Focus, Basis of Accounting, and Financial Statement Presentation

The government-wide financial statements are reported using the economic resources measurement focus and the accrual basis of accounting, as are the proprietary fund financial statements. Revenues are recorded when transactions occur and expenses are recorded when a liability is incurred, regardless of the timing of related cash flows. Property taxes are recognized as revenues in the year for which they are levied. Grants and similar items are recognized as revenue as soon as all eligibility requirements imposed by the provider have been met.

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - (Continued)**C. Measurement Focus, Basis of Accounting, and Financial Statement Presentation - (Continued)**

Governmental fund financial statements are reported using the current financial resources measurement focus and the modified accrual basis of accounting. Revenues are recognized as soon as they are both measurable and available. Revenues are considered to be available when they are collectible within the current period or soon enough thereafter to pay liabilities of the current period. For this purpose, the City considers revenues to be available if they are collected within 60 days of the end of the current fiscal period. Expenditures generally are recorded when a liability is incurred, as under accrual accounting. However, debt service expenditures, as well as expenditures related to compensated absences and claims and judgments, are recorded only when payment is due.

Sales taxes, franchise taxes, fines, and interest associated with the current fiscal period are all considered to be susceptible to accrual and so have been recognized as revenues of the current fiscal period. All other revenue items are considered to be measurable and available only when cash is received by the City.

The City reports the following major governmental funds:

The General Fund is the City's main operating fund. It accounts for all financial resources of the general government, except those required to be accounted for in another fund.

Special Revenue Funds account for the proceeds of specific revenue sources that are legally restricted to expenditures for specified purposes. The City has nine Special Revenue Funds, one of which has been reported as a major fund. The Hurricane Harvey Fund is used to account for proceeds received and expenditures incurred by the City related to Hurricane Harvey.

The Capital Project Funds account for and report financial resources that are restricted, committed, or assigned to expenditure for capital outlays, including the acquisition or construction of capital facilities or other capital assets. Capital Project Funds exclude those types of capital-related outflows financed by proprietary funds or for assets that will be held in trust for individuals, private organizations, or other governments. The City has one Capital Project Fund, which has been reported as a major fund. The Street Construction Fund accounts for the funding of street improvements by the use of bond proceeds or by funds from other governmental funds.

The City reports the following major enterprise (proprietary) funds:

The Public Utility Fund accounts for the activities of the City related to its provision of water, wastewater, and sanitation services.

The Port Revenue Fund accounts for the harbor and port activities of the City.

The Beach Operating Fund accounts for the revenues and expenses related to the operation of the City's Lighthouse Beach and adjacent RV park.

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - (Continued)**C. Measurement Focus, Basis of Accounting, and Financial Statement Presentation - (Continued)**

Additionally, the City reports the following fund types:

Debt Service Fund - The 2012 General Obligation Refunding Bonds Fund accounts for the resources accumulated and payments made for principal and interest on the City's 2012 General Obligation Refunding Bonds.

Pension Trust Fund - The Fireman's Relief and Retirement Fund accounts for the accumulation and payment of retirement benefits to the City's eligible retired volunteer fire-fighters.

Agency Fund - The Police Seized Nonforfeiture Fund accounts for assets seized by the City's police department in various law enforcement actions prior to disposition of the assets by court authorities.

The proprietary funds are accounted for on a flow of *economic resources measurement focus* and utilize the *accrual basis of accounting*. This basis of accounting recognizes revenues in the accounting period in which they are earned and become measurable and expenses in the accounting period in which they are incurred and become measurable. With this measurement focus, all assets and all liabilities associated with the operation of these funds are included on the statement of net position. The fund equity is segregated into net investment in capital assets, restricted net position, and unrestricted net position.

Proprietary funds distinguish operating revenues and expenses from nonoperating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with a proprietary fund's principal ongoing operations. The principal operating revenues of the City's enterprise funds are charges to customers for sales and services. The Public Utility Fund also recognizes as operating revenue the portion of tap fees intended to recover the cost connecting new customers to the water system. Operating expenses for enterprise funds include the cost of sales and services, administrative expenses, and depreciation on capital assets. All revenues and expenses not meeting this definition are reported as nonoperating revenues and expenses.

When both restricted and unrestricted resources are available for use, it is the City's policy to use restricted resources first, then unrestricted resources as they are needed.

D. Budgets and Budgetary Accounting

As set forth in the City Charter, the City Council legally adopts an annual budget for the General Fund and the Debt Service Fund. The budgets for these governmental funds are prepared in accordance with generally accepted accounting principles (GAAP). The City Manager is authorized to transfer budgeted amounts within departments of individual funds; however, any revisions that alter the total departmental expenditures/expenses must be approved by the City Council. Therefore, the legal level of budgetary control is at the departmental level. Each fund other than the General Fund is defined as its own department. All encumbered and unencumbered appropriations lapse at the end of the fiscal year.

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - (Continued)**E. Deposits and Investments**

The City's cash equivalents are considered to be cash on hand, demand deposits, and short-term investments with original maturities of three months or less from the date of acquisition.

The City may invest excess funds in any instruments authorized by its adopted investment policy. The City's authorized investment options are more restrictive than those allowed under the Public Funds Investment Act of Texas. Investments authorized under the City's investment policy include the following: Obligations of the United States or its agencies and instrumentalities which have a liquid market with a readily determinable fair value; direct obligations of the State of Texas and agencies thereof; other obligations, the principal of and interest on which are unconditionally guaranteed by the State of Texas or United States of America; obligations of the State, agencies thereof, counties, cities, and other political subdivisions of any state having been rated as investment quality by a nationally recognized investment rating firm, and having received a rating of not less than A or its equivalent; certificates of deposit of state or national banks domiciled in Texas, guaranteed or insured by the Federal Deposit Insurance Corporation (FDIC) or by obligations previously mentioned; fully collateralized direct repurchase agreements with a defined termination date secured by obligations of the United States or its agencies or instrumentalities pledged with a third party; and certain joint pools of political subdivisions in the State of Texas that invest in instruments and follow practices allowed by current law.

The City reports its investments at fair value in the accompanying financial statements.

F. Receivables and Payables

Activities between funds that are representative of lending/borrowing arrangements outstanding at the end of the fiscal year are referred to as "due to/from other funds". Any residual balances outstanding between the governmental activities and business-type activities are reported in the government-wide financial statements as "internal balances".

All receivables are reported net of an applicable allowance for uncollectibles. Allowance accounts related to trade accounts receivable are based upon management estimates. The property tax receivable allowance is equal to 5% of outstanding property taxes at September 30, 2020.

The Calhoun County Appraisal District bills and collects property taxes for the City. These taxes are levied on October 1st of each year and are payable by the following January 31st, at which time penalties and interest charges are assessed on unpaid balances. An enforceable lien on property is attached on all ad valorem taxes unpaid as of January 1st following the year of levy.

G. Inventories and Prepaid Items

All inventories are valued at the lower of cost or market on a first-in, first-out basis. Inventories of governmental funds are recorded as expenditures when consumed rather than when purchased, and no material amounts of inventory were held by these funds as of year-end. Certain payments to vendors reflect costs applicable to future accounting periods and are recorded as prepaid items in both government-wide and fund financial statements. Prepaid items are recorded when purchased rather than when consumed.

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - (Continued)**H. Capital Assets**

Capital assets, which include property, plant, equipment, and infrastructure assets (e.g., roads, drainage systems, sidewalks, and similar items), are reported in the applicable governmental or business-type activities columns in the government-wide statement of net position. Except for infrastructure assets, the City defines capital assets as assets with an initial, individual cost of more than \$5,000 and an estimated useful life in excess of one year. Infrastructure assets are capitalized if their cost exceeds \$100,000. Assets are recorded at historical cost or estimated historical cost if purchased or constructed. Donated capital assets are recorded at acquisition value at the date of donation.

The costs of normal maintenance and repairs that do not add to the value of the asset or materially extend the lives of assets are not capitalized.

Major outlays for capital assets and improvements are capitalized as projects are constructed. Interest incurred during the construction phase of capital assets of business-type activities is included as part of the capitalized value of the assets constructed. During the current year, the Public Utility Fund capitalized \$0 of interest expense.

Property, plant, and equipment of the City is depreciated using the straight-line method over the following estimated useful lives:

<u>Assets</u>	<u>Years</u>
Buildings and Improvements	5-50
Public Domain Infrastructure	50-75
Utility System Infrastructure	20-75
Machinery and Equipment	5-10

I. Compensated Absences

It is the City's policy to permit employees to accumulate vacation and sick pay benefits. Unused vacation benefits are reported in the accompanying financial statements according to the provisions of GASB Statement No. 16. Earned but unused sick pay benefits are not recorded as liabilities as the City's policy for payment of these benefits excludes them based on the applicable GASB and FASB pronouncements.

J. Long-term Obligations

In the government-wide financial statements and in enterprise funds in the fund financial statements, long-term debt and other long-term obligations are reported as liabilities in the applicable governmental activities, business-type activities, or proprietary fund type statement of net position. Bond premiums and discounts are deferred and amortized over the life of the bonds using the straight-line method. Bonds payable are reported net of the applicable bond premium or discount on the statement of net position.

In the fund financial statements, governmental fund types recognize bond premiums and discounts, as well as bond issuance costs, during the current period. The face amount of debt issued is reported as other financing sources. Premiums received on debt issuances are reported as other financing sources while discounts on debt issuances are reported as other financing uses. Issuance costs, whether or not withheld from the actual debt proceeds received, are reported as debt service expenditures.

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - (Continued)**K. Deferred Outflows/Inflows of Resources**

In addition to assets, the statement of financial position and/or balance sheet reports a separate section for deferred outflows of resources. This separate financial statement element, deferred outflows of resources, represents a consumption of net position that applies to a future period(s) and so will not be recognized as an outflow of resources (expense/expenditure) until then. The City has the following items that qualify for reporting in this category.

- Deferred charges on refunding – A deferred charge on refunding results from the difference in the carrying value of refunded debt and its reacquisition price. This amount is deferred and amortized over the shorter of the life of the refunded or refunding debt.
- Pension/OPEB contributions after measurement date – These contributions are deferred and recognized in the following fiscal year.
- Differences between actuarial assumptions used and actual experience for determination of pension or OPEB liability – These differences are deferred and recognized over the estimated average remaining lives of all members determined as of the measurement date.
- Changes in actuarial assumptions used to determine pension or OPEB liability – This difference is deferred and amortized over the estimated average remaining lives of all members determined as of the measurement date.

In addition to liabilities, the statement of financial position and/or balance sheet will sometimes report a separate section for deferred inflows of resources. This separate financial statement element, deferred inflows of resources, represents an acquisition of net position that applies to a future period(s) and so will not be recognized as an inflow of resources (revenue) until that time. This year, the City has the following items that qualify for reporting in this category.

- Difference in projected and actual earnings on pension assets – This difference is deferred and amortized over a closed five-year period.
- Difference in expected and actual pension or OPEB experience is deferred and recognized over the estimated average remaining lives of all members determined as of the measurement date.
- Changes in actuarial assumptions used to determine pension or OPEB liability – This difference is deferred and amortized over the estimated average remaining lives of all members determined as of the measurement date.

L. Pensions

For purposes of measuring the net pension liability, deferred outflows of resources and deferred inflows of resources related to pensions, and pension expense, information about the fiduciary net position of the Texas Municipal Retirement System (TMRS) and additions to/deductions from TMRS's fiduciary net position have been determined on the same basis as they are reported by TMRS. For this purpose, plan contributions are recognized in the period that compensation is reported for the employee, which is when contributions are legally due. Benefit payments and refunds are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value. Information regarding the City's pension liability is obtained from TMRS through a report prepared for the City by TMRS consulting actuary, Gabriel Roeder Smith & Company (GRS), in compliance with GASB No. 68.

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - (Continued)**M. Supplemental Death Benefit (OPEB)**

For purposes of measuring the total OPEB liability for the supplemental death benefit plan, deferred outflows of resources and deferred inflows of resources related to OPEB, and OPEB expense, information about the fiduciary net position of the Texas Municipal Retirement System (TMRS) and additions to/deductions from TMRS's fiduciary net position have been determined on the same basis as they are reported by TMRS. For this purpose, plan contributions are recognized in the period that compensation is reported for the employee, which is when contributions are legally due. Benefit payments and refunds are recognized when due and payable in accordance with the benefit terms. Investments are reported at fair value. Information regarding the City's OPEB liability is obtained from TMRS through a report prepared for the City by TMRS consulting actuary, Gabriel Roeder Smith & Company (GRS), in compliance with GASB No. 75.

N. Fund Balance Policies

The following fund balance classifications describe the relative strength of the spending constraints placed on the purposes for which resources can be used:

- Nonspendable fund balance - amounts that cannot be spent because of their form (such as inventory or prepaid items) or because they are legally or contractually required to be maintained in tact;
- Restricted fund balance - amounts constrained to specific purposes by their providers (such as grantors, bondholders, and higher levels of government) through constitutional provisions or by enabling legislation;
- Committed fund balance - amounts constrained to specific purposes by a government itself, using its highest level of decision-making authority, to be reported as committed, amounts cannot be used for any other purpose unless the government takes the same highest level of action to remove or change the constraint;
- Assigned fund balance - amounts a government intends to use for a specific purpose; intent can be expressed by the governing body or by an official or body to which the governing body delegates the authority;
- Unassigned fund balance - amounts that are available for any purpose; positive amounts are reported only in the General Fund.

Fund balance classifications depict the nature of the net resources that are reported in a governmental fund. An individual governmental fund may include non-spendable resources and amounts that are restricted, committed, assigned, or any combination of those classifications. In addition, the General Fund may also include an unassigned amount.

Commitments will only be used for specific purposes pursuant to a formal action (ordinance) of the City Council. The action to commit funds must occur prior to fiscal year-end, to report such commitments in the balance sheet of the respective period, even though the amount may be determined subsequent to fiscal year-end. Commitments may be changed or lifted only by the City Council taking the same formal action that originally imposed the constraint.

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.

NOTE 1: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES - (Continued)**O. Net Position Flow Assumptions**

When an expenditure is incurred for purposes for which both restricted and unrestricted (committed, assigned, or unassigned) amounts are available, it shall be the policy of the City to consider restricted amounts to have been reduced first. When an expenditure is incurred for purposes for which amounts in any of the unrestricted fund balance classifications could be used, it shall be the policy of the City that committed amounts would be reduced first, followed by assigned amounts and then unassigned amounts.

P. Minimum Fund Balance Policy

The City will maintain a minimum fund balance in its General Fund equal to 180 days of the operating expenditures and a policy to maintain 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.

The City also has a goal 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 the enterprise funds. Refer to Note 11 which addresses the policy set by the Council for the enterprise funds.

Q. Use of Estimates

The preparation of the government-wide and fund financial statements in conformity with generally accepted accounting principles requires the City to make estimates and assessments that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of financial statements and the reported amounts of revenues and expenditures during the reporting period. Accordingly, actual results could differ from those estimates.

NOTE 2: STEWARDSHIP, COMPLIANCE, AND ACCOUNTABILITY**Budgetary Compliance**

There were several situations of expenditures exceeding the amount appropriated during the fiscal year 2019-2020.

<u>Fund Name- Department</u>	<u>Final Budget</u>	<u>Actual</u>	<u>Negative Variance</u>
General Fund			
City manager	\$ 214,600	\$ 232,642	\$ 18,042
Human resources	17,175	19,661	2,486
Finance	257,725	266,005	8,280
Non-departmental	669,039	684,596	15,557
Animal control	123,825	129,260	5,435
Capital outlay	418,836	1,122,492	673,656

These over expenditures were funded by available fund balances in the respective funds.

NOTE 2: STEWARDSHIP, COMPLIANCE, AND ACCOUNTABILITY - (Continued)Deficit Fund Equity

As of September 30, 2020, the Hurricane Harvey Fund (a major Special Revenue Fund) had a deficit fund equity balance of \$1,181,122. This deficit will be eliminated in the 2021 fiscal year.

NOTE 3: DEPOSITS AND INVESTMENTS

The City's funds are required to be deposited and invested under the terms of a depository contract pursuant to the Texas Public Funds Investment Act. The depository bank pledges securities which comply with state law and these securities are held for safekeeping and trust with the City's and the depository bank's agent bank. The pledge of approved securities is waived only to the extent of the depository bank's dollar amount of FDIC insurance.

As of September 30, 2020, the City had the following investments classified as cash and cash equivalents:

<u>Investment Type</u>	<u>Amortized Cost</u>	<u>Weighted Average Maturity (Days)</u>
Public Funds Investment Pool		
LOGIC	\$ 13,923,457	54

The pools operate in a manner consistent with the Securities and Exchange Commission's (SEC) Rule 2(a)(7) of the Investment Company Act of 1940 but is not registered with the SEC as an investment company. Instead, the regulatory oversight for the pool is the State of Texas. The pools use amortized cost rather than fair value to report net position to compute share prices. Accordingly, the fair value of the position in these pools is the same as the value of the shares in each pool.

Interest Rate Risk

In accordance with the City's investment policy, the City manages its exposure to declines in fair values by limiting the weighted average maturity of its investment portfolio to less than one year from the time of purchase. LOGIC weighted average maturities cannot exceed 60 days.

Credit Risk

The investment pools operate in full compliance with the Public Funds Investment Act. LOGIC is rated AAAM by S&P Global.

Concentration of Credit Risk

The City's investment policy requires that the investment portfolio shall be diversified in terms of investment instruments, maturity scheduling, and financial institutions to reduce the risk of loss resulting from over concentration of assets in a specific class of investments, specific maturity, or specific user. At year-end, the City was not exposed to concentration of credit risk.

Custodial Credit Risk - Deposits

In the case of deposits, this is the risk that in the event of a bank failure, the City's deposits may not be returned to it. The City's investment policy requires that deposits at financial institutions be insured by the FDIC and/or collateralized by securities pledged to the City by the depository in an amount equal to at least 110% of the carrying value of deposits held. During the fiscal year and at year-end, all deposits held in the depository bank were fully collateralized and therefore the City was not exposed to custodial credit risk.

NOTE 3: DEPOSITS AND INVESTMENTS - ContinuedCustodial Credit Risk - Investments

For an investment, this is the risk that, in the event of the failure of the counterparty, the City will not be able to recover the value of its investments or collateral securities that are in the possession of an outside party. All of the City's investments are invested in LOGIC and have no custodial credit risk.

NOTE 4: RECEIVABLES

Receivables as of year-end for the City's individual major and nonmajor funds in the aggregate, including the applicable allowances for uncollectible accounts, are as follows:

	<u>General</u>	<u>Public Utility</u>	<u>Port Revenue</u>	<u>Beach Operating</u>	<u>Nonmajor Funds</u>	<u>Total</u>
Receivables:						
Ad valorem taxes	\$ 611,525	\$ -	\$ -	\$ -	\$ 30,853	\$ 642,378
Franchise taxes	82,292	-	-	-	-	82,292
Municipal court fines	142,603	-	-	-	-	142,603
Charges for services	172,351	1,291,373	81,187	-	-	1,544,911
Occupancy taxes	-	-	-	-	97,254	97,254
Miscellaneous	<u>1,392</u>	<u>12,040</u>	<u>2,500</u>	<u>451</u>	<u>-</u>	<u>16,383</u>
Gross receivables	1,010,163	1,303,413	83,687	451	128,107	2,525,821
Less: Allowance for uncollectibles	<u>(361,528)</u>	<u>(330,955)</u>	<u>(20,720)</u>	<u>-</u>	<u>(1,543)</u>	<u>(714,746)</u>
Net total receivables	<u>\$ 648,635</u>	<u>\$ 972,458</u>	<u>\$ 62,967</u>	<u>\$ 451</u>	<u>\$ 126,564</u>	<u>\$ 1,811,075</u>

The City is permitted by a local charter to levy taxes up to limits set by the Constitution and laws of the State of Texas. Currently, the State of Texas does not set limits on the rate at which ad valorem taxes may be assessed. The combined tax rate for the year ended September 30, 2020, was \$0.7944 per \$100 of assessed valuation. Property taxes attach as an enforceable lien on property as of January 1. Taxes are levied on October 1 and payable by the following January 31, which comprises the collection dates for the current tax roll. The Calhoun County Appraisal District bills, collects, and remits daily all ad valorem taxes.

The City's governmental funds report unavailable revenue in connection with receivables for revenues that are not considered to be available to liquidate liabilities of the current period. The governmental funds also defer revenue recognition in connection with resources that have been received, but not yet earned. At the end of the current fiscal year, the various components of unavailable revenue and unearned revenue reported in the governmental funds were as follows:

	<u>Unavailable</u>	<u>Unearned</u>	<u>Total</u>
General Fund			
Ad valorem taxes	\$ 483,545	\$ -	\$ 483,545
Charges for services	17,235	67,916	85,151
Municipal court fines	64,171	-	64,171
Hurricane Harvey Fund			
Grant reimbursements	719,298	-	719,298
Nonmajor Funds			
Ad valorem taxes	<u>29,310</u>	<u>-</u>	<u>29,310</u>
	<u>\$ 1,313,559</u>	<u>\$ 67,916</u>	<u>\$ 1,381,475</u>

NOTE 5: DUE FROM OTHER GOVERNMENTS

Various funds of the City reported amounts due from other governments as of the end of the current fiscal year. These amounts are comprised of the following at September 30, 2020:

	General Fund	Hurricane Harvey	Public Utility	Port Revenue	Nonmajor Funds	Total
Sales taxes	\$ 636,265	\$ -	\$ -	\$ -	\$ -	\$ 636,265
Mixed beverage taxes	6,349	-	-	-	-	6,349
Property taxes	10,182	-	-	-	541	10,723
Grant reimbursements	-	840,046	23,259	120,000	-	983,305
Other	47,980	-	-	-	-	47,980
	<u>\$ 700,776</u>	<u>\$ 840,046</u>	<u>\$ 23,259</u>	<u>\$ 120,000</u>	<u>\$ 541</u>	<u>\$ 1,684,622</u>

NOTE 6: CAPITAL ASSETS

The capital asset activity of the City was as follows for the year ended September 30, 2020:

	Beginning Balance	Additions	Deletions/ Transfers	Ending Balance
Governmental activities				
Capital assets, not being depreciated:				
Land	\$ 1,517,859	\$ 326,285	\$ -	\$ 1,844,144
Construction in progress	3,443,187	1,998,865	(1,083,390)	4,358,662
Total capital assets not being depreciated	<u>4,961,046</u>	<u>2,325,150</u>	<u>(1,083,390)</u>	<u>6,202,806</u>
Capital assets, being depreciated:				
Machinery and equipment	3,631,026	262,388	(19,293)	3,874,121
Buildings and structures	6,870,309	1,413,053	-	8,283,362
Infrastructure	31,826,259	1,213,390	-	33,039,649
Total capital assets being depreciated	<u>42,327,594</u>	<u>2,888,831</u>	<u>(19,293)</u>	<u>45,197,132</u>
Less accumulated depreciation for:				
Machinery and equipment	(2,826,638)	(207,507)	19,293	(3,014,852)
Buildings and structures	(3,873,690)	(180,820)	-	(4,054,510)
Infrastructure	(15,941,097)	(478,088)	-	(16,419,185)
Total accumulated depreciation	<u>(22,641,425)</u>	<u>(866,415)</u>	<u>19,293</u>	<u>(23,488,547)</u>
Total capital assets being depreciated, net	<u>19,686,169</u>	<u>2,022,416</u>	<u>-</u>	<u>21,708,585</u>
Governmental activities capital assets, net	<u>\$ 24,647,215</u>	<u>\$ 4,347,566</u>	<u>\$ (1,083,390)</u>	<u>\$ 27,911,391</u>

NOTE 6: CAPITAL ASSETS - (Continued)

	Beginning Balance*	Additions	Deletions/ Transfers	Ending Balance
Business-type activities				
Capital assets, not being depreciated:				
Land	\$ 2,316,718	\$ -	\$ -	\$ 2,316,718
Construction in progress	3,358,941	1,919,256	(1,757,884)	3,520,313
Total capital assets not being depreciated	<u>5,675,659</u>	<u>1,919,256</u>	<u>(1,757,884)</u>	<u>5,837,031</u>
Capital assets, being depreciated:				
Machinery and equipment	901,644	447,332	(74,099)	1,274,877
Buildings and structures	5,239,019	483,718	(5,930)	5,716,807
Infrastructure	41,797,749	2,343,300	-	44,141,049
Total capital assets being depreciated	<u>47,938,412</u>	<u>3,274,350</u>	<u>(80,029)</u>	<u>51,132,733</u>
Less accumulated depreciation for:				
Machinery and equipment	(759,546)	(39,400)	74,099	(724,847)
Buildings and structures	(3,492,104)	(158,869)	297	(3,650,676)
Infrastructure	(24,027,358)	(681,913)	-	(24,709,271)
Total accumulated depreciation	<u>(28,279,008)</u>	<u>(880,182)</u>	<u>74,396</u>	<u>(29,084,794)</u>
Total capital assets being depreciated, net	<u>19,659,404</u>	<u>2,394,168</u>	<u>(5,633)</u>	<u>22,047,939</u>
Business-type activities capital assets, net	<u>\$ 25,335,063</u>	<u>\$ 4,313,424</u>	<u>\$ (1,763,517)</u>	<u>\$ 27,884,970</u>

*Beginning balances have been restated. See Note 19 of this report.

Depreciation expense was charged to functions/programs of the City as follows:

Governmental activities:

General government	\$ 37,217
Public safety	151,235
Public works	512,791
Parks and recreation	165,172
Total depreciation expense - governmental activities	<u>\$ 866,415</u>

Business-type activities:

Public Utility	\$ 616,501
Port Revenue	187,980
Beach Operating	75,701
Total depreciation expense - business-type activities	<u>\$ 880,182</u>

NOTE 7: INTERFUND RECEIVABLES, PAYABLES, AND TRANSFERS**A. Interfund Receivables and Payables**

At times during the fiscal year the various funds of the City were involved in transactions that created interfund receivable and payable balances. These transactions related to such things as the purchase of goods by one fund on behalf of another and the receipt of revenue in one fund that belongs to or is designated for another fund. Interfund receivable and payable balances as of September 30, 2020, were as follows:

<u>Receivable Fund</u>	<u>Payable Fund</u>	<u>Amount</u>
General	Hurricane Harvey Fund	\$ 1,148,223
		<u>\$ 1,148,223</u>

B. Interfund Transfers

Each year various funds of the City transfer funds to other funds. Besides planned transfers from the Public Utility Fund to the General Fund, the most significant transfer was from the General Fund to the Street Construction for fiscal year 2020 construction costs. During the current fiscal year, transfers between funds consisted of the following:

	<u>Transfers In</u>		
	<u>General</u>	<u>Street Construction</u>	<u>Total</u>
Transfers out			
General	\$ -	\$ 1,798,000	\$ 1,798,000
Public Utility	244,130	-	244,130
Port Revenue	28,932	-	28,932
Beach Operating	6,982	-	6,982
Nonmajor	192,950	-	192,950
	<u>\$ 472,994</u>	<u>\$ 1,798,000</u>	<u>\$ 2,270,994</u>

NOTE 8: LESSOR AGREEMENTS

The Port Revenue Fund leases dock frontage and harbor rights to various unrelated third parties. Substantially all of the Fund's capital assets are leased to third parties. Following is an analysis of minimum future rentals due the Port Revenue Fund under noncancelable lease agreements as of September 30, 2020:

<u>Year Ending</u>	
<u>September 30</u>	
2021	\$ 414,744
2022	430,635
2023	114,026
2024	110,175
2025	110,175
	<u>1,179,755</u>
Thereafter	-
	<u>\$ 1,179,755</u>

NOTE 9: LONG-TERM DEBT**A. Changes in Long-term Liabilities**

Long-term liability activity for the year ended September 30, 2020, was as follows:

	Beginning Balance	Additions	Reductions	Ending Balance	Due Within One Year
Governmental activities					
Bonds payable:					
General obligation bonds	\$ 1,305,000	\$ -	\$ 300,000	\$ 1,005,000	\$ 305,000
Net bonds payable	1,305,000	-	300,000	1,005,000	305,000
Loan payable	-	187,825	-	187,825	12,655
Compensated absences	122,727	19,104	-	141,831	46,804
OPEB liability	221,525	51,347	-	272,872	-
Net pension liability	1,130,562	-	796,100	334,462	-
Total governmental activity long-term liabilities	<u>\$ 2,779,814</u>	<u>\$ 258,276</u>	<u>\$ 1,096,100</u>	<u>\$ 1,941,990</u>	<u>\$ 364,459</u>
Business-type activities					
Bonds and certificates payable:					
Revenue bonds	\$ 2,510,000	\$ -	\$ 760,000	\$ 1,750,000	\$ 770,000
Certificates	2,430,000	-	160,000	2,270,000	170,000
Plus deferred amounts:					
Issuance premiums	99,436	-	4,719	94,717	-
Net bonds and certificates	5,039,436	-	924,719	4,114,717	940,000
Compensated absences	15,456	-	2,289	13,167	4,345
OPEB liability	30,208	111	-	30,319	-
Net pension liability	154,167	-	117,004	37,163	-
Total business-type activity long-term liabilities	<u>\$ 5,239,267</u>	<u>\$ 111</u>	<u>\$ 1,044,012</u>	<u>\$ 4,195,366</u>	<u>\$ 944,345</u>

Compensated absences, the net pension liability, and the OPEB liability are generally liquidated by the General Fund for the governmental activities.

NOTE 9: LONG-TERM DEBT - (Continued)**B. General Obligation Bonds**

The City issues general obligation debt to provide funds for the acquisition and construction of major capital facilities and are direct obligations and pledge the full faith and credit of the City.

General obligation bonds at September 30, 2020, was comprised of the following individual issue:

\$2,945,000 Series 2012 General Obligation Refunding Bonds due in annual installments ranging from \$300,000 to \$320,000 through February 15, 2024; interest fixed at 2.03%.	<u>\$ 1,005,000</u>
Total Bonds	<u>\$ 1,005,000</u>

Annual debt service requirements to maturity for the City's general obligation bonds are as follows:

Year Ending September 30	Governmental Activities		
	Principal	Interest	Total
2021	\$ 305,000	\$ 17,306	\$ 322,306
2022	320,000	10,962	330,962
2023	320,000	4,466	324,466
2024	60,000	609	60,609
	<u>\$ 1,005,000</u>	<u>\$ 33,343</u>	<u>\$ 1,038,343</u>

C. Revenue Bonds and Certificates

Revenue bonds and certificates payable were comprised of the following individual issues at September 30, 2020:

\$3,810,000 Series 2016 General Obligation Refunding Bonds due in annual installments ranging from \$100,000 to \$780,000 through February 15, 2024; interest rates varying between 1.10% and 2.05%.	<u>\$ 1,750,000</u>
\$1,700,000 Series 2008 Combination Tax and Surplus Harbor System Revenue Certificates of Obligation due in annual installments ranging from \$85,000 to \$125,000 through February 15, 2028; interest rate of 3.93%.	865,000
\$1,475,000 Series 2018 Combination Tax and Surplus Harbor System Revenue Certificates of Obligation due in annual installments ranging from \$70,000 to \$125,000 through February 15, 2034; interest rates varying between 3.50% and 5.00%.	<u>1,405,000</u>
Total Revenue Bonds and Certificates	<u>\$ 4,020,000</u>

NOTE 9: LONG-TERM DEBT - (Continued)**C. Revenue Bonds and Certificates - (Continued)**

The annual debt service requirements to maturity for the above listed revenue bonds and certificates are as follows:

Year Ending September 30	Business-type Activities		
	Principal	Interest	Total
2021	\$ 940,000	\$ 115,563	\$ 1,055,563
2022	955,000	93,730	1,048,730
2023	280,000	77,914	357,914
2024	290,000	68,585	358,585
2025	200,000	59,836	259,836
2026-2030	870,000	169,837	1,039,837
2031-2034	485,000	34,995	519,995
	<u>\$ 4,020,000</u>	<u>\$ 620,460</u>	<u>\$ 4,640,460</u>

The City has pledged future water customer revenues, net of specified operating expenses to repay \$1.75 million in utility system debt. Proceeds from the bonds provided financing for improvements to the City's utility system. The bonds are payable through 2024. Average annual principal and interest payments on the bonds (\$447,774) are expected to require approximately 25 percent of net revenues. Principal and interest paid for the current year and total net revenues were \$798,529 and \$1,824,341, respectively. The total principal and interest remaining to be paid on the bonds is \$1,791,095.

The City complied in all material respects with the various covenants applicable to its long-term debt agreements for the year ending September 30, 2020.

D. Loan Payable

Loans payable at September 30, 2020, was comprised of the following:

\$187,825 loan agreement with the Texas Comptroller of Public Accounts, through its State Energy Conservation Office, due in quarterly installments of \$5,771 through November 2030; interest fixed at 2.00%.

\$ 187,825

Total Loans

\$ 187,825

The City entered into the loan in order to finance the City's projects for various energy savings measures for City buildings and facilities. Annual debt service requirements to maturity for the City's loan payable are as follows:

Year Ending September 30	Governmental Activities		
	Principal	Interest	Total
2021	\$ 12,655	\$ 4,659	\$ 17,314
2022	19,729	3,356	23,085
2023	20,127	2,959	23,086
2024	20,533	2,553	23,086
2025	20,946	2,139	23,085
2026-2030	93,835	4,279	98,114
	<u>\$ 187,825</u>	<u>\$ 19,945</u>	<u>\$ 207,770</u>

NOTE 10: PRIOR YEAR DEFEASANCE OF DEBT

In prior years, the City defeased certain revenue and refunding bonds by placing the proceeds of new bonds in an irrevocable trust to provide for all future debt service payments on the old bonds. Accordingly, the trust account assets and the liability for the defeased bonds are not included in the City's financial statements. At September 30, 2020, \$3,930,000 of bonds outstanding was considered defeased.

NOTE 11: PROPRIETARY FUND NET POSITION

Management has committed for operating reserves \$1,281,765 of the Public Utility Fund's \$5,053,932 unrestricted net position. Management has also committed \$151,197 of the Port Revenue Fund's \$1,572,323 unrestricted net position for operating reserves and \$49,065 of the Beach Operating Fund's \$354,966 unrestricted net position for operating reserves. The committed amounts represent approximately 90 days of operating expenses, including interest expense and transfers to other funds. The Public Utility Fund, the Port Revenue Fund, and the Beach Operating Fund had \$3,772,167, \$1,421,126, and \$305,901, respectively, of unrestricted, uncommitted net position as of September 30, 2020.

NOTE 12: RISK MANAGEMENT

The City is exposed to various risks of loss related to torts; theft of, damage to, and destruction of assets; errors and omissions; injuries to employees; and natural disasters. During the year ended September 30, 2020, the City purchased insurance through the Texas Municipal League (TML) to cover its risk of loss in these areas. Substantially all risk of loss for events occurring during the current year has been transferred to TML by the payment of insurance premiums. Settled claims resulting from these risks have not exceeded insurance coverage in any of the past three fiscal years.

The City has also entered into an interlocal agreement with the Texas Municipal League Intergovernmental Employees Benefit Pool for health benefits coverage for its employees. The City pays \$489.98 or approximately 86% of the premiums for full-time employees. Dependent coverage is available at additional premiums paid by the employee and the City.

NOTE 13: CONTINGENCIES AND COMMITMENTS**A. Litigation**

Various claims and lawsuits are pending against the City. In the opinion of City management, after consultation with legal counsel, the potential loss on all claims and lawsuits will not materially affect the City's financial position.

B. Grant Programs

The City participates in grant programs that are governed by various rules and regulations of the grantor agencies. Costs charged to the respective grant programs are subject to audit and adjustment by the grantor agencies; therefore, to the extent that the City has not complied with the rules and regulations governing the grants, refunds of any monies received may be required, and the collectability of any related receivables at September 30, 2020, may be impaired. In the opinion of the administration of the City, there are no significant contingent liabilities relating to compliance with the rules and regulations governing the City's various grant programs.

C. Water Purchase Commitment

The City has entered into an agreement with the Guadalupe Blanco River Authority (GBRA) that obligates the City to purchase its water from GBRA; this contract shall be in force until the latter of August 2035 or until the City has paid the part of any outstanding plant revenue bonds for which the City is at least partially responsible.

D. Construction Commitments

As of September 30, 2020, the City had entered into contractual commitments with contractors for various City projects. The costs incurred to date and estimated remaining costs were as follows:

<u>Project Description</u>	<u>Costs Incurred To Date</u>	<u>Estimated Remaining Costs</u>	<u>Source of Funds</u>
Governmental activities:			
Street/drainage improvements	\$ 4,081,172	\$ 1,435,361	City
Park improvements	788,724	261,276	City/Grant
Bauer Center improvements	486,908	52,764	City
Veterans' memorial	85,249	-	City/Contributions
	<u>\$ 5,442,053</u>	<u>\$ 1,749,401</u>	
Business-type activities:			
Water and sewer improvements	\$ 2,770,881	\$ 8,067	City
Sewer line improvements	317,876	12,124	City/Grant
Lighthouse Beach boat ramp	132,950	17,050	City
Lighthouse Beach fishing pier	157,986	2,142,014	City
Generators for lift stations	26,979	827,512	City/Grant
Helena bulkhead at H.O.R.	2,154,585	18,345	City/Grant
Properties for Port projects	150,355	206,791	City
	<u>\$ 5,711,612</u>	<u>\$ 3,231,903</u>	

NOTE 14: DEFINED BENEFIT PENSION PLANPlan Description

The City participates as one of 888 plans in the nontraditional, joint contributory, hybrid defined benefit pension plan administered by the TMRS. TMRS is an agency created by the State of Texas and administered in accordance with the TMRS Act, Subtitle G, Title 8, Texas Government Code (the TMRS Act) as an agent multiple-employer retirement system for municipal employees in the State of Texas. The TMRS Act places the general administration and management of the TMRS with a six-member Board of Trustees. Although the Governor, with the advice and consent of the Senate, appoints the Board, TMRS is not fiscally dependent on the State of Texas. TMRS's defined benefit pension plan is a tax-qualified plan under Section 401 (a) of the Internal Revenue Code. TMRS issues a publicly available annual comprehensive financial report (ACFR) that can be obtained at www.tmrs.com.

All eligible employees of the City are required to participate in TMRS.

Benefits Provided

TMRS provides retirement, disability, and death benefits. Benefit provisions are adopted by the governing body of the City, within the options available in the state statutes governing TMRS.

At retirement, the benefit is calculated as if the sum of the employee's contributions, with interest, and the City-financed monetary credits with interest were used to purchase an annuity. Members may choose to receive their retirement benefit in one of seven payments options. Members may also choose to receive a portion of their benefit as a partial lump sum distribution in an amount equal to 12, 24, or 36 monthly payments, which cannot exceed 75% of the member's deposits and interest.

The plan provisions are adopted by the governing body of the City, within the options available in the state statutes governing TMRS. Plan provisions of the City for plan year 2020 were as follows:

Employee deposit rate	5.0%
Matching ratio (City to employee)	1.5 to 1
Years required for vesting	10
Service retirement eligibility (expressed as age/years of service)	60/5, 0/20
Updated service credit	100.0% - transfers; 2010 - Auto Readoption
COLA (for retirees)	70.0%; 2010 - Auto Readoption
Military service credit	Yes, adopted 1-1997
Restricted prior service credit	Yes, adopted 11-1997
Buy back last adopted	Not elected

At the December 31, 2019 valuation and measurement date, the following employees were covered by the benefit terms:

Inactive employees or beneficiaries currently receiving benefits	68
Inactive employees entitled to but not yet receiving benefits	125
Active employees	<u>82</u>
	<u>275</u>

NOTE 14: DEFINED BENEFIT PENSION PLAN - (Continued)Contributions

The contribution rates for employees in TMRS are either 5%, 6%, or 7% of employee gross earnings, and the City matching percentages are either 100%, 150%, or 200%, both as adopted by the governing body of the City. Under the state law governing TMRS, the contribution rate for each City is determined annually by the actuary, using the Entry Age Normal (EAN) actuarial cost method. The actuarially determined rate is the estimated amount necessary to finance the cost of benefits earned by employees during the year, with an additional amount to finance any unfunded accrued liability.

Employees for the City were required to contribute 5.00% of their annual gross earnings during the fiscal year. The contribution rates for the City were 5.81% and 5.89% in calendar years 2019 and 2020, respectively. The City's contributions to TMRS for the fiscal year ended September 30, 2020 were \$225,701, and were equal to the required contributions.

Net Pension Liability

The City's Net Pension Liability (NPL) was measured as of December 31, 2019, and the Total Pension Liability (TPL) used to calculate the Net Pension Liability was determined by an actuarial valuation as of that date.

Actuarial Assumptions

The Total Pension Liability in the December 31, 2019 actuarial valuation was determined using the following actuarial assumptions:

Inflation	2.5% per year
Overall Payroll Growth	2.75% per year, adjusted down for population declines, if any
Investment Rate of Return	6.75%, net of pension plan investment expense, including inflation

Salary increases were based on a service-related table. Mortality rates for active members are based on the PUB(10) mortality tables with the Public Safety table used for males and the General Employee table used for females. Mortality rates for healthy retirees and beneficiaries are based on the Gender-distinct 2019 Municipal Retirees of Texas mortality tables. The rates for actives, healthy retirees and beneficiaries are projected on a fully generational basis by Scale UMP to account for future mortality improvements. For disabled annuitants, the same mortality tables for healthy retirees is used with a 4-year set-forward for males and a 3-year set-forward for females. In addition, a 3.5% and 3.0% minimum mortality rate is applied, for males and females respectively, to reflect the impairment for younger members who become disabled. The rates are projected on a fully generational basis by Scale UMP to account for future mortality improvements subject to the floor.

The actuarial assumptions were developed primarily from the actuarial investigation of the experience of TMRS over the four-year period from December 31, 2014 through December 31, 2018. They were adopted in 2019 and first used in the December 31, 2019 actuarial valuation. The post-retirement mortality assumption for Annuity Purchase Rate (APRs) is based on the Mortality Experience Investigation Study covering 2009 through 2011, and dated December 31, 2013. Plan assets are managed on a total return basis with an emphasis on both capital appreciation as well as the production of income, in order to satisfy the short-term and long-term funding needs of TMRS.

NOTE 14: DEFINED BENEFIT PENSION PLAN - (Continued)Net Pension Liability - (Continued)*Actuarial Assumptions - (Continued)*

The long-term expected rate of return on pension plan investments was determined using a building-block method in which best estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) are developed for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation. In determining their best estimate of a recommended investment return assumption under the various alternative asset allocation portfolios, GRS focused on the area between (1) arithmetic mean (aggressive) without an adjustment for time (conservative) and (2) the geometric mean (conservative) with an adjustment for time (aggressive).

<u>Asset Class</u>	<u>Target Allocation</u>	<u>Long-Term Expected Real Rate of Return (Arithmetic)</u>
Global Equity	30.00%	5.30%
Core Fixed Income	10.00%	1.25%
Non-Core Fixed Income	20.00%	4.14%
Real Return	10.00%	3.85%
Real Estate	10.00%	4.00%
Absolute Return	10.00%	3.48%
Private Equity	<u>10.00%</u>	7.75%
Total	<u>100.00%</u>	

NOTE 14: DEFINED BENEFIT PENSION PLAN - (Continued)Net Pension Liability - (Continued)*Discount Rate*

The discount rate used to measure the Total Pension Liability was 6.75%. The projection of cash flows used to determine the discount rate assumed that employee and employer contributions will be made at the rates specified in statute. Based on that assumption, the pension plan's Fiduciary Net Position was projected to be available to make all projected future benefit payments of current active and inactive employees. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the Total Pension Liability.

	Increase (Decrease)		
	<u>Total Pension Liability</u>	<u>Plan Fiduciary Net Position</u>	<u>Net Pension Liability</u>
	(a)	(b)	(a) - (b)
Balance at 12/31/2018	\$ 11,414,588	\$ 10,129,859	\$ 1,284,729
Changes for the year:			
Service cost	366,719	-	366,719
Interest	761,419	-	761,419
Changes of benefit terms	-	-	-
Difference between expected and actual experience	(74,875)	-	(74,875)
Change of assumptions	270	-	270
Contributions - Employer	-	221,708	(221,708)
Contributions - Employee	-	190,800	(190,800)
Net investment income	-	1,563,243	(1,563,243)
Benefit payments, including refunds of employee contributions	(635,339)	(635,339)	-
Administrative expense	-	(8,849)	8,849
Other changes	-	(265)	265
Net changes	<u>418,194</u>	<u>1,331,298</u>	<u>(913,104)</u>
Balance at 12/31/2019	<u>\$ 11,832,782</u>	<u>\$ 11,461,157</u>	<u>\$ 371,625</u>

Sensitivity of the Net Pension Liability to Changes in the Discount Rate

The following presents the Net Pension Liability of the City, calculated using the discount rate of 6.75%, as well as what the City's Net Pension Liability would be if it were calculated using a discount rate that is 1-percentage-point lower (5.75%) or 1-percentage-point higher (7.75%) than the current rate:

	1.0% Decrease in Discount Rate (5.75%)	Discount Rate (6.75%)	1.0% Increase in Discount Rate (7.75%)
City's Net Pension Liability:	\$2,047,840	\$371,625	\$(979,741)

NOTE 14: DEFINED BENEFIT PENSION PLAN - (Continued)Net Pension Liability - (Continued)*Pension Plan Fiduciary Net Position*

Detailed information about the pension plan's fiduciary net position is available in a separately-issued TMRS financial report. That report may be obtained on the internet at www.tmrs.com.

Pension Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to Pensions

For the year ended September 30, 2020 the City recognized pension expense of \$196,304.

At September 30, 2020, the City reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual economic experience	\$ -	\$ 96,680
Changes in actuarial assumptions	171	-
Difference between projected and actual investment earnings	-	347,277
Contributions subsequent to the measurement date	164,940	-
Total	\$ 165,111	\$ 443,957

\$164,940 reported as deferred outflows of resources related to pensions resulting from contributions subsequent to the measurement date will be recognized as a reduction of the net pension liability for the year ending September 30, 2020. Other amounts reported as deferred outflows and inflows of resources related to pensions will be recognized in pension expense as follows:

Year ended December 31:	Pension Expense Amount
2020	\$ (174,053)
2021	(129,299)
2022	35,458
2023	(175,894)
2024	-
Thereafter	-
Total	\$ (443,788)

NOTE 15: SUPPLEMENTAL DEATH BENEFIT PLAN (OPEB)Plan Description and Benefits Provided

TMRS administers a defined benefit group-term life insurance plan known as the Supplemental Death Benefits Fund (SDBF). This is a voluntary program in which participating member cities may elect, by ordinance, to provide group-term life insurance coverage for their active members, including or not including retirees. The death benefit for active employees provides a lump-sum payment approximately equal to the employee's annual salary (calculated based on the employee's actual earnings, for the 12-month period preceding the month of death). The death benefit for retirees is considered an other postemployment benefit (OPEB) and is a fixed amount of \$7,500. As the SDBF covers both active and retiree participants, with no segregation of assets, the SDBF is considered to be an unfunded OPEB plan (i.e. no assets are accumulated).

Membership

At the December 31, 2019 valuation and measurement date, the following is the number of members in the plan:

Inactive employees currently receiving benefits	42
Inactive employees entitled to but not yet receiving benefits	13
Active employees	<u>82</u>
Total	<u>137</u>

Contributions

The City contributes to the SDBF at a contractually required rate as determined by an annual actuarial valuation. The rate is equal to the cost of providing one-year term life insurance. The funding policy for the SDBF program is to assure that adequate resources are available to meet all death benefit payments for the upcoming year; the intent is not to pre-fund retired term life insurance during employees' entire careers. Therefore, there are no assets that are accumulated in a trust that meets the criteria in paragraph 4 of GASB Statement No. 75 to pay related benefits. The SDBF is considered an unfunded OPEB plan and benefit payments made by the City are treated as being equal to the City's yearly contribution for retirees.

The City's contribution rates for the program are as follows:

Plan/Calendar Year	Total SDB Contribution (Rate)	Retiree Portion of SDB Contribution (Rate)
2017	0.23%	0.07%
2018	0.22%	0.08%
2019	0.24%	0.08%
2020	0.25%	0.10%

NOTE 15: SUPPLEMENTAL DEATH BENEFIT PLAN (OPEB) - (Continued)Total OPEB Liability

The City's total OPEB liability and the OPEB expense is recognized on the City's financial statements. The OPEB expense recognized each fiscal year is equal to the change in the total OPEB liability from the beginning of the year to the end of the year, adjusted for deferred recognition of certain changes in the liability.

Actuarial Assumptions

The actuarial assumptions used in the December 31, 2019 valuation were based on the results of an actuarial experience study for the period December 31, 2014 to December 31, 2018.

Inflation	2.5%
Salary increases	3.5% to 11.5 % including inflation
Discount rate	2.75 %*
Retirees' share of benefit-related costs	\$0
Administrative expenses	All administrative expenses are paid through the Pension Trust and accounted for under reporting requirements under GASB Statement No. 68
Mortality rates-service retirees	2019 Municipal Retirees of Texas Mortality Tables. The rates are projected on a fully generational basis with scale UMP.
Mortality rates-disabled retirees	2019 Municipal Retirees of Texas Mortality Tables with a 4 year set-forward for males and a 3 year set-forward for females. In addition, a 3.5% and 3% minimum mortality rate will be applied to reflect the impairment for younger members who become disabled for males and females, respectively. The rates are projected on a fully generational basis by Scale UMP to account for future mortality improvements subject to the floor.

* The discount rate was based on the Fidelity Index's "20-Year Municipal GO AA Index" rate as of December 31, 2019.

NOTE 15: SUPPLEMENTAL DEATH BENEFIT PLAN (OPEB) - (Continued)Total OPEB Liability - (Continued)*Changes in Total OPEB Liability*

The following details the changes in the Total OPEB liability:

Balance at 12/31/18	\$ 251,733
Changes for the year:	
Service cost	9,540
Interest	9,460
Change of benefit terms	-
Difference between expected and actual experience	(10,459)
Change of assumptions	45,970
Benefit payments	(3,053)
Net changes	<u>51,458</u>
Balance at 12/31/19	<u>\$ 303,191</u>

Sensitivity of the Total OPEB Liability to Changes in the Discount Rate

The following presents the Total OPEB Liability of the City, calculated using the discount rate of 2.75%, as well as what the City's Total OPEB Liability would be if it were calculated using a discount rate that is 1-percentage-point lower (1.75%) or 1-percentage-point higher (3.75%) than the current rate:

	1.0% Decrease in Discount Rate (1.75%)	Discount Rate (2.75%)	1.0% Increase in Discount Rate (3.75%)
City's Total OPEB Liability:	\$361,275	\$303,191	\$258,702

OPEB Expense and Deferred Outflows of Resources and Deferred Inflows of Resources Related to OPEB

For the year ended September 30, 2020, the City recognized OPEB expense of \$26,121.

At September 30, 2020, the City reported deferred outflows of resources and deferred inflows of resources related to OPEB from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	\$ 1,092	\$ 8,529
Changes in actuarial assumptions	46,092	10,628
Contributions subsequent to the measurement date	2,240	-
Total	\$ 49,424	\$ 19,158

NOTE 15: SUPPLEMENTAL DEATH BENEFIT PLAN (OPEB) - (Continued)Total OPEB Liability - (Continued)

Deferred outflows and inflows of resources to be recognized in future OPEB expense (excluding City contributions subsequent to the measurement date) are as follows:

Year ended December 31:	OPEB Expense Amount
2020	\$ 7,121
2021	7,121
2022	6,472
2023	4,561
2024	2,751
Thereafter	-
Total	\$ 28,026

NOTE 16: VOLUNTEER FIREFIGHTERS' PENSION BENEFIT PLAN

The City provides a pension benefit for all retired volunteer firemen who qualify under the provisions of the Texas Local Fire Fighters Retirement Act. To be eligible, individuals must have completed at least 20 years of service and be at least 55 years old. Quarterly payments of \$75 are made to qualifying individuals until their death, at which time the surviving spouse, if any, is entitled to receive payments of \$50 per quarter until death. As of September 30, 2020, there were 9 individuals receiving benefits under the plan. Benefit payments for the year totaled \$2,150.

An actuarial study has not been performed to determine the City's accrued liability related to this benefit plan. Management estimates that the unfunded liability for vested benefits was between \$40,000 and \$50,000 as of September 30, 2020.

NOTE 17: DEFERRED COMPENSATION PLAN

The City offers its employees a deferred compensation plan created in accordance with Internal Revenue Code Section 457. The plan, available to all City employees, permits the deferral of a portion of their salary until future years. The deferred compensation is not available to employees until termination, retirement, death, or unforeseen emergency.

The assets of this plan, which totaled \$704,730 as of September 30, 2020, are held in trust for the exclusive benefit of participants and their beneficiaries. As such, no amounts related to these assets are included in the accompanying financial statements.

NOTE 18: FUND BALANCES

The following is a detail of the governmental fund balances as of September 30, 2020:

	<u>Nonspendable</u>	<u>Restricted</u>	<u>Committed</u>	<u>Unassigned</u>	<u>Total</u>
General					
Prepaid items	\$ 47,524	\$ -	\$ -	\$ -	\$ 47,524
Operating reserves	-	-	2,704,388	-	2,704,388
Capital asset replacement	-	-	207,507	-	207,507
Unassigned	-	-	-	10,714,713	10,714,713
Hurricane Harvey					
Unassigned	-	-	-	(1,181,122)	(1,181,122)
Street Construction					
Various capital projects	-	596,037	-	-	596,037
Nonmajor Governmental					
Retirement of long-term debt	-	167,687	-	-	167,687
Tourism and conventions	-	779,357	-	-	779,357
Economic development	-	11,558	-	-	11,558
Public safety	-	26,608	-	-	26,608
Municipal court	-	53,783	-	-	53,783
	<u>\$ 47,524</u>	<u>\$ 1,635,030</u>	<u>\$ 2,911,895</u>	<u>\$ 9,533,591</u>	<u>\$ 14,128,040</u>

NOTE 19: RESTATEMENT OF BEGINNING BALANCES

The City's Beach Operating proprietary fund financial statements for fiscal year September 30, 2019 have been restated to properly reflect the capital asset and net investment in capital asset balances for fiscal year ending September 30, 2019. The result of the restatement was to decrease the capital asset accounts and the net investment in capital assets of the Beach Operating fund business-type activities by \$753,925. Accordingly, the City's business-type activities on the Statement of Net Position for fiscal year September 30, 2019 have also been restated to reflect this change.

Required Supplementary Information

CITY OF PORT LAVACA, TEXAS

Section VIII. Item #4.

MAJOR GOVERNMENTAL FUNDS - GENERAL FUND**SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE****BUDGET (GAAP BASIS) AND ACTUAL**

For the year ended September 30, 2020

With comparative totals for the year ended September 30, 2019

	2020				2019
	Original Budget	Final Budget	Actual	Variance Positive (Negative)	Actual
REVENUES					
Taxes	\$ 7,194,600	\$ 7,194,600	\$ 8,010,026	\$ 815,426	\$ 8,131,607
Fines and forfeitures	287,000	287,000	220,122	(66,878)	292,282
Intergovernmental	257,800	257,800	367,212	109,412	269,931
Licenses and permits	96,500	96,500	168,367	71,867	120,897
Investment	60,000	60,000	116,706	56,706	295,613
Rental	60,000	60,000	30,345	(29,655)	51,785
Charges for services	7,500	7,500	14,708	7,208	12,897
Miscellaneous	10,000	98,305	175,052	76,747	81,593
Total revenues	<u>7,973,400</u>	<u>8,061,705</u>	<u>9,102,538</u>	<u>1,040,833</u>	<u>9,256,605</u>
EXPENDITURES					
Current					
General government	1,857,090	1,863,631	1,755,370	108,261	1,544,871
Public safety	3,779,404	3,888,972	3,548,418	340,554	3,279,096
Public works	1,576,500	1,576,500	1,129,316	447,184	1,240,009
Parks and recreation	637,325	637,325	557,569	79,756	624,107
Capital outlay	329,000	448,836	1,122,492	(673,656)	575,308
Total expenditures	<u>8,179,319</u>	<u>8,415,264</u>	<u>8,113,165</u>	<u>302,099</u>	<u>7,263,391</u>
Excess (deficiency) of revenues over expenditures	(205,919)	(353,559)	989,373	1,342,932	1,993,214
OTHER FINANCING SOURCES (USES)					
Debt issued	-	-	187,825	187,825	-
Transfers in	472,994	472,994	472,994	-	1,385,717
Transfers out	(2,403,000)	(2,403,000)	(1,798,000)	605,000	(661,050)
Net other financing sources (uses)	<u>(1,930,006)</u>	<u>(1,930,006)</u>	<u>(1,137,181)</u>	<u>792,825</u>	<u>724,667</u>
Net change in fund balance	(2,135,925)	(2,283,565)	(147,808)	2,135,757	2,717,881
Fund balance at beginning of year	<u>13,821,940</u>	<u>13,821,940</u>	<u>13,821,940</u>	-	<u>11,104,059</u>
Fund balance at end of year	<u>\$ 11,686,015</u>	<u>\$ 11,538,375</u>	<u>\$ 13,674,132</u>	<u>\$ 2,135,757</u>	<u>\$ 13,821,940</u>

The accompanying notes to required supplementary information are an integral part of this schedule.

CITY OF PORT LAVACA, TEXAS**SCHEDULE OF CHANGES IN NET PENSION LIABILITY AND RELATED RATIOS****TEXAS MUNICIPAL RETIREMENT SYSTEM - PENSION**

Last ten years

	Measurement Year		
	2014	2015	2016
Total Pension Liability			
Service cost	\$ 314,835	\$ 358,107	\$ 365,217
Interest (on the total pension liability)	670,913	688,461	696,229
Changes of benefit terms	-	-	-
Difference between expected and actual experience	(250,547)	(139,223)	14,276
Change of assumptions	-	88,376	-
Benefit payments, including refunds of employee contributions	(546,714)	(465,578)	(574,303)
Net Change in Total Pension Liability	188,487	530,143	501,419
Total Pension Liability - Beginning	9,700,410	9,888,897	10,419,040
Total Pension Liability - Ending (a)	<u>\$ 9,888,897</u>	<u>\$ 10,419,040</u>	<u>\$ 10,920,459</u>
Plan Fiduciary Net Position			
Contributions - Employer	\$ 197,075	\$ 241,857	\$ 213,193
Contributions - Employee	176,910	195,047	187,676
Net investment income	515,111	13,784	629,604
Benefit payments, including refunds of employee contributions	(546,714)	(465,578)	(574,303)
Administrative expense	(5,379)	(8,396)	(7,112)
Other	(442)	(415)	(383)
Net Change in Plan Fiduciary Net Position	336,561	(23,701)	448,675
Plan Fiduciary Net Position - Beginning	9,005,394	9,341,955	9,318,254
Plan Fiduciary Net Position - Ending (b)	<u>\$ 9,341,955</u>	<u>\$ 9,318,254</u>	<u>\$ 9,766,929</u>
Net Pension Liability - Ending (a) - (b)	<u>\$ 546,942</u>	<u>\$ 1,100,786</u>	<u>\$ 1,153,530</u>
Plan Fiduciary Net Position as a Percentage of Total Pension Liability	94.47%	89.43%	89.44%
Covered Payroll	\$ 3,538,200	\$ 3,900,944	\$ 3,753,514
Net Pension Liability as a Percentage of Covered Payroll	15.46%	28.22%	30.73%

NOTE: Information for the prior four years was not readily available. The City will compile the respective information over the next four years as provided by TMRS on a "measurement date" basis.

The accompanying notes to required supplementary information are an integral part of this schedule.

Measurement Year		
2017	2018	2019
\$ 348,599	\$ 340,363	\$ 366,719
726,299	741,373	761,419
-	-	-
(125,070)	(92,649)	(74,875)
-	-	270
<u>(669,541)</u>	<u>(775,245)</u>	<u>(635,339)</u>
280,287	213,842	418,194
<u>10,920,459</u>	<u>11,200,746</u>	<u>11,414,588</u>
<u>\$ 11,200,746</u>	<u>\$ 11,414,588</u>	<u>\$ 11,832,782</u>
\$ 219,660	\$ 213,037	\$ 221,708
182,513	177,828	190,800
1,353,359	(324,704)	1,563,243
(669,541)	(775,245)	(635,339)
(7,015)	(6,279)	(8,849)
<u>(356)</u>	<u>(327)</u>	<u>(265)</u>
1,078,620	(715,690)	1,331,298
<u>9,766,929</u>	<u>10,845,549</u>	<u>10,129,859</u>
<u>\$ 10,845,549</u>	<u>\$ 10,129,859</u>	<u>\$ 11,461,157</u>
<u>\$ 355,197</u>	<u>\$ 1,284,729</u>	<u>\$ 371,625</u>
96.83%	88.74%	96.86%
\$ 3,650,253	\$ 3,556,564	\$ 3,816,010
9.73%	36.12%	9.74%

CITY OF PORT LAVACA, TEXAS**SCHEDULE OF EMPLOYER CONTRIBUTIONS****TEXAS MUNICIPAL RETIREMENT SYSTEM - PENSION***Last ten fiscal years*

	Fiscal Year		
	2015	2016	2017
Actuarially Determined Contribution	\$ 225,696	\$ 222,531	\$ 211,938
Contribution in relation to the actuarially determined contribution	<u>(234,844)</u>	<u>(232,147)</u>	<u>(220,357)</u>
Contribution deficiency (excess)	<u>\$ (9,148)</u>	<u>\$ (9,616)</u>	<u>\$ (8,419)</u>
Covered payroll	\$ 3,728,430	\$ 3,822,573	\$ 3,575,417
Contributions as a percentage of covered payroll	6.30%	6.07%	6.16%

NOTE: Information for the prior four fiscal years was not readily available. The City will compile the respective information over the next four fiscal years.

The accompanying notes to required supplementary information are an integral part of this schedule.

Fiscal Year		
2018	2019	2020
\$ 216,287	\$ 220,661	\$ 225,701
<u>(224,324)</u>	<u>(229,502)</u>	<u>(235,336)</u>
<u>\$ (8,037)</u>	<u>\$ (8,841)</u>	<u>\$ (9,635)</u>
\$ 3,605,556	\$ 3,767,059	\$ 3,846,134
6.22%	6.09%	6.12%

CITY OF PORT LAVACA, TEXAS

SCHEDULE OF CHANGES IN TOTAL OPEB LIABILITY AND RELATED RATIOS
TEXAS MUNICIPAL RETIREMENT SYSTEM - SUPPLEMENTAL DEATH BENEFIT
Last ten years

	Measurement Year		
	2017	2018	2019
Total OPEB Liability			
Service cost	\$ 8,761	\$ 9,603	\$ 9,540
Interest (on the total OPEB liability)	8,383	8,424	9,460
Change of benefit terms	-	-	-
Difference between expected and actual experience	-	1,671	(10,459)
Change of assumptions	17,855	(16,237)	45,970
Benefit payments	(2,555)	(2,845)	(3,053)
Net Change in Total OPEB Liability	32,444	616	51,458
Total OPEB Liability - Beginning	218,673	251,117	251,733
Total OPEB Liability - Ending	<u>\$ 251,117</u>	<u>\$ 251,733</u>	<u>\$ 303,191</u>
Covered Payroll	\$ 3,650,253	\$ 3,556,564	\$ 3,816,010
Total OPEB Liability as a Percentage of Covered Payroll	6.88%	7.08%	7.95%

NOTE: Information for the prior seven years was not readily available. The City will compile the respective information over the next seven years as provided by TMRS on a "measurement date" basis.

The accompanying notes to required supplementary information are an integral part of this schedule.

CITY OF PORT LAVACA, TEXAS**SCHEDULE OF EMPLOYER CONTRIBUTIONS****TEXAS MUNICIPAL RETIREMENT SYSTEM - SUPPLEMENTAL DEATH BENEFIT***Last ten fiscal years*

	Fiscal Year		
	2018	2019	2020
Actuarially Determined Contribution	\$ 2,780	\$ 3,014	\$ 3,077
Contribution in relation to the actuarially determined contribution	(2,780)	(3,014)	(3,077)
Contribution deficiency (excess)	\$ -	\$ -	\$ -
Covered payroll	\$ 3,605,556	\$ 3,767,059	\$ 3,846,134
Contributions as a percentage of covered payroll	0.0771%	0.0800%	0.0800%

NOTE: Information for the prior seven years was not readily available. The City will compile the respective information over the next seven years.

The accompanying notes to required supplementary information are an integral part of this schedule.

CITY OF PORT LAVACA, TEXAS**NOTES TO REQUIRED SUPPLEMENTARY INFORMATION**

September 30, 2020

NOTE 1: BUDGETARY BASIS OF ACCOUNTING

The City annually adopts budgets that are prepared using the modified accrual basis of accounting, which is consistent with generally accepted accounting principles.

The Required Supplementary Information does not include a budgetary comparison schedule for the Major Special Revenue Fund, Hurricane Harvey. The activity of this fund is funded by the federal and state government, thereby no local control over appropriating funds is possible. Therefore, there is no requirement of presenting a budgetary comparison schedule.

NOTE 2: BUDGETARY LEGAL COMPLIANCE

For the year ended September 30, 2020, the City complied with budgetary restrictions at all departmental levels except the following:

<u>Fund Name- Department</u>	<u>Final Budget</u>	<u>Actual</u>	<u>Negative Variance</u>
General Fund			
City manager	\$ 214,600	\$ 232,642	\$ 18,042
Human resources	17,175	19,661	2,486
Finance	257,725	266,005	8,280
Non-departmental	669,039	684,596	15,557
Animal control	123,825	129,260	5,435
Capital outlay	418,836	1,122,492	673,656

NOTE 3: DEFINED BENEFIT PENSION PLANValuation Date

Actuarially determined contribution rates are calculated as of December 31 and become effective in January, 13 months later.

Methods and Assumptions Used to Determine Contribution Rates

Actuarial Cost Method	Entry Age Normal
Amortization Method	Level Percentage of Payroll, Closed
Remaining Amortization Period	26 years
Asset Valuation Method	10 year Smoothed Market; 12% Soft Corridor
Inflation	2.50%
Salary Increases	3.50% to 11.50% including inflation
Investment Rate of Return	6.75%
Retirement Age	Experience-based table of rates that are specific to the City's plan of benefits. Last updated for the 2019 valuation pursuant to an experience study of the period 2014-2018

CITY OF PORT LAVACA, TEXAS**NOTES TO REQUIRED SUPPLEMENTARY INFORMATION**

September 30, 2020

NOTE 3: DEFINED BENEFIT PENSION PLAN - (Continued)Methods and Assumptions Used to Determine Contribution Rates - (Continued)Mortality

Post-retirement: 2019 Municipal Retirees of Texas Mortality Tables. The rates are projected on a fully generational basis with scale UMP.

Pre-retirement: PUB(10) mortality tables, with the Public Safety tables used for males and the General employee tables used for females. The rates are projected on a fully generational basis

Other Information

There were no benefit changes during the year.

NOTE 4: SUPPLEMENTAL DEATH BENEFIT PLAN - OPEB

No assets are accumulated in a trust that meets the criteria in paragraph 4 of GASB Statement No. 75 to pay related benefits.

There were no changes in plan provisions during the year.

Changes in Assumptions

- Salary increases changed to 3.5% to 11.5% including inflation from 3.5% to 10.5% including inflation.
- Discount rate decreased to 2.75% from 3.71%.

Changed to using the 2019 Municipal Retirees of Texas Mortality Tables from the RP2000 Combined Mortality Table along with a change in projected rates.

Combining and Individual Fund Statements and Schedules

NONMAJOR GOVERNMENTAL FUNDS

Nonmajor Special Revenue Funds

Special Revenue Funds are used to account for and report the proceeds of specific revenue sources that are restricted or committed to expenditure for specific purposes other than debt service or capital projects.

Hotel Occupancy Tax Fund - Accounts for the collection of hotel and motel taxes collected within the City. The City uses these funds to directly enhance and promote tourism and the convention and hotel industry or other expenses as approved by State Law.

Police Forfeitures Fund - Accounts for items seized by the City through the police department as a result of criminal investigations. The funds are used for one-time equipment purchases and other purchases to assist in police activities.

Municipal Court Technology and Building Security - Account for fees collected on conviction of certain municipal court offenses and funds are intended to enhance these specific areas.

Economic Development Fund - Accounts for funds received from public and private partners to be used for economic development purposes.

Bulletproof Vest Grant Fund - Accounts for federal funds received to fund the purchase of protective armor vests for the City's police officers.

Redflex Traffic System Fund - Accounts for fees collected by the City's red light camera system. This money is shared with the State's trauma account and the City can only use this money to enhance pedestrian safety.

CDBG Grant - Accounts for grant funds received through the Community Development Block Grants for the drainage infrastructure and street infrastructure improvements to facilitate proper stormwater conveyance, reduce the impact of future flooding, and provide continued ingress/egress to the targeted area impacted by Hurricane Harvey.

Nonmajor Debt Service Fund

Debt Service Funds are used to account for and report financial resources that are restricted, committed or assigned to expenditure for general government debt principal and interest.

2012 General Obligation Refunding Bonds Fund - To accumulate monies for payment of the City's 2012 General Obligation Refunding Bonds.

CITY OF PORT LAVACA, TEXAS
COMBINING BALANCE SHEET
NONMAJOR GOVERNMENTAL FUNDS
September 30, 2020

	Special Revenue				
	Hotel Occupancy Tax	Police Forfeitures	Building Security	Economic Development	Bulletproof Vest Grant
ASSETS					
Current assets					
Cash and cash equivalents	\$ 739,932	\$ 15,897	\$ 35,002	\$ 11,558	\$ 22
Receivables (net)	97,254	-	-	-	-
Due from other governments	-	-	-	-	-
Total assets	<u>\$ 837,186</u>	<u>\$ 15,897</u>	<u>\$ 35,002</u>	<u>\$ 11,558</u>	<u>\$ 22</u>
LIABILITIES					
Liabilities					
Accounts payable	\$ 57,829	\$ -	\$ -	\$ -	\$ -
Total liabilities	<u>57,829</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
DEFERRED INFLOWS OF RESOURCES					
Unavailable revenue	-	-	-	-	-
Total deferred inflows of resources	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
FUND BALANCE					
Restricted					
Retirement of long-term debt	-	-	-	-	-
Tourism and conventions	779,357	-	-	-	-
Economic development	-	-	-	11,558	-
Public safety	-	15,897	-	-	22
Municipal court	-	-	35,002	-	-
Total fund balance	<u>779,357</u>	<u>15,897</u>	<u>35,002</u>	<u>11,558</u>	<u>22</u>
Total liabilities, deferred inflows and fund balance	<u>\$ 837,186</u>	<u>\$ 15,897</u>	<u>\$ 35,002</u>	<u>\$ 11,558</u>	<u>\$ 22</u>

Special Revenue			Debt Service	
Redflex Traffic System	Court Technology Fund	Total	2012 General Obligation Refunding Bonds	Total Nonmajor Governmental Funds
\$ 10,689	\$ 18,781	\$ 831,881	\$ 167,146	\$ 999,027
-	-	97,254	29,310	126,564
-	-	-	541	541
<u>\$ 10,689</u>	<u>\$ 18,781</u>	<u>\$ 929,135</u>	<u>\$ 196,997</u>	<u>\$ 1,126,132</u>
\$ -	\$ -	\$ 57,829	\$ -	\$ 57,829
-	-	57,829	-	57,829
-	-	-	29,310	29,310
-	-	-	29,310	29,310
-	-	-	167,687	167,687
-	-	779,357	-	779,357
-	-	11,558	-	11,558
10,689	-	26,608	-	26,608
-	18,781	53,783	-	53,783
<u>10,689</u>	<u>18,781</u>	<u>871,306</u>	<u>167,687</u>	<u>1,038,993</u>
<u>\$ 10,689</u>	<u>\$ 18,781</u>	<u>\$ 929,135</u>	<u>\$ 196,997</u>	<u>\$ 1,126,132</u>

CITY OF PORT LAVACA, TEXAS**COMBINING STATEMENT OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCES****NONMAJOR GOVERNMENTAL FUNDS**

For the year ended September 30, 2020

	Special Revenue				
	Hotel Occupancy Tax	Police Forfeitures	Building Security	Economic Development	Bulletproof Vest Grant
REVENUES					
Taxes	\$ 531,123	\$ -	\$ -	\$ -	\$ -
Fines, fees, and forfeitures	-	1,358	2,909	-	-
Intergovernmental	-	-	-	-	22
Investment	7,452	300	218	70	-
Miscellaneous	1,650	-	-	906	-
Total revenues	<u>540,225</u>	<u>1,658</u>	<u>3,127</u>	<u>976</u>	<u>22</u>
EXPENDITURES					
Current					
General government	218,265	-	-	-	-
Public safety	-	-	-	-	-
Capital outlay	-	-	-	-	-
Debt service					
Principal retirement	-	-	-	-	-
Interest and fiscal charges	-	-	-	-	-
Total expenditures	<u>218,265</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Excess (deficiency) of revenues over expenditures	321,960	1,658	3,127	976	22
OTHER FINANCING SOURCES (USES)					
Transfers out	(192,950)	-	-	-	-
Total other financing sources (uses)	<u>(192,950)</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Net change in fund balances	129,010	1,658	3,127	976	22
Fund balances at beginning of year	<u>650,347</u>	<u>14,239</u>	<u>31,875</u>	<u>10,582</u>	<u>-</u>
Fund balances at end of year	<u>\$ 779,357</u>	<u>\$ 15,897</u>	<u>\$ 35,002</u>	<u>\$ 11,558</u>	<u>\$ 22</u>

Special Revenue				Debt Service	Total
Redflex Traffic System	Court Technology Fund	CDBG Grant	Total	2012 General Obligation Refunding Bonds	Nonmajor Governmental Funds
\$ -	\$ -	\$ -	\$ 531,123	\$ 323,628	\$ 854,751
-	2,518	-	6,785	-	6,785
-	-	242,582	242,604	-	242,604
515	61	-	8,616	1,783	10,399
-	-	-	2,556	-	2,556
515	2,579	242,582	791,684	325,411	1,117,095
-	-	-	218,265	-	218,265
70,081	-	-	70,081	-	70,081
-	-	242,582	242,582	-	242,582
-	-	-	-	-	-
-	-	-	-	300,000	300,000
-	-	-	-	23,746	23,746
70,081	-	242,582	530,928	323,746	854,674
(69,566)	2,579	-	260,756	1,665	262,421
-	-	-	(192,950)	-	(192,950)
-	-	-	(192,950)	-	(192,950)
(69,566)	2,579	-	67,806	1,665	69,471
80,255	16,202	-	803,500	166,022	969,522
\$ 10,689	\$ 18,781	\$ -	\$ 871,306	\$ 167,687	\$ 1,038,993

GENERAL FUND

The General Fund is the City's primary operating fund and accounts for all financial resources of the general government, except those required to be accounted for and reported in another fund.

CITY OF PORT LAVACA, TEXAS**MAJOR GOVERNMENTAL FUNDS - GENERAL FUND****BALANCE SHEET**

September 30, 2020

With comparative totals for September 30, 2019

Section VIII. Item #4.

	2020	2019
ASSETS		
Cash and cash equivalents	\$ 12,658,480	\$ 12,343,705
Receivables, net		
Taxes	565,836	482,452
Fines	64,172	63,918
Other	18,627	17,105
Due from other governments	700,776	746,421
Due from other funds	1,148,223	1,309,155
Prepaid items	47,524	53,633
Total assets	\$ 15,203,638	\$ 15,016,389
LIABILITIES		
Accounts payable	\$ 686,392	\$ 447,603
Payroll related payables	154,240	152,228
Due to other governments	27,473	18,341
Customer and other deposits	28,534	23,464
Unearned revenue	67,916	67,439
Total liabilities	964,555	709,075
DEFERRED INFLOWS OF RESOURCES		
Unavailable revenue	564,951	485,374
Total deferred inflows of resources	564,951	485,374
FUND BALANCE		
Nonspendable		
Prepaid items	47,524	53,633
Committed		
Operating reserves	2,704,388	2,421,130
Capital asset replacement	207,507	209,694
Unassigned	10,714,713	11,137,483
Total fund balance	13,674,132	13,821,940
Total liabilities, deferred inflows and fund balance	\$ 15,203,638	\$ 15,016,389

CITY OF PORT LAVACA, TEXAS

Section VIII. Item #4.

MAJOR GOVERNMENTAL FUNDS - GENERAL FUND**SCHEDULE OF REVENUES AND OTHER FINANCING SOURCES****BUDGET (GAAP BASIS) AND ACTUAL**

For the year ended September 30, 2020

With comparative totals for the year ended September 30, 2019

	2020			2019
	Final Budget	Actual	Variance Positive (Negative)	Actual
REVENUES				
Taxes				
Ad valorem	\$ 3,899,100	\$ 4,124,204	\$ 225,104	\$ 3,949,853
Sales	2,700,000	3,287,441	587,441	3,562,168
Franchise	570,500	569,268	(1,232)	584,078
Beverage	25,000	29,113	4,113	35,508
Total taxes	7,194,600	8,010,026	815,426	8,131,607
Fines and forfeitures				
Municipal court	177,000	103,166	(73,834)	170,236
Tax penalties and fees	110,000	116,956	6,956	122,046
Total fines and forfeitures	287,000	220,122	(66,878)	292,282
Intergovernmental				
Reimbursements	256,000	271,187	15,187	267,993
Grants and allocations	1,800	96,025	94,225	1,938
Total intergovernmental	257,800	367,212	109,412	269,931
Licenses and permits				
Licenses				
Building/electrical	5,000	10,200	5,200	10,500
Animal	2,500	140	(2,360)	1,480
Alcoholic beverage	2,500	4,230	1,730	3,870
Permits				
Building	40,000	56,264	16,264	61,775
Electrical	7,500	12,826	5,326	9,855
Plumbing	7,500	10,780	3,280	11,019
Mechanical	10,000	12,000	2,000	15,092
Miscellaneous	21,500	61,927	40,427	7,306
Total licenses and permits	96,500	168,367	71,867	120,897
Investment	60,000	116,706	56,706	295,613
Rental	60,000	30,345	(29,655)	51,785
Charges for services				
Police service fees	1,500	2,089	589	3,814
Other	6,000	12,619	6,619	9,083
Total charges for services	7,500	14,708	7,208	12,897

CITY OF PORT LAVACA, TEXAS

Section VIII. Item #4.

MAJOR GOVERNMENTAL FUNDS - GENERAL FUND**SCHEDULE OF REVENUES AND OTHER FINANCING SOURCES****BUDGET (GAAP BASIS) AND ACTUAL**

For the year ended September 30, 2020

With comparative totals for the year ended September 30, 2019

	2020			2019
	Final Budget	Actual	Variance Positive (Negative)	Actual
REVENUES - (Continued)				
Miscellaneous				
Reimbursements and refunds	\$ 38,772	\$ 34,703	\$ (4,069)	\$ 48,341
Other	59,533	140,349	80,816	33,252
Total miscellaneous	<u>98,305</u>	<u>175,052</u>	<u>76,747</u>	<u>81,593</u>
 Total revenues	 <u>8,061,705</u>	 <u>9,102,538</u>	 <u>1,040,833</u>	 <u>9,256,605</u>
OTHER FINANCING SOURCES				
Debt issued	-	187,825	187,825	-
Transfers in	<u>472,994</u>	<u>472,994</u>	<u>-</u>	<u>1,385,717</u>
Total other financing sources	<u>472,994</u>	<u>660,819</u>	<u>187,825</u>	<u>1,385,717</u>
Total revenues and other financing sources	<u>\$ 8,534,699</u>	<u>\$ 9,763,357</u>	<u>\$ 1,228,658</u>	<u>\$ 10,642,322</u>

CITY OF PORT LAVACA, TEXAS

Section VIII. Item #4.

MAJOR GOVERNMENTAL FUNDS - GENERAL FUND**SCHEDULE OF EXPENDITURES AND OTHER FINANCING USES****BUDGET (GAAP BASIS) AND ACTUAL**

For the year ended September 30, 2020

With comparative totals for the year ended September 30, 2019

	2020		Variance	2019
	Final Budget	Actual	Positive (Negative)	Actual
EXPENDITURES				
Current				
General government				
City council				
Personnel services	\$ 31,110	\$ 31,410	\$ (300)	\$ 31,079
Materials and supplies	500	558	(58)	441
Services	1,750	700	1,050	1,749
Total city council	33,360	32,668	692	33,269
City manager				
Personnel services	204,150	186,748	17,402	195,797
Materials and supplies	700	329	371	466
Services	9,750	45,565	(35,815)	9,541
Total city manager	214,600	232,642	(18,042)	205,804
City secretary				
Personnel services	169,980	156,748	13,232	163,288
Materials and supplies	1,500	1,122	378	1,673
Services	23,500	12,676	10,824	4,831
Maintenance	-	788	(788)	-
Total city secretary	194,980	171,334	23,646	169,792
Human resources				
Materials and supplies	3,675	2,779	896	604
Services	13,500	16,882	(3,382)	10,717
Total human resources	17,175	19,661	(2,486)	11,321
Municipal court				
Personnel services	137,160	115,266	21,894	127,702
Materials and supplies	1,500	1,340	160	1,873
Services	19,000	13,155	5,845	20,500
Sundry	-	4,424	(4,424)	52
Total municipal court	157,660	134,185	23,475	150,127
Economic development				
Personnel services	109,185	108,253	932	101,737
Materials and supplies	2,500	340	2,160	382
Services	9,500	24,912	(15,412)	3,544
Sundry	40,000	10,890	29,110	2,000
Total economic development	161,185	144,395	16,790	107,663

CITY OF PORT LAVACA, TEXAS

Section VIII. Item #4.

MAJOR GOVERNMENTAL FUNDS - GENERAL FUND**SCHEDULE OF EXPENDITURES AND OTHER FINANCING USES****BUDGET (GAAP BASIS) AND ACTUAL**

For the year ended September 30, 2020

With comparative totals for the year ended September 30, 2019

	2020			2019
	Final Budget	Actual	Variance Positive (Negative)	Actual
EXPENDITURES - (Continued)				
Current - (Continued)				
General government - (Continued)				
Finance				
Personnel services	\$ 238,025	\$ 241,920	\$ (3,895)	\$ 173,438
Materials and supplies	9,000	8,190	810	7,783
Services	9,700	14,729	(5,029)	6,389
Maintenance	1,000	1,166	(166)	248
Total finance	<u>257,725</u>	<u>266,005</u>	<u>(8,280)</u>	<u>187,858</u>
City hall				
Personnel services	5,916	3,016	2,900	3,812
Materials and supplies	12,000	15,752	(3,752)	13,007
Services	57,450	39,807	17,643	41,743
Maintenance	12,541	11,309	1,232	10,749
Capital outlay	70,000	-	70,000	-
Total city hall	<u>157,907</u>	<u>69,884</u>	<u>88,023</u>	<u>69,311</u>
Non-departmental				
Personnel services	28,875	13,353	15,522	30,101
Materials and supplies	-	12,430	(12,430)	-
Services	426,637	421,467	5,170	398,930
Maintenance	158,127	163,843	(5,716)	158,068
Sundry	55,400	73,503	(18,103)	22,627
Total non-departmental	<u>669,039</u>	<u>684,596</u>	<u>(15,557)</u>	<u>609,726</u>
Total general government	<u>1,863,631</u>	<u>1,755,370</u>	<u>108,261</u>	<u>1,544,871</u>
Public safety				
Police				
Personnel services	1,979,100	1,677,298	301,802	1,666,442
Materials and supplies	73,921	114,011	(40,090)	81,641
Services	77,670	55,816	21,854	67,495
Maintenance	75,879	66,161	9,718	49,914
Capital outlay	112,113	122,308	(10,195)	84,690
Total police	<u>2,318,683</u>	<u>2,035,594</u>	<u>283,089</u>	<u>1,950,182</u>
Fire				
Personnel services	1,121,100	1,073,543	47,557	956,651
Materials and supplies	58,908	47,266	11,642	67,065
Services	64,900	48,011	16,889	59,895
Maintenance	63,357	76,548	(13,191)	45,385
Capital outlay	138,199	138,196	3	63,721
Total fire	<u>1,446,464</u>	<u>1,383,564</u>	<u>62,900</u>	<u>1,192,717</u>

(continued)

CITY OF PORT LAVACA, TEXAS

Section VIII. Item #4.

MAJOR GOVERNMENTAL FUNDS - GENERAL FUND**SCHEDULE OF EXPENDITURES AND OTHER FINANCING USES****BUDGET (GAAP BASIS) AND ACTUAL**

For the year ended September 30, 2020

With comparative totals for the year ended September 30, 2019

	2020			2019
	Final Budget	Actual	Variance Positive (Negative)	Actual
EXPENDITURES - (Continued)				
Current - (Continued)				
Public safety - (Continued)				
Animal control				
Personnel services	\$ 89,275	\$ 87,896	\$ 1,379	\$ 86,324
Materials and supplies	9,150	8,445	705	10,905
Services	11,750	10,210	1,540	16,863
Maintenance	13,650	22,709	(9,059)	11,005
Capital outlay	-	-	-	11,100
Total animal control	123,825	129,260	(5,435)	136,197
Total public safety	3,888,972	3,548,418	340,554	3,279,096
Public works				
Code enforcement/inspections				
Personnel services	186,900	84,879	102,021	160,133
Materials and supplies	6,150	5,526	624	9,365
Services	23,800	69,157	(45,357)	26,170
Maintenance	500	845	(345)	814
Total code enforcement/inspections	217,350	160,407	56,943	196,482
Streets				
Personnel services	728,850	467,121	261,729	518,549
Materials and supplies	32,000	26,681	5,319	27,969
Services	252,800	182,863	69,937	172,298
Maintenance	295,500	200,244	95,256	196,635
Capital outlay	50,000	92,000	(42,000)	128,076
Total streets	1,359,150	968,909	390,241	1,043,527
Total public works	1,576,500	1,129,316	447,184	1,240,009
Parks and recreation				
Parks				
Personnel services	233,525	202,725	30,800	199,211
Materials and supplies	43,250	40,815	2,435	27,374
Services	49,700	39,493	10,207	46,880
Maintenance	54,000	59,804	(5,804)	66,869
Capital outlay	-	3,873	(3,873)	3,553
Total parks	380,475	346,710	33,765	343,887

CITY OF PORT LAVACA, TEXAS

Section VIII. Item #4.

MAJOR GOVERNMENTAL FUNDS - GENERAL FUND**SCHEDULE OF EXPENDITURES AND OTHER FINANCING USES****BUDGET (GAAP BASIS) AND ACTUAL**

For the year ended September 30, 2020

With comparative totals for the year ended September 30, 2019

	2020		Variance	2019
	Final Budget	Actual	Positive (Negative)	Actual
EXPENDITURES - (Continued)				
Current - (Continued)				
Parks and recreation - (Continued)				
Convention/visitors bureau				
Personnel services	\$ 103,400	\$ 92,835	\$ 10,565	\$ 83,260
Materials and supplies	7,900	9,926	(2,026)	9,364
Services	114,600	80,957	33,643	93,407
Maintenance	30,950	27,141	3,809	94,189
Total convention/visitors bureau	256,850	210,859	45,991	280,220
Total parks and recreation	637,325	557,569	79,756	624,107
Total current	7,966,428	6,990,673	975,755	6,688,083
Capital outlay	448,836	1,122,492	(673,656)	575,308
Total expenditures	8,415,264	8,113,165	302,099	7,263,391
OTHER FINANCING USES				
Transfers out	2,403,000	1,798,000	605,000	661,050
Total expenditures and other financing uses	\$ 10,818,264	\$ 9,911,165	\$ 907,099	\$ 7,924,441

(concluded)

NONMAJOR DEBT SERVICE FUND

CITY OF PORT LAVACA, TEXAS

Section VIII. Item #4.

NONMAJOR GOVERNMENTAL FUNDS - 2012 GENERAL OBLIGATION REFUNDING BONDS FUND**SCHEDULE OF REVENUES, EXPENDITURES, AND CHANGES IN FUND BALANCE****BUDGET (GAAP BASIS) AND ACTUAL**

For the year ended September 30, 2020

With comparative totals for the year ended September 30, 2019

	2020			2019
	Final Budget	Actual	Variance Positive (Negative)	Actual
REVENUES				
Taxes				
Ad valorem	\$ 323,747	\$ 323,628	\$ (119)	\$ 332,792
Investment	-	1,783	1,783	3,835
Total revenues	<u>323,747</u>	<u>325,411</u>	<u>1,664</u>	<u>336,627</u>
EXPENDITURES				
Debt service				
Principal retirement	300,000	300,000	-	300,000
Interest and fiscal charges	<u>23,747</u>	<u>23,746</u>	<u>1</u>	<u>29,837</u>
Total expenditures	<u>323,747</u>	<u>323,746</u>	<u>1</u>	<u>329,837</u>
Excess (deficiency) of revenues over expenditures	-	1,665	1,665	6,790
OTHER FINANCING SOURCES (USES)	-	-	-	-
Net change in fund balances	-	1,665	1,665	6,790
Fund balances at beginning of year	<u>166,022</u>	<u>166,022</u>	-	<u>159,232</u>
Fund balances at end of year	<u>\$ 166,022</u>	<u>\$ 167,687</u>	<u>\$ 1,665</u>	<u>\$ 166,022</u>

AGENCY FUND

Agency Funds are used to account for resources held for others in a custodial capacity and do not involve measurement of results of operations.

Police Seized Nonforfeiture Fund - To account for assets seized by the City's police department in various law enforcement actions prior to disposition of the assets by court authorities.

CITY OF PORT LAVACA, TEXAS**STATEMENT OF CHANGES IN ASSETS AND LIABILITIES****AGENCY FUND***For the year ended September 30, 2020*

	Balance Beginning of Year	Additions	Deductions	Balance End of Year
POLICE SEIZED NONFORFEITURE FUND				
Assets				
Cash and cash equivalents	\$ 25,993	\$ 3,482	\$ 2,399	\$ 27,076
Total assets	\$ 25,993	\$ 3,482	\$ 2,399	\$ 27,076
Liabilities				
Due to others	\$ 25,993	\$ 3,482	\$ 2,399	\$ 27,076
Total liabilities	\$ 25,993	\$ 3,482	\$ 2,399	\$ 27,076

SINGLE AUDIT SECTION



CERTIFIED PUBLIC ACCOUNTANTS
101 S. MAIN, SUITE 400
VICTORIA, TEXAS 77901-8142

STEPHEN W. VAN MANEN, CPA
DENNIS C. CIHAL, CPA
ERIC L. KUCERA, CPA
CLAYTON P. VAN PELT, CPA
ROBERT W. SCHAAR, CPA
MELISSA M. TERRY, CPA

VOICE: (361) 573-3255
FAX: (361) 573-9531

**INDEPENDENT AUDITORS' REPORT ON INTERNAL CONTROL
OVER FINANCIAL REPORTING AND ON COMPLIANCE AND OTHER
MATTERS BASED ON AN AUDIT OF FINANCIAL STATEMENTS
PERFORMED IN ACCORDANCE WITH GOVERNMENT AUDITING
STANDARDS**

The Honorable Mayor and Members
of the City Council
City of Port Lavaca, Texas

We have audited, in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States, the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information of the City of Port Lavaca, Texas (the "City") as of and for the year ended September 30, 2020, and the related notes to the financial statements, which collectively comprise the City's basic financial statements and have issued our report thereon dated November 30, 2021.

Internal Control Over Financial Reporting

In planning and performing our audit of the financial statements, we considered the City's internal control over financial reporting (internal control) to determine the audit procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the City's internal control. Accordingly, we do not express an opinion on the effectiveness of the City's internal control.

A *deficiency in internal control* exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A *material weakness* is a deficiency, or a combination of deficiencies, in internal control such that there is a reasonable possibility that a material misstatement of the consolidated financial statements will not be prevented, or detected and corrected on a timely basis. A *significant deficiency* is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

Our consideration of internal control was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control that might be material weaknesses or, significant deficiencies. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. We did identify certain deficiencies in internal control described in the accompanying schedule of findings and questioned costs as 2020-1 and 2020-2 to be significant deficiencies.

The Honorable Mayor and Members
of the City Council
City of Port Lavaca, Texas

Compliance and Other Matters

As part of obtaining reasonable assurance about whether the City's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit and, accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance that are required to be reported under *Government Auditing Standards*.

Purpose of this Report

The purpose of this report is solely to describe the scope of our testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the City's internal control or on compliance. This report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the City's internal control and compliance. Accordingly, this communication is not suitable for any other purpose.



HARRISON, WALDROP & UHEREK, L.L.P.
Certified Public Accountants

November 30, 2021

HARRISON, WALDROP & UHEREK, L.L.P.



CERTIFIED PUBLIC ACCOUNTANTS
101 S. MAIN, SUITE 400
VICTORIA, TEXAS 77901-8142

STEPHEN W. VAN MANEN, CPA
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CLAYTON P. VAN PELT, CPA
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INDEPENDENT AUDITORS' REPORT ON COMPLIANCE FOR EACH MAJOR PROGRAM AND ON INTERNAL CONTROL OVER COMPLIANCE REQUIRED BY THE UNIFORM GUIDANCE

The Honorable Mayor and Members
of the City Council
City of Port Lavaca, Texas

Report on Compliance for Each Major Federal Program

We have audited the City of Port Lavaca, Texas (the "City") compliance with the types of compliance requirements described in the *U. S. Office of Management and Budget (OMB) Compliance Supplement* that could have a direct and material effect on each of the City's major federal programs for the year ended September 30, 2020. The City's major federal programs are identified in the summary of auditor's results section of the accompanying schedule of findings and questioned costs.

Management's Responsibility

Management is responsible for compliance with federal statutes, regulations, and the terms and conditions of its federal awards applicable to its federal programs.

Auditor's Responsibility

Our responsibility is to express an opinion on compliance for each of the City's major federal programs based on our audit of the types of compliance requirements referred to above. We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and the audit requirements of Title 2 U.S. *Code of Federal Regulations* Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Those standards and the Uniform Guidance, require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about the City's compliance with those requirements and performing such other procedures, as we considered necessary in the circumstances.

We believe that our audit provides a reasonable basis for our opinion for each major federal program. However, our audit does not provide a legal determination of the City's compliance.

Opinion on Each Major Federal Program

In our opinion, the City complied, in all material respects, with the types of compliance requirements referred to above that could have a direct and material effect on each of its major federal programs for the year ended September 30, 2020.

The Honorable Mayor and Members
of the City Council
City of Port Lavaca, Texas

Report on Internal Control Over Compliance

Management of the City is responsible for establishing and maintaining effective internal control over compliance with the types of compliance requirements referred to above. In planning and performing our audit of compliance, we considered the City's internal control over compliance with the types of requirements that could have a direct and material effect on each major federal program to determine the auditing procedures that are appropriate in the circumstances for the purpose of expressing an opinion on compliance for each major federal program and to test and report on internal control over compliance in accordance with the Uniform Guidance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of the City's internal control over compliance.

A deficiency in internal control over compliance exists when the design or operation of a control over compliance does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect and correct noncompliance with a type of compliance requirement of a federal program on a timely basis. *A material weakness in internal control over compliance* is a deficiency, or combination of deficiencies, in internal control over compliance, such that there is a reasonable possibility that material noncompliance with a type of compliance requirement of a federal program will not be prevented, or detected and corrected, on a timely basis. *A significant deficiency in internal control over compliance* is a deficiency, or a combination of deficiencies, in internal control over compliance with a type of compliance requirement of a federal program that is less severe than a material weakness in internal control over compliance, yet important enough to merit attention by those charged with governance.

Our consideration of internal control over compliance was for the limited purpose described in the first paragraph of this section and was not designed to identify all deficiencies in internal control over compliance that might be material weaknesses or significant deficiencies. We did not identify any deficiencies in internal control over compliance that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

The purpose of this report on internal control over compliance is solely to describe the scope of our testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Accordingly, this report is not suitable for any other purpose.



HARRISON, WALDROP & UHEREK, L.L.P.
Certified Public Accountants

November 30, 2021

CITY OF PORT LAVAVA, TEXAS**SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS**

For the year ended September 30, 2020

<u>Federal Grantor/Pass-Through Grantor/Program Title</u>	<u>Federal CFDA Number</u>	<u>Other Award Number</u>
FEDERAL EXPENDITURES		
U. S. Department of Housing and Urban Development		
<i>Passed Through the Texas Department of Agriculture - Office of Rural Affairs</i>		
Community Development Block Grant	14.228	7218379
<i>Passed Through the Texas General Land Office</i>		
Community Development Block Grant Disaster Recovery	14.228	20-065-071-C198
Total U.S. Department of Housing and Urban Development		
U. S. Department of Commerce		
Economic Adjustment Assistance - 2018 Disaster Supplemental	11.307	08-79-05248
Total U.S. Department of Commerce		
U. S. Department of Homeland Security		
<i>Passed Through the Texas A&M University System - Division of Emergency Management</i>		
Disaster Grant - Public Assistance (Presidentially Declared Disasters)	97.036	4332-DR-TX
<i>Passed Through Office of the Texas Governor</i>		
Interoperable Emergency Communications	97.055	3804501
Total U.S. Department of Homeland Security		
TOTAL FEDERAL EXPENDITURES		

See accompanying notes to schedule of expenditures of federal awards.

Expenditures			Passed through to Subrecipients	Name of Cluster (if applicable)	Note
From Pass-Through Awards	From Direct Awards	Total			
\$ 68,352	\$ -	\$ 68,352	\$ -	CDBG-Entitlement Grants Cluster	
242,582	-	242,582	-	CDBG-Entitlement Grants Cluster	
310,934	-	310,934	-		
-	16,699	16,699	-	Economic Development Cluster	
-	16,699	16,699	-		
1,912,346	-	1,912,346	-		4
94,118	-	94,118	-		
2,006,464	-	2,006,464	-		
\$ 2,317,398	\$ 16,699	\$ 2,334,097	\$ -		

CITY OF PORT LAVACA, TEXAS**NOTES TO SCHEDULE OF EXPENDITURES OF FEDERAL AWARDS***For the year ended September 30, 2020***NOTE 1: BASIS OF PRESENTATION**

The accompanying schedule of expenditures of federal awards includes the federal award activity of the City, under programs of the federal government for the year ended September 30, 2020 in accordance with the requirements of Title 2 U.S. *Code of Federal Regulations Part 200, Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance). Because the schedule presents only a selected portion of the operations of the City, it is not intended to and does not present the financial position, changes in net position, or cash flows of the City.

NOTE 2: SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The modified accrual basis of accounting is used for these funds. This basis of accounting recognizes revenues in the accounting period in which they become susceptible to accrual, i.e. both measurable and available, and expenditures in the accounting period in which the liability is incurred, if measurable; except for certain compensated absences and claims and judgments, which are recognized when the obligations are expected to be liquidated with expendable available financial resources.

Federal grant funds are considered to be earned to the extent of expenditures made under the provisions of the grant, and accordingly, when such funds are received, they are recorded as unearned revenues until earned. Generally unused balances are returned to the grantor at the close of specified project periods.

NOTE 3: INDIRECT COST RATE

The City has not elected to use the 10 percent de minimis indirect cost rate as allowed under the Uniform Guidance.

NOTE 4: FEMA DISASTER ASSISTANCE - CFDA 97.036

In accordance with the Uniform Guidance, expenditures of federal Disaster Grants (CFDA 97.036) must be recorded as expenditures on the SEFA when: (1) FEMA has approved the entity's Project Worksheet (PW), and (2) the entity has incurred the eligible expenditures. Expenditures reported on the accompanying schedule of expenditures of federal awards that were incurred in a prior fiscal year total \$558,714.

CITY OF PORT LAVACA, TEXAS
SCHEDULE OF FINDINGS AND QUESTIONED COSTS
For the year ended September 30, 2020

Section I - Summary of Auditor's Results

Financial Statements

Type of auditor's report issued: Unmodified

Internal control over financial reporting:

- Material weakness(es) identified? ☐ yes ☒ no
- Significant deficiency(ies) identified that are not considered to be material weakness(es)? ☒ yes ☐ none reported

Noncompliance material to financial statements noted?

☐ yes ☒ no

Federal Awards

Internal control over major programs:

- Material weakness(es) identified? ☐ yes ☒ no
- Significant deficiency(ies) identified that are not considered to be material weakness(es)? ☐ yes ☒ none reported

Type of auditor's report issued on compliance for major programs: Unmodified

Any audit findings disclosed that are required to be reported in accordance with 2 CFR section 200.516(a)?

☐ yes ☒ no

Identification of major programs:

<i>CFDA Number(s)</i>	<i>Name of Major Programs or Cluster</i>
97.036	Disaster Grants – Public Assistance (Presidentially Declared Disasters)

Dollar threshold used to distinguish between type A and type B programs: \$ 750,000

Auditee qualified as low-risk auditee?

☐ yes ☒ no

Section II - Financial Statement Findings

Finding 2020-1

Condition: Various general ledger accounts were not completely reconciled on a regular basis.

Criteria: Controls should be in place to ensure the general ledger accurately reflects all of the transactions of the City at the proper amounts, in the proper funds and in the proper period. General ledger control accounts should also be reconciled on a regular basis to subsidiary records.

Effect: Material adjustments were needed in multiple funds of the City to accurately reflect the activity for the year in compliance with GAAP. A significant amount of the issues were due to the data loss from the security breach.

Section II - Financial Statement Findings - (Continued)**Finding 2020-1 - (Continued)**

Recommendation: The City should place into effect procedures that will ensure general ledger accounts are reconciled on a regular basis.

Finding 2020-2

Condition: The City did not submit the required Single Audit package to the Federal Audit Clearinghouse in the required time period.

Criteria: The delay was a result of Finding 2020-1 in which the controls over the general ledger were not functioning properly.

Effect: The effect of filing the Single Audit package late could cause a delay in the award and funding of future grant programs.

Recommendation: In future years all Single Audit filing should be completed within the allotted time period.

Section III - Federal Award Findings and Questioned Costs

None noted.

CITY OF PORT LAVACA, TEXAS
CORRECTIVE ACTION PLAN
For the year ended September 30, 2020

The City will implement procedures to ensure that all general ledger accounts are reconciled on a regular basis in order to provide management with accurate financial data. As a result of timely general ledger account reconciliations, future submissions to the Single Audit Clearinghouse will be timely.

CITY OF PORT LAVACA, TEXAS
SUMMARY SCHEDULE OF PRIOR AUDIT FINDINGS
For the year ended September 30, 2020

None were reported.

CITY OF PORT LAVACA
202 N. VIRGINIA ST
PORT LAVACA, TX 77979
www.portlavaca.org



COMMUNICATION

SUBJECT: Consider Audit Engagement Letter from Harrison, Waldrop & Uherek, L.L.P. for the Fiscal Year ending September 30, 2021. Presenter is Susan Lang

INFORMATION:



CERTIFIED PUBLIC ACCOUNTANTS
101 S. MAIN, SUITE 400
VICTORIA, TEXAS 77901-8142

ST DENNIS C. CICALI, CPA
ERIC L. KUCERA, CPA
CLAYTON P. VAN PELT, CPA
ROBERT W. SCHAAR, CPA
MELISSA M. TERRY, CPA

(361) 573-3255
FAX: (361) 573-9531

December 13, 2021

The Honorable Mayor and
Members of the City Council
City of Port Lavaca
Port Lavaca, Texas 77979

We are pleased to confirm our understanding of the services we are to provide the City of Port Lavaca, Texas (the "City") for the year ended September 30, 2021. We will audit the financial statements of the governmental activities, the business-type activities, each major fund, and the aggregate remaining fund information, including the related notes to the financial statements, which collectively comprise the basic financial statements of the City as of and for the year ended September 30, 2021. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement the City's basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to the City's RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by U.S. generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

1. Management's Discussion and Analysis
2. Pension Information
3. OPEB Information

We have also been engaged to report on supplementary information other than RSI that accompanies the City's financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America and will provide an opinion on it in relation to the financial statements as a whole, in a report combined with our auditors' report on the financial statements:

1. Combining and Individual Fund Statements and Schedules
2. Schedule of Expenditures of Federal Awards

The following other information accompanying the financial statements will not be subject to the auditing procedures applied in our audit of the financial statements, and our auditors' report will not provide an opinion or any assurance on that other information.

1. Introductory Section
2. Statistical Data

Audit Objectives

The objective of our audit is the expression of opinions as to whether your financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements taken as a whole. The objective also includes reporting on –

- Internal control over financial reporting and compliance with provisions of laws, regulations, contracts, and award agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Internal control over compliance related to major programs and an opinion (or disclaimer of opinion) on compliance with federal statutes, regulations, and the terms and conditions of federal awards that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and Title 2 U.S. Code of Federal Regulations (CFR) Part 200, *Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards* (Uniform Guidance).

The *Government Auditing Standards* report on internal control over financial reporting and on compliance and other matters will include a paragraph that states that (1) the purpose of the report is solely to describe the scope of testing of internal control and compliance and the results of that testing, and not to provide an opinion on the effectiveness of the entity's internal control or on compliance, and (2) the report is an integral part of an audit performed in accordance with *Government Auditing Standards* in considering the entity's internal control and compliance. The Uniform Guidance report on internal control over compliance will include a paragraph that states that the purpose of the report on internal control over compliance is solely to describe the scope of testing of internal control over compliance and the results of that testing based on the requirements of the Uniform Guidance. Both reports will state that the report is not suitable for any other purpose.

Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of the Uniform Guidance, and will include tests of the accounting records, a determination of major program(s) in accordance with the Uniform Guidance, and other procedures we consider necessary to enable us to express such opinions. We will issue written reports upon completion of our Single Audit. Our reports will be addressed to the Mayor and members of the City Council. We cannot provide assurance that unmodified opinions will be expressed. Circumstances may arise in which it is necessary for us to modify our opinions or add emphasis-of-matter or other matter paragraphs. If our opinions are other than unmodified, we will discuss the reasons with you in advance. If, for any reason, we are unable to complete the audit or are unable to form or have not formed opinions, we may decline to express opinions or issue reports, or may withdraw from this engagement.

Audit Procedures - General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements. We will plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the government or to acts by management or employees acting on behalf of the government. Because the determination of waste and abuse is subjective, *Government Auditing Standards* do not expect auditors to perform specific procedures to detect

waste or abuse in financial audits nor do they expect auditors to provide reasonable assurance of detecting waste or abuse.

Because of the inherent limitations of an audit, combined with the inherent limitations of internal control, and because we will not perform a detailed examination of all transactions, an unavoidable risk that some material misstatements or noncompliance may exist and not be detected by us, even though the audit is properly planned and performed in accordance with U.S. generally accepted auditing standards and *Government Auditing Standards*. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or on major programs. However, we will inform the appropriate level of management of any material errors, any fraudulent financial reporting, or misappropriation of assets that come to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention. We will also inform the appropriate level of management of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about your responsibilities for the financial statements; schedule of expenditures of federal awards; federal award programs; compliance with laws, regulations, contracts, and grant agreements, and other responsibilities required by generally accepted auditing standards.

Audit Procedures - Internal Control

Our audit will include obtaining an understanding of the government and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by the Uniform Guidance, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal and/or state award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to the Uniform Guidance.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies or material weaknesses. Accordingly, we will express no such opinion. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards and *Government Auditing Standards*, and the Uniform Guidance.

Audit Procedures - Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of the City's compliance with provisions of applicable laws, regulations, contracts, and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

The Uniform Guidance requires that we plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with federal statutes, regulations and the terms and conditions of federal awards applicable to major programs. Our procedures will consist of test of transactions and other applicable procedures described in the *OMB Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on the City's major programs. For federal programs that are included in the Compliance Supplement, our compliance and internal control procedures will relate to the compliance requirements that the Compliance Supplement identifies as being subject to audit. The purpose of those procedures will be to express an opinion on the City's compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to the Uniform Guidance.

Other Services

We will also assist in preparing the financial statements, schedule of expenditures of federal awards, and related notes of the City in conformity with U.S. generally accepted accounting principles and the Uniform Guidance based on the information provided by you. In addition, we will propose the necessary cash to accrual conversion journal entries and maintain amortization schedules for the City. These nonaudit services do not constitute an audit under *Government Auditing Standards* and such services will not be conducted in accordance with *Government Auditing Standards*. We will perform the services in accordance with applicable professional standards. The other services are limited to those previously defined. We, in our sole professional judgment, reserve the right to refuse to perform any procedure or take any action that could be construed as assuming management responsibilities.

Management Responsibilities

Management is responsible for (1) designing, implementing, establishing, and maintaining effective internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error, including internal controls over federal awards, and for evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met; (2) following laws and regulations; (3) ensuring that there is reasonable assurance that government programs are administered in compliance with compliance requirements; and (4) ensuring that management and financial information is reliable and properly reported. Management is also responsible for implementing systems designed to achieve compliance with applicable laws, regulations, contracts, and grant agreements. You are also responsible for the selection and application of accounting principles; for the preparation and fair presentation of the financial statements, schedule of expenditures of federal awards, and all accompanying information in conformity with U.S. generally accepted accounting principles; and for compliance with applicable laws and regulations (including federal statutes) and the provisions of contracts and grant agreements (including award agreements). Your responsibilities also include identifying significant contractor relationships in which the contractor has responsibility for program compliance and for the accuracy and completeness of that information.

Management is also responsible for making all financial records and related information available to us and for the accuracy and completeness of that information. You are also responsible for providing us with (1) access to all information of which you are aware that is relevant to the preparation and fair presentation of the financial statements, including identification of all related parties and all related-party relationships and transactions, (2) access to personnel, accounts, books, records, supporting documentation, and other information as needed to perform an audit under the Uniform Guidance, (3) additional information that we may request for the purpose of the audit, and (4) unrestricted access to persons within the government from whom we determine it necessary to obtain audit evidence.

Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the management representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud or illegal acts affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the government complies with applicable laws, regulations, contracts, agreements, and grants. Management is also responsible for taking timely and appropriate steps to remedy fraud and noncompliance with provisions of laws, regulations, contracts, and grant agreements, or abuse that we report. Additionally, as required by the Uniform Guidance, it is management's responsibility to evaluate and monitor noncompliance with federal statutes, regulations, and the terms and conditions of federal awards; take prompt action when instances on noncompliance are identified including noncompliance identified in audit findings; promptly follow up and take corrective action on reported audit findings; and prepare a summary schedule of prior audit findings and a separate corrective action plan. The summary schedule of prior audit findings should be available for our review on the first day of audit fieldwork.

You are responsible for identifying all federal awards received and understanding and complying with the compliance requirements and for the preparation of the schedule of expenditures of federal awards (including notes and noncash assistance received) in conformity with the Uniform Guidance. You agree to include our report on the schedule of expenditures of federal awards in any document that contains and indicates that we have reported on the schedule of expenditures of federal awards. You also agree to include the audited financial statements with any presentation of the schedule of expenditures of federal awards that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the schedule of expenditures of federal awards in accordance with the Uniform Guidance; (2) you believe the schedule of expenditures of federal awards, including its form and content, is stated fairly in accordance with the Uniform Guidance; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the schedule of expenditures of federal awards.

You are also responsible for the preparation of the supplementary information which we have been engaged to report on, in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon. Your responsibilities include acknowledging to us in the written representation letter that (1) you are responsible for presentation of the supplementary information in accordance with GAAP; (2) you believe the supplementary information, including its form and content, is fairly presented in accordance with GAAP; (3) the methods of measurement or presentation have not changed from those used in the prior period (or, if they have changed, the reasons for such changes); and (4) you have disclosed to us any significant assumptions or interpretations underlying the measurement or presentation of the supplementary information.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying and providing report copies of previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information.

With regard to using the auditors' report, you understand that you must obtain our prior written consent to reproduce or use our report in bond offering official statements or other documents.

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

You agree to assume all management responsibilities relating to the financial statements, schedule of expenditures of federal awards, and related notes, and any other nonaudit services we provide. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements, schedule of expenditures of federal awards, and related notes and that you have reviewed and approved the financial statements, schedule of expenditures of federal awards, and related notes prior to their issuance and have accepted responsibility for them. Further, you agree to oversee the nonaudit services by designating an individual, preferably from senior management, with suitable skill knowledge, or experience; evaluate the adequacy and results of those services; and accept responsibility for them.

Engagement Administration, Fees, and Other

We may from time to time, and depending on the circumstances, use third-party service providers in serving your account. We may share confidential information about you with these service providers, but remain committed to maintaining the confidentiality and security of your information. Accordingly, we maintain internal policies, procedures, and safeguards to protect the confidentiality of your personal information. In addition, we will secure confidentiality agreements with all service providers to maintain the confidentiality of your information and we will take reasonable precautions to determine that they have appropriate procedures in place to prevent the unauthorized release of your confidential information to others. In the event that we are unable to secure an appropriate confidentiality agreement, you will be asked to provide your consent prior to the sharing of your confidential information with the third-party service provider. Furthermore, we will maintain responsible for the work provided by any such third-party service providers.

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request and will locate any documents selected by us for testing.

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to electronically submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditors' reports, and corrective action plan) along with the Data Collection Form to the federal audit clearinghouse. We will coordinate with you the electronic submission and certification. If applicable, we will provide copies of our report for you to include with the reporting package you will submit to pass-through entities. The Data Collection Form and the reporting package must be submitted within the earlier of 30 days after receipt of the auditors' reports or nine months after the end of the audit period, unless a longer period is agreed to in advance by the cognizant or oversight agency for audits.

We will provide copies of our reports to the City; however, management is responsible for distribution of the reports and the financial statements. Unless restricted by law or regulation, or containing privileged and confidential information, copies of our reports are to be made available for public inspection.

The audit documentation for this engagement is the property of Harrison, Waldrop & Uherek, L.L.P. and constitutes confidential information. However, subject to applicable laws or regulations, audit documentation and appropriate individuals will be made available upon request and in a timely manner to a cognizant or oversight agency for audit or its designee, a federal agency providing direct or indirect funding, or the U.S. General Accounting Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Harrison, Waldrop & Uherek, L.L.P. personnel. Furthermore, upon request, we may provide photocopies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the photocopies or information contained therein to others, including other governmental agencies.

The audit documentation for this engagement will be retained for a minimum of five years after the report release or for any additional period requested by the cognizant agency, oversight agency or pass-through entity. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

We expect to begin our audit during the month of January 2022 and to issue our reports as soon as audit is completed. Ms. Melissa M. Terry, CPA is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them. Our fee for these services will be at our standard hourly rates plus out-of-pocket costs (such as report reproduction, typing, postage, travel, copies, telephone, etc.). Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Based on our preliminary estimates, the fee for the audit should not exceed \$29,850. This fee estimate is based on anticipated cooperation from your personnel, the assumption that unexpected circumstances will not be encountered during the audit, and does not include additional time that may be required to implement any procedures necessary to comply with new professional standards and/or reporting requirements not currently effective. If significant additional time is necessary, we will discuss this with you and arrive at a new fee estimate before we incur the additional costs. Fees for any additional services provided outside the scope of the audit of the City's financial statements will be billed based upon our standard hourly rates which range from \$85 to \$120 per hour.

Government Auditing Standards require that we provide you with a copy of our most recent external peer review report and any letter of comment, and any subsequent peer review reports and letters of comment received during the period of the contract. Our 2020 peer review report accompanies this letter.

We appreciate the opportunity to be of service to the City of Port Lavaca, Texas and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,

Harrison, Waldrop & Uhenk, US

HARRISON, WALDROP & UHEREK, L.L.P.
Certified Public Accountants

RESPONSE:

This letter correctly sets forth the understanding of the City of Port Lavaca, Texas.

Mayor

By: ✓ Title: ✓ Date: ✓

FARRIS & FARRIS, CPA'S

CERTIFIED PUBLIC ACCOUNTANTS

Section VIII. Item #5.

PAUL FARRIS, CPA
DEBRA E. FARRIS, CPA

13434 Leopard St., #A-29-A
Corpus Christi, TX 78410
(361) 241-0656
Fax (361) 241-0658
farriscpa@aol.com

Report on the Firm's System of Quality Control

January 20, 2021

To the Owners
Harrison, Waldrop & Uherek LLP
And the Peer Review Committee of the Texas Society of Certified Public Accountants

We have reviewed the system of quality control for the accounting and auditing practice of Harrison, Waldrop & Uherek LLP (the firm) in effect for the year ended June 30, 2020. Our review was conducted in accordance with the standards for Performing and Reporting on Peer Reviews established by the American Institute of Certified Public Accountants (Standards).

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

Firm's Responsibility

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

Peer Reviewer's Responsibility

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

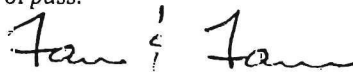
Required Selections and Considerations

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

Engagements selected for review included engagements performed under Government Auditing Standards including compliance audits under the Single Audit Act.

Opinion

In our opinion, the system of quality control for the accounting and auditing practice of Harrison, Waldrop & Uherek LLP in effect for the year ended June 30, 2020, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiencies* or *fail*. Harrison, Waldrop & Uherek LLP has received a peer review rating of *pass*.


Farris & Farris CPA's

MEMBER

TEXAS SOCIETY OF CERTIFIED PUBLIC ACCOUNTANTS * AMERICAN INSTITUTE OF CERTIFIED PUBLIC ACCOUNTANTS

COMMUNICATION

SUBJECT: Consider recommendation of the Port Commission to approve the second and final reading of an Ordinance (S-3-21) amending Base Ordinance No. S-16-85 to reduce the right-of-way width of Leonard Buren Road in City Harbor (road right-of-way that leads to Clegg lift station and Adjacent property). Presenter is Jody Weaver

INFORMATION:

ORDINANCE NO. S-3-21

AN ORDINANCE OF THE CITY OF PORT LAVACA, TEXAS AMENDING ORDINANCE NO. S-16-85 BY AMENDING THE BOUNDARIES FOR THE PUBLIC RIGHT-OF-WAY NAMED LEONARD BUREN ROAD; REPEALING ANY CONFLICTING ORDINANCES; AND SETTING AN EFFECTIVE DATE.

WHEREAS, the City adopted Ordinance No. S-16-85 wherein it dedicated for use by the public a right-of-way and named the same Leonard Buren Road, and said road is filed of public record in Volume 391, Page 507 of the Deed Records of Calhoun County, Texas; and,

WHEREAS, Leonard Buren Road was dedicated to be fifty feet (50'); and,

WHEREAS, the City finds that Leonard Buren Road was dedicated and a part of property wholly owned by the City; and,

WHEREAS, the City finds that the property of the City where Leonard Buren Road was dedicated has a higher and better use for the public if the right-of-way is reduced to twenty-five feet;(25'); and,

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

SECTION 1 –AMENDMENT OF BOUNDARIES OF LEONARD BUREN ROAD

The City of Port Lavaca hereby amends the boundaries of Leonard Buren Road located in the City of Port Lavaca, Texas to the metes and bounds as described in the attached Exhibit "A".

SECTION 2 - SEVERABILITY

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

SECTION 3 - REPEALER

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

SECTION 4 – EFFECTIVE DATE

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

FIRST READING this 8th day of November, 2021.

Jack Whitlow, Mayor

SECOND AND FINAL READING this 13th day of December, 2021.

Jack Whitlow, Mayor

APPROVED AND ADOPTED this 13th day of December, 2021.

Jack Whitlow, Mayor

ATTEST:

Mandy Grant, City Secretary

APPROVED AS TO FORM:

Anne Marie Odefey, City Attorney

RECORD OF VOTE

	First Reading	Second and Final	Passed and Approved
Councilman Smith	Aye		
Councilman Dent	Aye		
Councilman Tippit	Aye		
Councilwoman Padron	Absent		
Councilman Ward	Aye		
Councilman Barr	Absent		

Record of approval by City Council: City Council Minute Records, Volume 3H, Page ____.

COMMUNICATION

SUBJECT: Consider appointment of new member to the Port Lavaca Housing Authority Board of Commissioners to fill a vacancy. Presenter is Jody Weaver

INFORMATION:

Port Lavaca Housing Authority

627 W. George St. #174 Port Lavaca, Tx 77979
361-552-8831 Phone 361-552-0902 Fax

Section VIII. Item #7.

December 7, 2021

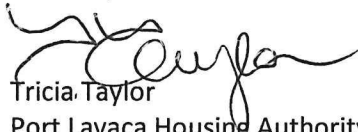
Re: Appoint New Board Member

Mayor Jack Whitlow
202 North Virginia St.
Port Lavaca, Tx 77979

Mayor Whitlow,

I need to have a new board member appointed to the Port Lavaca Housing Authority's Board, once this is done I will have a full board. Alice Bland will be stepping down as of January 2022. Her replacement's name is Dalia Soto and works for our local Woodforest Bank as Branch Manager. She is enrolled in college and will be graduating with a BBA in Finance in the summer of 2022. She was referred by the Habitat for Humanity, I believe she will do a more than adequate job on our board. I have contacted Mandy Grant and requested to be added to the agenda for December 13th, 2021 City Council Meeting so you can appointment the new board member. I greatly appreciate your time and look forward to working with you in the future to help serve our community.

Sincerely,



Tricia Taylor
Port Lavaca Housing Authority
Executive Director
taylor@tisd.net

COMMUNICATION

SUBJECT: Consider approval of the Texas Opioid Settlement Case by adoption of the following: Presenter is Anne Marie Odefey

INFORMATION:

Settlement Participation Form for Janssen (JNJ); and

Settlement Participation Form for Distributors; and

Settlement Allocation Term Sheet.



KEN PAXTON
ATTORNEY GENERAL of TEXAS

SUMMARY OF PROPOSED OPIOID SETTLEMENTS



SUMMARY OF PROPOSED OPIOID SETTLEMENTS

BACKGROUND

Texas, along with a broad coalition of states and subdivisions, has reached final agreements with four companies to resolve legal claims against for their role in the opioid crisis. One agreement is with opioid manufacturer Johnson & Johnson. The other is three major pharmaceutical distributors: AmerisourceBergen, Cardinal Health, and McKesson.

FINANCIAL TERMS

The two agreements provide for \$26 billion in payments over 18 years, with \$23.9 billion available for opioid abatement and significant amounts front loaded. Funding will be distributed to states according to the allocation agreement reached among the Attorneys General. Subdivisions can only participate in the agreement if their state participates. Texas' combined share is almost \$1.5 billion: \$1.17 billion from the distributors and \$268 million from J&J. Distribution within Texas is handled through an intrastate agreement between the state and litigating subdivisions. The funding must be used to support any of a wide variety of strategies to fight the opioid crisis. Separate provisions exist to compensate attorneys who have pursued opioid litigation on behalf of states and local governments.

Once the state agrees to participate, then the more subdivisions that join, the more money everyone in Texas will receive. Future opioid litigation may result in suspension and reduction of

payments. Even without full resolution of claims, states and subdivisions can still receive substantial payments by resolving a significant portion of current and future claims.

INJUNCTIVE TERMS

Both agreements both contain industry-changing injunctive terms. The distributors will be subject to more oversight and accountability, including an independent monitor, to prevent deliveries of opioids to pharmacies where diversion and misuse occur. They will be required to establish and fund an independent clearinghouse to track opioid distribution nationwide and flag suspicious orders. J&J will be prohibited from selling or promoting opioids.

HOW TO JOIN

To adopt the settlement and allocation schedule, you need to:

1. sign the Subdivision Settlement Participation Form;
2. adopt the Texas Term Sheet and its intrastate allocation schedule;
3. return both to opioids@oag.texas.gov.

The deadline for states to sign on is August 21, 2021. Subdivisions in participating states then have through January 2, 2022, to join.

FOR MORE INFORMATION, PLEASE VISIT:
www.texasattorneygeneral.gov/globalopioidsettlement

EXHIBIT K**Settlement Participation Form**

Governmental Entity: City of Port Lavaca	State: TX
Authorized Official: Jody Weaver	
Address 1: 201 N. Virginia St.	
Address 2:	
City, State, Zip: Port Lavaca, TX 77979	
Phone: 361-552-9793	
Email: jweaver@portlavaca.org	

The governmental entity identified above (“Governmental Entity”), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to the Settlement Agreement dated July 21, 2021 (“Janssen Settlement”), and acting through the undersigned authorized official, hereby elects to participate in the Janssen Settlement, release all Released Claims against all Released Entities, and agrees as follows.

1. The Governmental Entity is aware of and has reviewed the Janssen Settlement, understands that all terms in this Election and Release have the meanings defined therein, and agrees that by this Election, the Governmental Entity elects to participate in the Janssen Settlement and become a Participating Subdivision as provided therein.
2. The Governmental Entity shall, within 14 days of the Reference Date and prior to the filing of the Consent Judgment, dismiss with prejudice any Released Claims that it has filed.
3. The Governmental Entity agrees to the terms of the Janssen Settlement pertaining to Subdivisions as defined therein.
4. By agreeing to the terms of the Janssen Settlement and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date.
5. The Governmental Entity agrees to use any monies it receives through the Janssen Settlement solely for the purposes provided therein.
6. The Governmental Entity submits to the jurisdiction of the court in the Governmental Entity’s state where the Consent Judgment is filed for purposes limited to that court’s role as provided in, and for resolving disputes to the extent provided in, the Janssen Settlement.
7. The Governmental Entity has the right to enforce the Janssen Settlement as provided therein.
8. The Governmental Entity, as a Participating Subdivision, hereby becomes a Releasor for all purposes in the Janssen Settlement, including but not limited to all provisions of

Section IV (Release), and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in their official capacity elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in any forum whatsoever. The releases provided for in the Janssen Settlement are intended by the Parties to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The Janssen Settlement shall be a complete bar to any Released Claim.

9. In connection with the releases provided for in the Janssen Settlement, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

General Release; extent. A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release that, if known by him or her, would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in the Janssen Settlement.

10. Nothing herein is intended to modify in any way the terms of the Janssen Settlement, to which Governmental Entity hereby agrees. To the extent this Election and Release is interpreted differently from the Janssen Settlement in any respect, the Janssen Settlement controls.

I have all necessary power and authorization to execute this Election and Release on behalf of the Governmental Entity.

Signature: _____

Name: Jody Weaver

Title: City Manager _____

Date: ____12/13/2021_____

EXHIBIT K**Subdivision Settlement Participation Form**

Governmental Entity: City of Port Lavaca	State: TX
Authorized Official: Jody Weaver, City Manager	
Address 1: 201 N. Virginia St.	
Address 2:	
City, State, Zip: Port Lavaca, Texas 77979	
Phone: 361-552-9793	
Email: jweaver@cityofportlavaca.org	

The governmental entity identified above (“*Governmental Entity*”), in order to obtain and in consideration for the benefits provided to the Governmental Entity pursuant to the Settlement Agreement dated July 21, 2021 (“*Distributor Settlement*”), and acting through the undersigned authorized official, hereby elects to participate in the Distributor Settlement, release all Released Claims against all Released Entities, and agrees as follows.

1. The Governmental Entity is aware of and has reviewed the Distributor Settlement, understands that all terms in this Participation Form have the meanings defined therein, and agrees that by signing this Participation Form, the Governmental Entity elects to participate in the Distributor Settlement and become a Participating Subdivision as provided therein.
2. The Governmental Entity shall, within 14 days of the Reference Date and prior to the filing of the Consent Judgment, secure the dismissal with prejudice of any Released Claims that it has filed.
3. The Governmental Entity agrees to the terms of the Distributor Settlement pertaining to Subdivisions as defined therein.
4. By agreeing to the terms of the Distributor Settlement and becoming a Releasor, the Governmental Entity is entitled to the benefits provided therein, including, if applicable, monetary payments beginning after the Effective Date.
5. The Governmental Entity agrees to use any monies it receives through the Distributor Settlement solely for the purposes provided therein.
6. The Governmental Entity submits to the jurisdiction of the court in the Governmental Entity’s state where the Consent Judgment is filed for purposes limited to that court’s role as provided in, and for resolving disputes to the extent provided in, the Distributor Settlement. The Governmental Entity likewise agrees to arbitrate before the National Arbitration Panel as provided in, and for resolving disputes to the extent otherwise provided in, the Distributor Settlement.

7. The Governmental Entity has the right to enforce the Distributor Settlement as provided therein.
8. The Governmental Entity, as a Participating Subdivision, hereby becomes a Releasor for all purposes in the Distributor Settlement, including, but not limited to, all provisions of Part XI, and along with all departments, agencies, divisions, boards, commissions, districts, instrumentalities of any kind and attorneys, and any person in their official capacity elected or appointed to serve any of the foregoing and any agency, person, or other entity claiming by or through any of the foregoing, and any other entity identified in the definition of Releasor, provides for a release to the fullest extent of its authority. As a Releasor, the Governmental Entity hereby absolutely, unconditionally, and irrevocably covenants not to bring, file, or claim, or to cause, assist or permit to be brought, filed, or claimed, or to otherwise seek to establish liability for any Released Claims against any Released Entity in any forum whatsoever. The releases provided for in the Distributor Settlement are intended by the Parties to be broad and shall be interpreted so as to give the Released Entities the broadest possible bar against any liability relating in any way to Released Claims and extend to the full extent of the power of the Governmental Entity to release claims. The Distributor Settlement shall be a complete bar to any Released Claim.
9. The Governmental Entity hereby takes on all rights and obligations of a Participating Subdivision as set forth in the Distributor Settlement.
10. In connection with the releases provided for in the Distributor Settlement, each Governmental Entity expressly waives, releases, and forever discharges any and all provisions, rights, and benefits conferred by any law of any state or territory of the United States or other jurisdiction, or principle of common law, which is similar, comparable, or equivalent to § 1542 of the California Civil Code, which reads:

General Release; extent. A general release does not extend to claims that the creditor or releasing party does not know or suspect to exist in his or her favor at the time of executing the release, and that if known by him or her would have materially affected his or her settlement with the debtor or released party.

A Releasor may hereafter discover facts other than or different from those which it knows, believes, or assumes to be true with respect to the Released Claims, but each Governmental Entity hereby expressly waives and fully, finally, and forever settles, releases and discharges, upon the Effective Date, any and all Released Claims that may exist as of such date but which Releasors do not know or suspect to exist, whether through ignorance, oversight, error, negligence or through no fault whatsoever, and which, if known, would materially affect the Governmental Entities' decision to participate in the Distributor Settlement.

11. Nothing herein is intended to modify in any way the terms of the Distributor Settlement, to which Governmental Entity hereby agrees. To the extent this Participation Form is interpreted differently from the Distributor Settlement in any respect, the Distributor Settlement controls.

I have all necessary power and authorization to execute this Participation Form on behalf of the Governmental Entity.

Signature: _____

Name: Jody Weaver

Title: City Manager

Date: 12/13/2021

**TEXAS OPIOID ABATEMENT FUND COUNCIL AND
SETTLEMENT ALLOCATION TERM SHEET**

WHEREAS, the people of the State of Texas and its communities have been harmed through the National and Statewide epidemic caused by licit and illicit opioid use and distribution within the State of Texas; and now,

WHEREAS, the State of Texas, though its elected representatives and counsel, including the Honorable Ken Paxton, Attorney General of the State of Texas, and certain Political Subdivisions, through their elected representatives and counsel, are separately engaged in litigation seeking to hold those entities in the supply chain accountable for the damage caused; and now,

WHEREAS, the State of Texas, through its Attorney General and its Political Subdivisions, share a common desire to abate and alleviate the impacts of the epidemic throughout the State of Texas; and now,

THEREFORE, the State of Texas and its Political Subdivisions, subject to completing formal documents effectuating the Parties' agreements, enter into this State of Texas and Texas Political Subdivisions' Opioid Abatement Fund Council and Settlement Allocation Term Sheet (Texas Term Sheet) relating to the allocation and use of the proceeds of any Settlements as described.

A. Definitions

As used in this Texas Term Sheet:

1. “The State” shall mean the State of Texas acting through its Attorney General.
2. “Political Subdivision(s)” shall mean any Texas municipality and county.
3. “The Parties” shall mean the State of Texas, the Political Subdivisions, and the Plaintiffs’ Steering Committee and Liaison Counsel (PSC) in the Texas Opioid MDL, *In Re: Texas Opioid Litigation*, MDL No. 2018-63587, in the 152d District Court of Harris County, Texas.
4. “Litigating Political Subdivision” means a Political Subdivision that filed suit in the state courts of the State of Texas prior to the Execution Date of this Agreement, whether or not such case was transferred to Texas Opioid MDL, or removed to federal court.
5. “National Fund” shall mean any national fund established for the benefit of the Texas Political Subdivisions. In no event shall any National Fund be used to create federal jurisdiction, equitable or otherwise, over the Texas Political Subdivisions or those similarly situated state-court litigants who are included in the state coalition, nor shall the National Fund require participating in a class action or signing a participation agreement as part of the criteria for participating in the National Fund.
6. “Negotiating Committee” shall mean a three-member group comprising four representatives for each of (1) the State; (2) the PSC; and (3) Texas’

Political Subdivisions (collectively, “Members”). The State shall be represented by the Texas Attorney General or his designees. The PSC shall be represented by attorneys Mikal Watts, Jeffrey Simon, Dara Hegar, Dan Downey, or their designees. Texas’ Political Subdivisions shall be represented by Clay Jenkins (Dallas County Judge), Terrence O’Rourke (Special Assistant County Attorney, Harris County), Nelson Wolff (Bexar County Judge), and Nathaniel Moran (Smith County Judge) or their designees.

7. “Settlement” shall mean the negotiated resolution of legal or equitable claims against a Pharmaceutical Supply Chain Participant that includes the State and Political Subdivisions.
8. “Opioid Funds” shall mean monetary amounts obtained through a Settlement as defined in this Texas Term Sheet.
8. “Approved Purpose(s)” shall mean those uses identified in Exhibit A hereto.
9. “Pharmaceutical Supply Chain” shall mean the process and channels through which opioids or opioids products are manufactured, marketed, promoted, distributed, or dispensed.

10. “Pharmaceutical Supply Chain Participant” shall mean any entity that engages in or has engaged in the manufacture, marketing, promotion, distribution, or dispensing of an opioid analgesic.
11. “Texas Opioid Council” shall mean the Council described in Exhibit A hereto, which has the purpose of ensuring the funds recovered by Texas (through the joint actions of the Attorney General and the Texas Political Subdivisions) are allocated fairly and spent to remediate the opioid crisis in Texas, using efficient and cost-effective methods that are directed to the hardest hit regions in Texas while also ensuring that all Texans benefit from prevention and recovery efforts.

B. Allocation of Settlement Proceeds

1. All Opioid Funds distributed in Texas shall be divided with 15% going to Political Subdivisions (“Subdivision Share”), 70% to the Texas Opioid Abatement Fund through the Texas Opioid Council (Texas Abatement Fund Share) identified and described on Exhibits A and C hereto, and 15% to the Office of the Texas Attorney General as Counsel for the State of Texas (“State Share”). Out of the Texas Opioid Abatement Fund, reasonable expenses up to 1% shall be paid to the Texas Comptroller for the administration of the Texas Opioid Council pursuant to the Opioid

Abatement Fund (Texas Settlement) Opioid Council Agreement, Exhibit A hereto.

2. The Subdivisions Share shall be allocated in accordance with the division of proceeds on Exhibit B hereto.
3. The Texas Abatement Fund Share shall be allocated to the Opioid Council to be apportioned in accordance with the guidelines of Exhibit A, and Exhibit C hereto.
4. In the event a Subdivision merges, dissolves, or ceases to exist, the allocation percentage for that Subdivision shall be redistributed as directed by the settlement document, and if not specified, equitably based on the composition of the successor Subdivision. If a Subdivision for any reason is excluded from a specific settlement, the allocation percentage for that Subdivision shall be redistributed as directed by the settlement document, and if not specified, equitably among the participating Subdivisions.
5. Funds obtained from parties unrelated to the Litigation, via grant, bequest, gift or the like, separate and distinct from the Litigation, may be directed to the Texas Opioid Council and disbursed as set forth below.
6. The Subdivision share shall be initially deposited and paid in cash directly to the Subdivision under the authority and guidance of the Texas MDL Court, who shall direct any Settlement funds to be held in trust in a

segregated account to benefit the Subdivisions and to be promptly distributed as set forth herein and in accordance with Exhibit B.

7. Nothing in this Texas Term Sheet should alter or change any Subdivision's rights to pursue its own claim. Rather, the intent of this Texas Term Sheet is to join all parties to disburse settlement proceeds from one or more defendants to all parties participating in that settlement within Texas.
8. Opioid Funds from the Texas Abatement Fund Share shall be directed to the Texas Opioid Council and used in accordance with the guidelines as set out on Exhibit A hereto, and the Texas Abatement Fund Share shall be distributed to the Texas Opioid Council under the authority and guidance of the Texas MDL Court, consistent with Exhibits A and C, and the by-laws of the Texas Opioid Council documents and disbursed as set forth therein, including without limitation all abatement funds and the 1% holdback for expenses.
9. The State of Texas and the Political Subdivisions understand and acknowledge that additional steps may need to be undertaken to assist the Texas Opioid Council in its mission, at a predictable level of funding, regardless of external factors.

C. Payment of Counsel and Litigation Expenses

1. Any Master Settlement Agreement settlement will govern the payment of fees and litigation expenses to the Parties. The Parties agree to direct control of any Texas Political Subdivision fees and expenses to the “Texas Opioid Fee and Expense Fund,” which shall be allocated and distributed by the Texas MDL Court, *In re: Texas Opioid Litigation*, MDL No. 2018-63587, in the 152nd District Court of Harris County, Texas, and with the intent to compensate all counsel for Texas Political Subdivisions who have not chosen to otherwise seek compensation for fees and expenses from any federal MDL common benefit fund.
2. The Parties agree that no portion of the State of Texas 15% allocation share from any settlement shall be administered through the National Fund, the Texas MDL Court, or Texas Opioid Fee and Expense Fund, but shall be directed for payment to the State of Texas by the State of Texas.
3. The State of Texas and the Texas Political Subdivisions, and their respective attorneys, agree that all fees – whether contingent, hourly, fixed or otherwise – owed by the Texas Political Subdivisions shall be paid out of the National Fund or as otherwise provided for herein to the Texas Opioid Fee and Expense Fund to be distributed by the 152nd

District Court of Harris County, Texas pursuant to its past and future orders.

4. From any opioid-related settlements with McKesson, Cardinal Health, ABDC, and Johnson & Johnson, and for any future opioid-related settlements negotiated, in whole or in part, by the Negotiating Committee with any other Pharmaceutical Supply Chain Participant, the funds to be deposited in the Texas Opioid Fee and Expense Fund shall be 9.3925% of the combined Texas Political Subdivision and Texas Abatement Fund portions of each payment (annual or otherwise) to the State of Texas for that settlement, plus expenses from the National Fund, and shall be sought by Texas Political Subdivision Counsel initially through the National Fund. The Texas Political Subdivisions' percentage share of fees and expenses from the National Fund shall be directed to the Texas Opioid Fee and Expense Fund in the Texas MDL, as soon as is practical, for allocation and distribution in accordance with the guidelines herein.
5. If the National Fund share to the Texas Political Subdivisions is insufficient to cover the guaranteed 9.3925%, plus expenses from the National Fund, per subsection 4, immediately *supra*, or if payment from the National Fund is not received within 12 months after the date the

first payment is made by the Defendants pursuant to the settlement, then the Texas Political Subdivisions shall recover up to 12.5% of the Texas Political Subdivision Share to make up any difference.

6. If the National Fund and the Texas Political Subdivision share are insufficient to cover the guaranteed 9.3925%, plus expenses from the National Fund, or if payment from the National Fund is not received within 12 months after the date the first payment is made by the Defendants pursuant to the settlement, then the Texas Political Subdivisions shall recover up to 8.75% of the Abatement Fund Share to make up any difference. In no event shall the Texas Political Subdivision share exceed 9.3925% of the combined Texas Political Subdivision and Texas Abatement Fund portions of any settlement, plus expenses from the National Fund. In the event that any payment is received from the National Fund such that the total amount in fees and expenses exceeds 9.3925%, the Texas Political Subdivisions shall return any amounts received greater than 9.3925% of the combined Texas Political Subdivision and Texas Abatement Fund portions to those respective Funds.

7. For each settlement utilizing a National Fund, the Texas Political Subdivisions need only make one attempt at seeking fees and expenses there.
8. The total amount of the Texas Opioid Fee and Expense Fund shall be reduced proportionally, according to the agreed upon allocation of the Texas Subdivision Fund, for any Texas litigating Political Subdivision that (1) fails to enter the settlement; and (2) was filed in Texas state court, and was transferred to the Texas MDL (or removed before or during transfer to the Texas MDL) as of the execution date of this Agreement.

D. The Texas Opioid Council and Texas Abatement Fund

The Texas Opioid Council and Texas Abatement Fund is described in detail at Exhibit A, incorporated herein by reference.

E. Settlement Negotiations

1. The State and Negotiating Committee agree to inform each other in advance of any negotiations relating to a Texas-only settlement with a Pharmaceutical Supply Chain Participant that includes both the State and its Political Subdivisions and shall provide each other the opportunity to participate in all such negotiations. Any Texas-only Settlement agreed to with the State and Negotiating Committee shall be subject to the approval

of a majority of litigating Political Subdivisions. The Parties further agree to keep each other reasonably informed of all other global settlement negotiations with Pharmaceutical Supply Chain Participants and to include the Negotiating Committee or designees. Neither this provision, nor any other, shall be construed to state or imply that either the State or the Negotiating Committee is unauthorized to engage in settlement negotiations with Pharmaceutical Supply Chain Participants without prior consent or contemporaneous participation of the other, or that either party is entitled to participate as an active or direct participant in settlement negotiations with the other. Rather, while the State's and Negotiation Committee's efforts to achieve worthwhile settlements are to be collaborative, incremental stages need not be so.

2. Any Master Settlement Agreement (MSA) shall be subject to the approval and jurisdiction of the Texas MDL Court.
3. As this is a Texas-specific effort, the Committee shall be Chaired by the Attorney General. However, the Attorney General, or his designees, shall endeavor to coordinate any publicity or other efforts to speak publicly with the other Committee Members.
4. The State of Texas, the Texas MDL Plaintiff's Steering Committee representatives, or the Political Subdivision representatives may withdraw

from coordinated Settlement discussions detailed in this Section upon 10 business days' written notice to the remaining Committee Members and counsel for any affected Pharmaceutical Supply Chain Participant. The withdrawal of any Member releases the remaining Committee Members from the restrictions and obligations in this Section.

5. The obligations in this Section shall not affect any Party's right to proceed with trial or, within 30 days of the date upon which a trial involving that Party's claims against a specific Pharmaceutical Supply Chain Participant is scheduled to begin, reach a case specific resolution with that particular Pharmaceutical Supply Chain Participant.

F. Amendments

The Parties agree to make such amendments as necessary to implement the intent of this agreement.

Acknowledgment of Agreement

We, the undersigned, have participated in the drafting of the above Texas Term Sheet, including consideration based on comments solicited from Political Subdivisions. This document has been collaboratively drafted to maintain all individual claims while allowing the State and its Political Subdivisions to cooperate in exploring all possible means of resolution. Nothing in this agreement binds any party to any specific outcome. Any resolution under this document will require

acceptance by the State of Texas and a majority of the Litigating Political Subdivisions.

We, the undersigned, hereby accept the STATE OF TEXAS AND TEXAS POLITICAL SUBDIVISIONS' OPIOID ABATEMENT FUND COUNCIL AND SETTLEMENT ALLOCATION TERM SHEET. We understand that the purpose of this Texas Term Sheet is to permit collaboration between the State of Texas and Political Subdivisions to explore and potentially effectuate earlier resolution of the Opioid Litigation against Pharmaceutical Supply Chain Participants. We also understand that an additional purpose is to create an effective means of distributing any potential settlement funds obtained under this Texas Term Sheet between the State of Texas and Political Subdivisions in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic throughout Texas.

Executed this 13 day of May, 2020.

FOR THE STATE OF TEXAS:

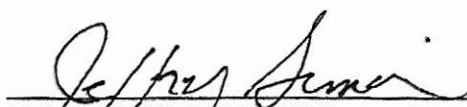


KENNETH PAXTON, JR.
ATTORNEY GENERAL

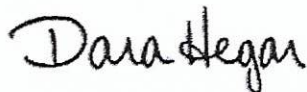
FOR THE SUBDIVISIONS
AND TEXAS MDL PSC:



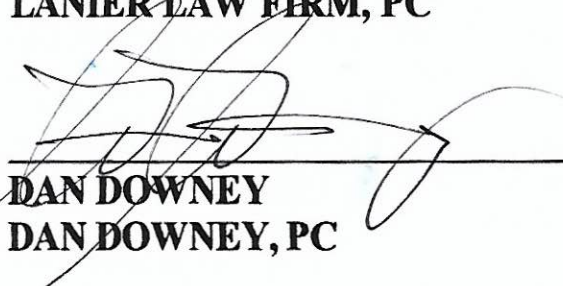
MIKAL WATTS
WATTS GUERRA LLP



JEFFREY SIMON
SIMON GREENSTONE PANATIER, PC



DARA HEGAR
LANIER LAW FIRM, PC



DAN DOWNEY
DAN DOWNEY, PC

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EXHIBIT A

Opioid Abatement Fund (Texas) Settlement

Opioid Council

As part of the settlement agreement and upon its execution, the parties will form the Texas Opioid Council (Council) to establish the framework that ensures the funds recovered by Texas (through the joint actions of the Attorney General and the state's political subdivisions) are allocated fairly and spent to remediate the opioid crisis in Texas, using efficient and cost-effective methods that are directed to the hardest hit regions in Texas while also ensuring that all Texans benefit from prevention and recovery efforts.

I. Structure

The Council will be responsible for the processes and procedures governing the spending of the funds held in the Texas Abatement Fund, which will be approximately 70% of all funds obtained through settlement and/or litigation of the claims asserted by the State and its subdivisions in the investigations and litigation related to the manufacturing, marketing, distribution, and sale of opioids and related pharmaceuticals.

Money paid into the abatement fund will be held by an independent administrator, who shall be responsible for the ministerial task of releasing funds solely as authorized below by the Council, and accounting for all payments to and from the fund.

The Council will be formed when a court of competent jurisdiction enters an order settling the matter, including any order of a bankruptcy court. The Council's members must be appointed within sixty (60) days of the date the order is entered.

A. Membership

The Council shall be comprised of the following thirteen (13) members:

1. *Statewide Members.*

Six members appointed by the Governor and Attorney General to represent the State's interest in opioid abatement. The statewide members are appointed as follows:

- a. The Governor shall appoint three (3) members who are licensed health professionals with significant experience in opioid interventions;
- b. The Attorney General shall appoint three (3) members who are licensed professionals with significant experience in opioid incidences; and
- c. The Governor will appoint the Chair of the Council as a non-voting member. The Chair may only cast a vote in the event there is a tie of the membership.

2. *Regional Members.*

Six (6) members appointed by the State's political subdivisions to represent their designated Texas Health and Human Services Commission "HHSC" Regional Healthcare

Partnership (Regions) to ensure dedicated regional, urban, and rural representation on the Council. The regional appointees must be from either academia or the medical profession with significant experience in opioid interventions. The regional members are appointed as follows:

- a. One member representing Regions 9 and 10 (Dallas Ft-Worth);
- b. One member representing Region 3 (Houston);
- c. One member representing Regions 11, 12, 13, 14, 15, 19 (West Texas);
- d. One member representing Regions 6, 7, 8, 16 (Austin-San Antonio);
- e. One member representing Regions 1, 2, 17, 18 (East Texas); and
- f. One member representing Regions 4, 5, 20 (South Texas).

B. Terms

All members of the Council are appointed to serve staggered two-year terms, with the terms of members expiring February 1 of each year. A member may serve no more than two consecutive terms, for a total of four consecutive years. For the first term, four (4) members (two (2) statewide and two (2) for the subdivisions) will serve a three-year term. A vacancy on the Council shall be filled for the unexpired term in the same manner as the original appointment. The Governor will appoint the Chair of the Council who will not vote on Council business unless there is a tie vote, and the subdivisions will appoint a Vice-Chair voting member from one of the regional members.

C. Governance

1. Administration

The Council is attached administratively to the Comptroller. The Council is an independent, quasi-governmental agency because it is responsible for the statewide distribution of the abatement settlement funds. The Council is exempt from the following statutes:

- a. Chapter 316 of the Government Code (Appropriations);
- b. Chapter 322 of the Government Code (Legislative Budget Board);
- c. Chapter 325 of the Government Code (Sunset);
- d. Chapter 783 of the Government Code (Uniform Grants and Contract Management);
- e. Chapter 2001 of the Government Code (Administrative Procedure);
- f. Chapter 2052 of the Government Code (State Agency Reports and Publications);
- g. Chapter 2261 of the Government Code (State Contracting Standards and Oversight);
- h. Chapter 2262 of the Government Code (Statewide Contract Management);

- i. Chapter 262 of the Local Government Code (Purchasing and Contracting Authority of Counties); and
- j. Chapter 271 of the Local Government Code (Purchasing and Contracting Authority of Municipalities, Counties, and Certain Other Local Governments).

2. *Transparency*

The Council will abide by state laws relating to open meetings and public information, including Chapters 551 and 552 of the Texas Government Code.

- i. The Council shall hold at least four regular meetings each year. The Council may hold additional meetings on the request of the Chair or on the written request of three members of the council. All meetings shall be open to the public, and public notice of meetings shall be given as required by state law.
- ii. The Council may convene in a closed, non-public meeting:
 - a. If the Commission must discuss:
 - 1. Negotiation of contract awards; and
 - 2. Matters specifically exempted from disclosure by federal and state statutes.
 - b. All minutes and documents of a closed meeting shall remain under seal, subject to release only order of a court of competent jurisdiction.

3. *Authority*

The Council does not have rulemaking authority. The terms of each Judgment, Master Settlement Agreement, or any Bankruptcy Settlement for Texas control the authority of the Council and the Council may not stray outside the bounds of the authority and power vested by such settlements. Should the Council require legal assistance in determining their authority, the Council may direct the executive director to seek legal advice from the Attorney General to clarify the issue.

D. Operation and Expenses

The independent administrator will set aside up to one (1) percent of the settlement funds for the administration of the Council for reasonable costs and expenses of operating the foregoing duties, including educational activities.

1. *Executive Director*

The Comptroller will employ the executive director of the Council and other personnel as necessary to administer the duties of the Council and carry out the functions of the Council. The executive director must have at least 10 years of experience in government or public administration and is classified as a Director V/B30 under the State Auditor's State Classification. The Comptroller will pay the salaries of the Council employees from the

one (1) percent of the settlement funds set aside for the administration of the Council. The Comptroller will request funds from the Texas Abatement Fund Point of Contact.

2. Travel Reimbursement

A person appointed to the Council is entitled to reimbursement for the travel expenses incurred in attending Council duties. A member of the Council may be reimbursed for actual expenses for meals, lodging, transportation, and incidental expenses in accordance with travel rates set by the federal General Services Administration.

II. Duties/Roles

It is the duty of the Council to determine and approve the opioid abatement strategies and funding awards.

A. Approved Abatement Strategies

The Council will develop the approved Texas list of abatement strategies based on but not limited to the existing national list of opioid abatement strategies (see attached Appendix A) for implementing the Texas Abatement Fund.

1. The Council shall only approve strategies which are evidence-informed strategies.
2. The Texas list of abatement strategies must be approved by majority vote. The majority vote must include a majority from both sides of the statewide members and regional members in order to be approved, e.g., at least four (4) of six (6) members on each side.

B. Texas Abatement Fund Point of Contact

The Council will determine a single point of contact called the Abatement Fund Point of Contact (POC) to be established as the sole entity authorized to receive requests for funds and approve expenditures in Texas and order the release of funds from the Texas Abatement Fund by the independent administrator. The POC may be an independent third party selected by the Council with expertise in banking or financial management. The POC will manage the Opioid Council Bank Account (Account). Upon a vote, the Council will direct the POC to contact the independent administrator to release funds to the Account. The Account is outside the State Treasury and not managed by any state or local officials. The POC is responsible for payments to the qualified entities selected by the Council for abatement fund awards. The POC will submit a monthly financial statement on the Account to the Council.

C. Auditor

An independent auditor appointed by the Council will perform an audit on the Account on an annual basis and report its findings, if any, to the Council.

D. Funding Allocation

The Council is the sole decision-maker on the funding allocation process of the abatement funds. The Council will develop the application and award process based on the parameters outlined below. An entity seeking funds from the Council must apply for funds; no funds will be awarded without an application. The executive director and personnel may assist the Council in gathering and compiling the applications for consideration; however, the Council members are the sole decision-makers of awards and funding determination. The Council will use the following processes to award funds:

1. *Statewide Funds.* The Council will consider, adopt and approve the allocation methodology attached as Exhibit C, based upon population health data and prevalence of opioid incidences, at the Council's initial meeting. Adoption of such methodology will allow each Region to customize the approved abatement strategies to fit its communities' needs. The statewide regional funds will account for seventy-five (75) percent of the total overall funds, less the one (1) percent administrative expense described herein.
2. *Targeted Funds.* Each Region shall reserve twenty-five (25) percent of the overall funds, for targeted interventions in the specific Region as identified by opioid incidence data. The Council must approve on an annual basis the uses for the targeted abatement strategies and applications available to every Region, including education and outreach programs. Each Region without approved uses for the targeted funds from the Council, based upon a greater percentage of opioid incidents compared to its population, is subject to transfer of all or a portion of the targeted funds for that Region for uses based upon all Regions' targeted funding needs as approved by the Council on an annual basis.
3. *Annual Allocation.* Statewide regional funds and targeted funds will be allocated on an annual basis. If a Region lapses its funds, the funds will be reallocated based on all Regions' funding needs.

E. Appeal Process

The Council will establish an appeal process to permit the applicants for funding (state or subdivisions) to challenge decisions by the Council-designated point of contact on requests for funds or expenditures.

1. To challenge a decision by the designated point of contact, the State or a subdivision must file an appeal with the Council within thirty (30) days of the decision. The Council then has thirty (30) days to consider and rule on the appeal.
2. If the Council denies the appeal, the party may file an appeal with the state district court of record where the final opioid judgment or Master Settlement Agreement is filed. The Texas Rules of Civil Procedure and Rules of Evidence will govern these proceedings. The Council may request representation from the Attorney General in these proceedings.

In making its determination, the state district court shall apply the same clear error standards contained herein that the Council must follow when rendering its decision.

3. The state district court will make the final decision and the decision is not appealable.
4. Challenges will be limited and subject to penalty if abused.
5. Attorneys' fees and costs are not recoverable in these appeals.

F. Education

The Council may determine that a percentage of the funds in the Abatement Fund from the targeted funds be used to develop an education and outreach program to provide materials on the consequences of opioid drug use, prevention and interventions. Any material developed will include online resources and toolkits for communities.

EXHIBIT B

Exhibit B: Municipal Area Allocations: 15% of Total (\$150 million)

(County numbers refer to distribution to the county governments after payment to cities within county borders has been made. Minimum distribution to each county is \$1000.)

Municipal Area	Allocation	Municipal Area	Allocation
Abbott	\$688	Lakeport	\$463
Abernathy	\$110	Lakeside	\$4,474
Abilene	\$563,818	Lakeside City	\$222
Ackerly	\$21	Lakeview	\$427
Addison	\$58,094	Lakeway	\$31,657
Adrian	\$181	Lakewood Village	\$557
Agua Dulce	\$43	Lamar County	\$141,598
Alamo	\$22,121	Lamb County	\$50,681
Alamo Heights	\$28,198	Lamesa	\$29,656
Alba	\$3,196	Lampasas	\$28,211
Albany	\$180	Lampasas County	\$42,818
Aledo	\$331	Lancaster	\$90,653
Alice	\$71,291	Laredo	\$763,174
Allen	\$315,081	Latexo	\$124
Alma	\$1,107	Lavaca County	\$45,973
Alpine	\$29,686	Lavon	\$7,435
Alto	\$3,767	Lawn	\$58
Alton	\$11,540	League City	\$302,418
Alvarado	\$29,029	Leakey	\$256
Alvin	\$113,962	Leander	\$88,641
Alvord	\$358	Leary	\$797
Amarillo	\$987,661	Lee County	\$30,457
Ames	\$5,571	Lefors	\$159
Amherst	\$22	Leon County	\$67,393
Anahuac	\$542	Leon Valley	\$23,258
Anderson	\$19	Leona	\$883
Anderson County	\$268,763	Leonard	\$8,505
Andrews	\$18,983	Leroy	\$176
Andrews County	\$37,606	Levelland	\$46,848
Angelina County	\$229,956	Lewisville	\$382,094
Angleton	\$62,791	Lexington	\$2,318
Angus	\$331	Liberty	\$72,343
Anna	\$9,075	Liberty County	\$531,212
Annetta	\$5,956	Liberty Hill	\$2,780
Annetta North	\$34	Limestone County	\$135,684

(Table continues on multiple pages below)

Annetta South	\$602	Lincoln Park	\$677
Annona	\$738	Lindale	\$24,202
Anson	\$5,134	Linden	\$3,661
Anthony	\$4,514	Lindsay	\$1,228
Anton	\$444	Lipan	\$44
Appleby	\$1,551	Lipscomb County	\$10,132
Aquilla	\$208	Little Elm	\$69,326
Aransas County	\$266,512	Little River-Academy	\$798
Aransas Pass	\$57,813	Littlefield	\$7,678
Archer City	\$10,554	Live Oak	\$32,740
Archer County	\$45,534	Live Oak County	\$39,716
Arcola	\$7,290	Liverpool	\$1,435
Argyle	\$11,406	Livingston	\$73,165
Arlington	\$735,803	Llano	\$23,121
Armstrong County	\$974	Llano County	\$115,647
Arp	\$2,009	Lockhart	\$49,050
Asherton	\$112	Lockney	\$3,301
Aspermont	\$9	Log Cabin	\$1,960
Atascosa County	\$176,903	Lometa	\$1,176
Athens	\$105,942	Lone Oak	\$1,705
Atlanta	\$30,995	Lone Star	\$8,283
Aubrey	\$15,141	Longview	\$482,254
Aurora	\$1,849	Loraine	\$188
Austin County	\$76,030	Lorena	\$3,390
Austin	\$4,877,716	Lorenzo	\$11,358
Austwell	\$109	Los Fresnos	\$11,185
Avery	\$138	Los Indios	\$159
Avinger	\$1,115	Los Ybanez	\$0
Azle	\$32,213	Lott	\$1,516
Bailey	\$950	Lovelady	\$249
Bailey County	\$15,377	Loving County	\$1,000
Bailey's Prairie	\$5,604	Lowry Crossing	\$783
Baird	\$2,802	Lubbock	\$319,867
Balch Springs	\$27,358	Lubbock County	\$1,379,719
Balcones Heights	\$23,811	Lucas	\$5,266
Ballinger	\$9,172	Lueders	\$508
Balmorhea	\$63	Lufkin	\$281,592
Bandera	\$2,893	Luling	\$29,421
Bandera County	\$86,815	Lumberton	\$36,609
Bangs	\$3,050	Lyford	\$3,071

Bardwell	\$362	Lynn County	\$6,275
Barry	\$200	Lytle	\$7,223
Barstow	\$61	Mabank	\$19,443
Bartlett	\$3,374	Madison County	\$49,492
Bartonville	\$8,887	Madisonville	\$11,458
Bastrop	\$46,320	Magnolia	\$26,031
Bastrop County	\$343,960	Malakoff	\$12,614
Bay City	\$57,912	Malone	\$439
Baylor County	\$29,832	Manor	\$12,499
Bayou Vista	\$6,240	Mansfield	\$150,788
Bayside	\$242	Manvel	\$12,305
Baytown	\$216,066	Marble Falls	\$37,039
Bayview	\$41	Marfa	\$65
Beach City	\$12,505	Marietta	\$338
Bear Creek	\$906	Marion	\$275
Beasley	\$130	Marion County	\$54,728
Beaumont	\$683,010	Marlin	\$21,634
Beckville	\$1,247	Marquez	\$1,322
Bedford	\$94,314	Marshall	\$108,371
Bedias	\$3,475	Mart	\$928
Bee Cave	\$12,863	Martin County	\$10,862
Bee County	\$97,844	Martindale	\$2,437
Beeville	\$24,027	Mason	\$777
Bell County	\$650,748	Mason County	\$3,134
Bellaire	\$41,264	Matador	\$1,203
Bellevue	\$56	Matagorda County	\$135,239
Bellmead	\$14,487	Mathis	\$15,720
Bells	\$1,891	Maud	\$423
Bellville	\$7,488	Maverick County	\$115,919
Belton	\$72,680	Maypearl	\$986
Benavides	\$152	McAllen	\$364,424
Benbrook	\$43,919	McCamey	\$542
Benjamin	\$951	McGregor	\$9,155
Berryville	\$14,379	McKinney	\$450,383
Bertram	\$182	McLean	\$14
Beverly Hills	\$4,336	McLendon-Chisholm	\$411
Bevil Oaks	\$549	Mcculloch County	\$20,021
Bexar County	\$7,007,152	Mclennan County	\$529,641
Big Lake	\$547	Mcmullen County	\$1,000
Big Sandy	\$4,579	Meadow	\$1,121

Big Spring	\$189,928	Meadowlakes	\$905
Big Wells	\$236	Meadows Place	\$18,148
Bishop	\$8,213	Medina County	\$48,355
Bishop Hills	\$323	Megargel	\$611
Blackwell	\$31	Melissa	\$15,381
Blanco	\$6,191	Melvin	\$345
Blanco County	\$49,223	Memphis	\$7,203
Blanket	\$147	Menard	\$991
Bloomburg	\$1,010	Menard County	\$14,717
Blooming Grove	\$352	Mercedes	\$21,441
Blossom	\$198	Meridian	\$3,546
Blue Mound	\$2,888	Merkel	\$10,117
Blue Ridge	\$1,345	Mertens	\$239
Blum	\$1,622	Mertzon	\$29
Boerne	\$45,576	Mesquite	\$310,709
Bogata	\$3,649	Mexia	\$21,096
Bonham	\$100,909	Miami	\$455
Bonney	\$2,510	Midland County	\$279,927
Booker	\$1,036	Midland	\$521,849
Borden County	\$1,000	Midlothian	\$95,799
Borger	\$69,680	Midway	\$78
Bosque County	\$71,073	Milam County	\$97,386
Bovina	\$173	Milano	\$904
Bowie	\$83,620	Mildred	\$286
Bowie County	\$233,190	Miles	\$93
Boyd	\$6,953	Milford	\$6,177
Brackettville	\$8	Miller's Cove	\$97
Brady	\$27,480	Millican	\$417
Brazoria	\$11,537	Mills County	\$19,931
Brazoria County	\$1,021,090	Millsap	\$34
Brazos Bend	\$462	Mineola	\$48,719
Brazos Country	\$902	Mineral Wells	\$92,061
Brazos County	\$342,087	Mingus	\$189
Breckenridge	\$23,976	Mission	\$124,768
Bremond	\$5,554	Missouri City	\$209,633
Brenham	\$54,750	Mitchell County	\$20,850
Brewster County	\$60,087	Mobeetie	\$52
Briarcliff	\$572	Mobile City	\$2,034
Briaroaks	\$57	Monahans	\$5,849
Bridge City	\$80,756	Mont Belvieu	\$19,669

Bridgeport	\$33,301	Montague County	\$94,796
Briscoe County	\$977	Montgomery	\$1,884
Broaddus	\$31	Montgomery County	\$2,700,911
Bronte	\$99	Moody	\$828
Brooks County	\$20,710	Moore County	\$40,627
Brookshire	\$6,406	Moore Station	\$772
Brookside Village	\$1,110	Moran	\$50
Brown County	\$193,417	Morgan	\$605
Browndell	\$152	Morgan's Point	\$3,105
Brownfield	\$14,452	Morgan's Point Resort	\$8,024
Brownsboro	\$3,176	Morris County	\$53,328
Brownsville	\$425,057	Morton	\$167
Brownwood	\$166,572	Motley County	\$3,344
Bruceville-Eddy	\$1,692	Moulton	\$999
Bryan	\$246,897	Mount Calm	\$605
Bryson	\$1,228	Mount Enterprise	\$1,832
Buckholts	\$1,113	Mount Pleasant	\$65,684
Buda	\$10,784	Mount Vernon	\$6,049
Buffalo	\$11,866	Mountain City	\$1,548
Buffalo Gap	\$88	Muenster	\$4,656
Buffalo Springs	\$188	Muleshoe	\$4,910
Bullard	\$7,487	Mullin	\$384
Bulverde	\$14,436	Munday	\$2,047
Bunker Hill Village	\$472	Murchison	\$2,302
Burkburnett	\$37,844	Murphy	\$51,893
Burke	\$1,114	Mustang	\$7
Burleson County	\$70,244	Mustang Ridge	\$2,462
Burleson	\$151,779	Nacogdoches	\$205,992
Burnet	\$33,345	Nacogdoches County	\$198,583
Burnet County	\$189,829	Naples	\$4,224
Burton	\$937	Nash	\$7,999
Byers	\$77	Nassau Bay	\$11,247
Bynum	\$380	Natalia	\$625
Cactus	\$4,779	Navarro	\$334
Caddo Mills	\$43	Navarro County	\$103,513
Caldwell	\$18,245	Navasota	\$37,676
Caldwell County	\$86,413	Nazareth	\$124
Calhoun County	\$127,926	Nederland	\$44,585
Callahan County	\$12,894	Needville	\$10,341
Callisburg	\$101	Nevada	\$237

Calvert	\$772	New Berlin	\$4
Cameron	\$11,091	New Boston	\$6,953
Cameron County	\$537,026	New Braunfels	\$307,313
Camp County	\$28,851	New Chapel Hill	\$288
Camp Wood	\$422	New Deal	\$338
Campbell	\$1,116	New Fairview	\$2,334
Canadian	\$1,090	New Home	\$9
Caney City	\$2,005	New Hope	\$1,024
Canton	\$56,734	New London	\$4,129
Canyon	\$26,251	New Summerfield	\$442
Carbon	\$620	New Waverly	\$2,562
Carl's Corner	\$48	Newark	\$520
Carmine	\$385	Newcastle	\$914
Carrizo Springs	\$1,671	Newton	\$6,102
Carrollton	\$310,255	Newton County	\$158,006
Carson County	\$29,493	Neylandville	\$163
Carthage	\$18,927	Niederwald	\$16
Cashion Community	\$322	Nixon	\$2,283
Cass County	\$93,155	Nocona	\$16,536
Castle Hills	\$12,780	Nolan County	\$50,262
Castro County	\$4,420	Nolanville	\$4,247
Castroville	\$4,525	Nome	\$391
Cedar Hill	\$70,127	Noonday	\$226
Cedar Park	\$185,567	Nordheim	\$697
Celeste	\$1,280	Normangee	\$6,192
Celina	\$18,283	North Cleveland	\$105
Center	\$58,838	North Richland Hills	\$146,419
Centerville	\$385	Northlake	\$8,905
Chambers County	\$153,188	Novice	\$76
Chandler	\$17,364	Nueces County	\$1,367,932
Channing	\$2	O'Brien	\$76
Charlotte	\$4,257	O'Donnell	\$27
Cherokee County	\$156,612	Oak Grove	\$2,769
Chester	\$1,174	Oak Leaf	\$612
Chico	\$2,928	Oak Point	\$9,011
Childress	\$37,916	Oak Ridge	\$358
Childress County	\$50,582	Oak Ridge North	\$33,512
Chillicothe	\$172	Oak Valley	\$7
China	\$522	Oakwood	\$148
China Grove	\$598	Ochiltree County	\$15,476

Chireno	\$1,568	Odem	\$7,420
Christine	\$354	Odessa	\$559,163
Cibolo	\$13,690	Oglesby	\$29
Cisco	\$7,218	Old River-Winfree	\$21,653
Clarendon	\$114	Oldham County	\$10,318
Clarksville	\$20,891	Olmos Park	\$9,801
Clarksville City	\$54	Olney	\$6,088
Claude	\$26	Olton	\$1,197
Clay County	\$72,050	Omaha	\$4,185
Clear Lake Shores	\$6,682	Onalaska	\$31,654
Cleburne	\$228,184	Opdyke West	\$479
Cleveland	\$96,897	Orange	\$311,339
Clifton	\$9,939	Orange County	\$689,818
Clint	\$375	Orange Grove	\$1,677
Clute	\$51,350	Orchard	\$867
Clyde	\$17,287	Ore City	\$6,806
Coahoma	\$2,291	Overton	\$7,900
Cochran County	\$3,389	Ovilla	\$13,391
Cockrell Hill	\$512	Oyster Creek	\$9,633
Coffee City	\$1,087	Paducah	\$125
Coke County	\$5,522	Paint Rock	\$141
Coldspring	\$447	Palacios	\$14,036
Coleman	\$5,442	Palestine	\$178,009
Coleman County	\$4,164	Palisades	\$240
College Station	\$258,147	Palm Valley	\$1,918
Colleyville	\$46,049	Palmer	\$12,666
Collin County	\$1,266,721	Palmhurst	\$4,660
Collingsworth County	\$19,234	Palmview	\$7,577
Collinsville	\$1,831	Palo Pinto County	\$124,621
Colmesneil	\$2,211	Pampa	\$67,227
Colorado City	\$8,405	Panhandle	\$9,536
Colorado County	\$49,084	Panola County	\$80,699
Columbus	\$6,867	Panorama Village	\$1,292
Comal County	\$396,142	Pantego	\$12,898
Comanche	\$16,503	Paradise	\$52
Comanche County	\$50,964	Paris	\$201,180
Combes	\$1,710	Parker	\$10,307
Combine	\$1,892	Parker County	\$476,254
Commerce	\$33,869	Parmer County	\$15,866
Como	\$415	Pasadena	\$356,536

Concho County	\$3,859	Pattison	\$1,148
Conroe	\$466,671	Patton Village	\$9,268
Converse	\$27,693	Payne Springs	\$1,770
Cooke County	\$200,451	Pearland	\$333,752
Cool	\$731	Pearsall	\$11,570
Coolidge	\$243	Pecan Gap	\$719
Cooper	\$362	Pecan Hill	\$229
Coppell	\$86,593	Pecos	\$7,622
Copper Canyon	\$489	Pecos County	\$46,997
Copperas Cove	\$133,492	Pelican Bay	\$1,199
Corinth	\$75,298	Penelope	\$415
Corpus Christi	\$1,812,707	Penitas	\$312
Corral City	\$143	Perryton	\$23,364
Corrigan	\$21,318	Petersburg	\$1,691
Corsicana	\$87,310	Petrolia	\$17
Coryell County	\$123,659	Petronila	\$5
Cottle County	\$875	Pflugerville	\$86,408
Cottonwood	\$289	Pharr	\$144,721
Cottonwood Shores	\$1,203	Pilot Point	\$11,613
Cotulla	\$1,251	Pine Forest	\$3,894
Coupland	\$266	Pine Island	\$3,141
Cove	\$387	Pinehurst	\$32,671
Covington	\$519	Pineland	\$4,138
Coyote Flats	\$1,472	Piney Point Village	\$15,738
Crandall	\$12,094	Pittsburg	\$20,526
Crane	\$10,599	Plains	\$129
Crane County	\$26,146	Plainview	\$60,298
Cranfills Gap	\$128	Plano	\$1,151,608
Crawford	\$383	Pleak	\$270
Creedmoor	\$16	Pleasant Valley	\$308
Cresson	\$1,086	Pleasanton	\$29,011
Crockett	\$23,403	Plum Grove	\$258
Crockett County	\$18,210	Point	\$1,519
Crosby County	\$18,388	Point Blank	\$355
Crosbyton	\$1,498	Point Comfort	\$447
Cross Plains	\$4,877	Point Venture	\$588
Cross Roads	\$244	Polk County	\$370,831
Cross Timber	\$542	Ponder	\$1,282
Crowell	\$6,335	Port Aransas	\$31,022
Crowley	\$22,345	Port Arthur	\$367,945

Crystal City	\$19,412	Port Isabel	\$9,802
Cuero	\$24,689	Port Lavaca	\$11,752
Culberson County	\$789	Port Neches	\$38,849
Cumby	\$5,320	Portland	\$76,517
Cuney	\$606	Post	\$2,332
Cushing	\$1,120	Post Oak Bend City	\$1,034
Cut and Shoot	\$2,141	Poteet	\$6,767
DISH	\$19	Poth	\$3,974
Daingerfield	\$12,476	Potter County	\$371,701
Daisetta	\$5,370	Pottsboro	\$12,302
Dalhart	\$11,609	Powell	\$110
Dallam County	\$21,686	Poynor	\$1,180
Dallas County	\$8,538,291	Prairie View	\$7,600
Dallas	\$2,999,902	Premont	\$3,321
Dalworthington Gardens	\$6,060	Presidio	\$148
Danbury	\$4,231	Presidio County	\$787
Darrouzett	\$101	Primera	\$2,958
Dawson	\$600	Princeton	\$19,245
Dawson County	\$46,911	Progreso	\$8,072
Dayton	\$47,122	Progreso Lakes	\$39
Dayton Lakes	\$38	Prosper	\$22,770
De Kalb	\$1,035	Providence Village	\$508
De Leon	\$8,218	Putnam	\$14
De Witt County	\$68,895	Pyote	\$22
DeCordova	\$13,778	Quanah	\$207
DeSoto	\$72,400	Queen City	\$4,837
Deaf Smith County	\$34,532	Quinlan	\$7,304
Dean	\$141	Quintana	\$492
Decatur	\$56,669	Quitaque	\$8
Deer Park	\$49,388	Quitman	\$15,619
Del Rio	\$59,056	Rains County	\$53,190
Dell City	\$15	Ralls	\$3,967
Delta County	\$30,584	Rancho Viejo	\$3,836
Denison	\$210,426	Randall County	\$278,126
Denton	\$458,334	Ranger	\$12,186
Denton County	\$1,132,298	Rankin	\$1,613
Denver City	\$2,104	Ransom Canyon	\$930
Deport	\$42	Ravenna	\$685
Detroit	\$965	Raymondville	\$7,466
Devers	\$191	Reagan County	\$25,215

Devine	\$4,354	Real County	\$5,073
Diboll	\$25,533	Red Lick	\$23
Dickens	\$71	Red Oak	\$26,843
Dickens County	\$1,873	Red River County	\$29,306
Dickinson	\$83,683	Redwater	\$1,058
Dilley	\$2,633	Reeves County	\$103,350
Dimmit County	\$33,294	Refugio	\$8,839
Dimmitt	\$1,012	Refugio County	\$46,216
Dodd City	\$1,211	Reklaw	\$1,136
Dodson	\$447	Reno	\$3,791
Domino	\$196	Reno	\$11,164
Donley County	\$22,370	Retreat	\$52
Donna	\$13,798	Rhome	\$12,285
Dorchester	\$231	Rice	\$1,972
Double Oak	\$4,765	Richardson	\$260,315
Douglassville	\$574	Richland	\$210
Dripping Springs	\$811	Richland Hills	\$24,438
Driscoll	\$39	Richland Springs	\$2,234
Dublin	\$14,478	Richmond	\$77,606
Dumas	\$26,229	Richwood	\$12,112
Duncanville	\$58,328	Riesel	\$1,118
Duval County	\$49,109	Rio Bravo	\$8,548
Eagle Lake	\$4,882	Rio Grande City	\$25,947
Eagle Pass	\$56,005	Rio Hondo	\$3,550
Early	\$14,838	Rio Vista	\$4,419
Earth	\$242	Rising Star	\$1,933
East Bernard	\$5,554	River Oaks	\$11,917
East Mountain	\$2,494	Riverside	\$858
East Tawakoni	\$2,723	Roanoke	\$275
Eastland	\$15,896	Roaring Springs	\$461
Eastland County	\$52,275	Robert Lee	\$85
Easton	\$329	Roberts County	\$547
Ector	\$1,108	Robertson County	\$44,642
Ector County	\$480,000	Robinson	\$18,002
Edcouch	\$4,101	Robstown	\$40,154
Eden	\$497	Roby	\$428
Edgecliff Village	\$2,232	Rochester	\$674
Edgewood	\$13,154	Rockdale	\$20,973
Edinburg	\$120,884	Rockport	\$54,253
Edmonson	\$136	Rocksprings	\$25

Edna	\$18,194	Rockwall	\$114,308
Edom	\$2,149	Rockwall County	\$168,820
Edwards County	\$975	Rocky Mound	\$280
El Campo	\$31,700	Rogers	\$3,818
El Cenizo	\$621	Rollingwood	\$4,754
El Lago	\$5,604	Roma	\$16,629
El Paso	\$1,224,371	Roman Forest	\$8,610
El Paso County	\$2,592,121	Ropesville	\$2,122
Eldorado	\$50	Roscoe	\$778
Electra	\$15,716	Rose City	\$4,012
Elgin	\$26,284	Rose Hill Acres	\$2,311
Elkhart	\$301	Rosebud	\$1,489
Ellis County	\$315,372	Rosenberg	\$126,593
Elmendorf	\$746	Ross	\$147
Elsa	\$7,720	Rosser	\$549
Emhouse	\$83	Rotan	\$1,493
Emory	\$3,878	Round Mountain	\$454
Enchanted Oaks	\$1,299	Round Rock	\$475,992
Encinal	\$1,515	Round Top	\$140
Ennis	\$81,839	Rowlett	\$99,963
Erath County	\$102,616	Roxton	\$47
Escobares	\$40	Royse City	\$23,494
Estelline	\$909	Rule	\$800
Eules	\$92,824	Runaway Bay	\$6,931
Eureka	\$334	Runge	\$255
Eustace	\$2,089	Runnels County	\$33,831
Evant	\$2,068	Rusk	\$17,991
Everman	\$7,692	Rusk County	\$151,390
Fair Oaks Ranch	\$8,077	Sabinal	\$1,811
Fairchilds	\$81	Sabine County	\$46,479
Fairfield	\$1,245	Sachse	\$23,400
Fairview	\$32,245	Sadler	\$925
Falfurrias	\$2,221	Saginaw	\$31,973
Falls City	\$41	Salado	\$3,210
Falls County	\$34,522	San Angelo	\$536,509
Fannin County	\$131,653	San Antonio	\$4,365,416
Farmers Branch	\$94,532	San Augustine	\$25,182
Farmersville	\$10,532	San Augustine County	\$37,854
Farwell	\$343	San Benito	\$40,015
Fate	\$3,473	San Diego	\$11,771

Fayette County	\$92,440	San Elizario	\$7,831
Fayetteville	\$391	San Felipe	\$1,498
Ferris	\$13,873	San Jacinto County	\$197,398
Fisher County	\$5,518	San Juan	\$28,845
Flatonia	\$5,661	San Leanna	\$36
Florence	\$3,949	San Marcos	\$325,688
Floresville	\$21,699	San Patricio	\$4,213
Flower Mound	\$215,256	San Patricio County	\$271,916
Floyd County	\$9,049	San Perlita	\$2,219
Floydada	\$6,357	San Saba	\$10,057
Foard County	\$5,764	San Saba County	\$17,562
Follett	\$212	Sanctuary	\$17
Forest Hill	\$26,132	Sandy Oaks	\$9,863
Forney	\$80,112	Sandy Point	\$1,637
Forsan	\$576	Sanford	\$308
Fort Bend County	\$1,506,719	Sanger	\$22,237
Fort Stockton	\$4,411	Sansom Park	\$223
Fort Worth	\$2,120,790	Santa Anna	\$329
Franklin	\$3,931	Santa Clara	\$87
Franklin County	\$25,783	Santa Fe	\$33,272
Frankston	\$274	Santa Rosa	\$2,138
Fredericksburg	\$56,486	Savoy	\$2,349
Freeport	\$72,973	Schertz	\$60,110
Freer	\$3,271	Schleicher County	\$5,695
Freestone County	\$50,495	Schulenburg	\$2,560
Friendswood	\$140,330	Scotland	\$148
Frio County	\$19,954	Scottsville	\$708
Friona	\$2,848	Scurry	\$1,110
Frisco	\$405,309	Scurry County	\$73,116
Fritch	\$4,548	Seabrook	\$30,270
Frost	\$321	Seadrift	\$991
Fruitvale	\$2,344	Seagoville	\$17,106
Fulshear	\$5,272	Seagraves	\$7,531
Fulton	\$1,602	Sealy	\$20,637
Gaines County	\$54,347	Seguin	\$376,538
Gainesville	\$153,980	Selma	\$22,429
Galena Park	\$13,093	Seminole	\$16,092
Gallatin	\$1,253	Seven Oaks	\$3,917
Galveston	\$488,187	Seven Points	\$7,452
Galveston County	\$1,124,093	Seymour	\$14,218

Ganado	\$5,510	Shackelford County	\$1,288
Garden Ridge	\$11,351	Shady Shores	\$594
Garland	\$420,244	Shallowater	\$1,907
Garrett	\$2,510	Shamrock	\$4,328
Garrison	\$3,555	Shavano Park	\$3,178
Gary City	\$450	Shelby County	\$109,925
Garza County	\$8,944	Shenandoah	\$47,122
Gatesville	\$26,994	Shepherd	\$147
George West	\$6,207	Sherman	\$330,585
Georgetown	\$225,896	Sherman County	\$7,930
Gholson	\$1,505	Shiner	\$4,042
Giddings	\$12,674	Shoreacres	\$958
Gillespie County	\$63,191	Silsbee	\$66,442
Gilmer	\$33,951	Silverton	\$14
Gladewater	\$24,638	Simonton	\$1,906
Glasscock County	\$1,000	Sinton	\$23,658
Glen Rose	\$540	Skellytown	\$400
Glenn Heights	\$16,593	Slaton	\$154
Godley	\$3,115	Smiley	\$655
Goldsmith	\$677	Smith County	\$758,961
Goldthwaite	\$1,225	Smithville	\$17,009
Goliad	\$3,563	Smyer	\$300
Goliad County	\$34,660	Snook	\$1,422
Golinda	\$100	Snyder	\$9,018
Gonzales	\$14,882	Socorro	\$11,125
Gonzales County	\$33,230	Somerset	\$1,527
Goodlow	\$221	Somervell County	\$57,076
Goodrich	\$9,643	Somerville	\$3,806
Gordon	\$365	Sonora	\$7,337
Goree	\$749	Sour Lake	\$17,856
Gorman	\$3,107	South Houston	\$25,620
Graford	\$23	South Mountain	\$154
Graham	\$235,428	South Padre Island	\$30,629
Granbury	\$71,735	Southlake	\$70,846
Grand Prairie	\$445,439	Southmayd	\$7,096
Grand Saline	\$36,413	Southside Place	\$885
Grandfalls	\$65	Spearman	\$14,000
Grandview	\$6,600	Splendora	\$7,756
Granger	\$2,741	Spofford	\$7
Granite Shoals	\$11,834	Spring Valley Village	\$16,404

Granjeno	\$43	Springlake	\$3
Grapeland	\$7,287	Springtown	\$14,244
Grapevine	\$129,195	Spur	\$427
Gray County	\$65,884	St. Hedwig	\$111
Grays Prairie	\$17	St. Jo	\$7,360
Grayson County	\$539,083	St. Paul	\$21
Greenville	\$203,112	Stafford	\$75,145
Gregg County	\$243,744	Stagecoach	\$3,036
Gregory	\$4,697	Stamford	\$398
Grey Forest	\$474	Stanton	\$3,838
Grimes County	\$94,878	Staples	\$19
Groesbeck	\$5,745	Star Harbor	\$151
Groom	\$965	Starr County	\$99,896
Groves	\$40,752	Stephens County	\$35,244
Groveton	\$8,827	Stephenville	\$83,472
Gruver	\$1,166	Sterling City	\$62
Guadalupe County	\$146,824	Sterling County	\$939
Gun Barrel City	\$36,302	Stinnett	\$4,097
Gunter	\$4,609	Stockdale	\$741
Gustine	\$34	Stonewall County	\$1,822
Hackberry	\$94	Stratford	\$8,378
Hale Center	\$6,042	Strawn	\$987
Hale County	\$79,150	Streetman	\$5
Hall County	\$8,933	Sudan	\$32
Hallettsville	\$6,895	Sugar Land	\$321,561
Hallsburg	\$272	Sullivan City	\$6,121
Hallsville	\$10,239	Sulphur Springs	\$124,603
Haltom City	\$71,800	Sun Valley	\$4
Hamilton	\$3,581	Sundown	\$2,592
Hamilton County	\$66,357	Sunnyvale	\$3,248
Hamlin	\$4,656	Sunray	\$2,571
Hansford County	\$16,416	Sunrise Beach Village	\$2,083
Happy	\$327	Sunset Valley	\$9,425
Hardeman County	\$15,219	Surfside Beach	\$6,530
Hardin	\$100	Sutton County	\$6,541
Hardin County	\$379,800	Sweeny	\$4,503
Harker Heights	\$113,681	Sweetwater	\$68,248
Harlingen	\$165,429	Swisher County	\$7,251
Harris County	\$14,966,202	Taft	\$5,861
Harrison County	\$185,910	Tahoka	\$430

Hart	\$86	Talco	\$372
Hartley County	\$786	Talty	\$9,124
Haskell	\$10,829	Tarrant County	\$6,171,159
Haskell County	\$22,011	Tatum	\$972
Haslet	\$1,908	Taylor	\$57,945
Hawk Cove	\$674	Taylor County	\$351,078
Hawkins	\$7,932	Taylor Lake Village	\$412
Hawley	\$931	Taylor Landing	\$153
Hays	\$506	Teague	\$1,714
Hays County	\$529,489	Tehuacana	\$12
Hearne	\$16,824	Temple	\$280,747
Heath	\$28,751	Tenaha	\$4,718
Hebron	\$687	Terrell	\$148,706
Hedley	\$70	Terrell County	\$5,737
Hedwig Village	\$13,067	Terrell Hills	\$9,858
Helotes	\$15,790	Terry County	\$25,423
Hemphill	\$8,035	Texarkana	\$192,094
Hemphill County	\$14,394	Texas City	\$298,702
Hempstead	\$21,240	Texhoma	\$156
Henderson	\$59,966	Texline	\$865
Henderson County	\$327,965	The Colony	\$114,297
Henrietta	\$2,720	The Hills	\$1,004
Hereford	\$20,423	Thompsons	\$1,897
Hewitt	\$19,776	Thorndale	\$1,595
Hickory Creek	\$16,510	Thornton	\$270
Hico	\$5,534	Thorntonville	\$87
Hidalgo	\$26,621	Thrall	\$825
Hidalgo County	\$1,253,103	Three Rivers	\$4,669
Hideaway	\$922	Throckmorton	\$29
Higgins	\$43	Throckmorton County	\$5,695
Highland Haven	\$320	Tiki Island	\$2,178
Highland Park	\$43,383	Timbercreek Canyon	\$369
Highland Village	\$50,315	Timpson	\$12,642
Hill Country Village	\$6,485	Tioga	\$2,390
Hill County	\$127,477	Tira	\$185
Hillcrest	\$5,345	Titus County	\$70,611
Hillsboro	\$46,609	Toco	\$4
Hilshire Village	\$859	Todd Mission	\$1,680
Hitchcock	\$28,796	Tolar	\$2,369
Hockley County	\$46,407	Tom Bean	\$2,293

Holiday Lakes	\$1,795	Tom Green County	\$282,427
Holland	\$77	Tomball	\$34,620
Holliday	\$5,910	Tool	\$14,787
Hollywood Park	\$9,424	Toyah	\$40
Hondo	\$115,288	Travis County	\$4,703,473
Honey Grove	\$7,196	Trent	\$63
Hood County	\$292,105	Trenton	\$3,089
Hooks	\$2,702	Trinidad	\$5,859
Hopkins County	\$149,518	Trinity	\$23,652
Horizon City	\$7,520	Trinity County	\$105,766
Horseshoe Bay	\$48,173	Trophy Club	\$29,370
Houston County	\$78,648	Troup	\$7,918
Houston	\$7,021,793	Troy	\$5,320
Howard County	\$89,330	Tulia	\$8,911
Howardwick	\$84	Turkey	\$737
Howe	\$9,177	Tuscola	\$138
Hubbard	\$3,635	Tye	\$1,766
Hudson	\$6,840	Tyler	\$723,829
Hudson Oaks	\$15,637	Tyler County	\$131,743
Hudspeth County	\$985	Uhland	\$1,545
Hughes Springs	\$4,442	Uncertain	\$185
Humble	\$73,952	Union Grove	\$994
Hunt County	\$309,851	Union Valley	\$666
Hunters Creek Village	\$14,708	Universal City	\$28,428
Huntington	\$8,792	University Park	\$50,833
Huntsville	\$80,373	Upshur County	\$128,300
Hurst	\$99,187	Upton County	\$8,499
Hutchins	\$9,551	Uvalde	\$18,439
Hutchinson County	\$74,630	Uvalde County	\$36,244
Hutto	\$38,346	Val Verde County	\$117,815
Huxley	\$738	Valentine	\$207
Idalou	\$1,999	Valley Mills	\$2,228
Impact	\$8	Valley View	\$1,824
Indian Lake	\$473	Van	\$6,206
Industry	\$604	Van Alstyne	\$43,749
Ingleside on the Bay	\$142	Van Horn	\$211
Ingleside	\$40,487	Van Zandt County	\$248,747
Ingram	\$5,243	Vega	\$974
Iola	\$3,164	Venus	\$9,792
Iowa Colony	\$4,090	Vernon	\$81,337

Iowa Park	\$23,487	Victoria	\$84,598
Iraan	\$56	Victoria County	\$520,886
Iredell	\$216	Vidor	\$95,620
Irion County	\$9,105	Vinton	\$622
Irving	\$427,818	Volente	\$333
Italy	\$5,349	Von Ormy	\$513
Itasca	\$8,694	Waco	\$512,007
Ivanhoe	\$26	Waelder	\$3,427
Jacinto City	\$14,141	Wake Village	\$174
Jack County	\$14,799	Walker County	\$184,624
Jacksboro	\$23,254	Waller County	\$126,206
Jackson County	\$37,984	Waller	\$11,295
Jacksonville	\$80,179	Wallis	\$2,698
Jamaica Beach	\$4,913	Walnut Springs	\$183
Jarrell	\$2,423	Ward County	\$67,920
Jasper	\$78,422	Warren City	\$66
Jasper County	\$248,855	Washington County	\$83,727
Jayton	\$63	Waskom	\$5,346
Jeff Davis County	\$8,500	Watauga	\$33,216
Jefferson	\$11,194	Waxahachie	\$152,094
Jefferson County	\$756,614	Weatherford	\$207,872
Jersey Village	\$36,347	Webb County	\$505,304
Jewett	\$9,338	Webberville	\$1,280
Jim Hogg County	\$12,718	Webster	\$53,202
Jim Wells County	\$166,539	Weimar	\$5,830
Joaquin	\$810	Weinert	\$234
Johnson City	\$3,581	Weir	\$443
Johnson County	\$408,692	Wellington	\$9,111
Jolly	\$26	Wellman	\$383
Jones County	\$22,001	Wells	\$1,357
Jones Creek	\$5,078	Weslaco	\$73,949
Jonestown	\$6,419	West	\$3,522
Josephine	\$881	West Columbia	\$17,958
Joshua	\$20,619	West Lake Hills	\$17,056
Jourdanton	\$9,600	West Orange	\$42,452
Junction	\$4,825	West Tawakoni	\$6,995
Justin	\$8,575	West University Place	\$34,672
Karnes City	\$11,632	Westbrook	\$43
Karnes County	\$35,249	Westlake	\$41,540
Katy	\$52,467	Weston	\$266

Kaufman	\$27,607	Weston Lakes	\$189
Kaufman County	\$353,047	Westover Hills	\$4,509
Keene	\$38,296	Westworth Village	\$7,842
Keller	\$79,189	Wharton	\$31,700
Kemah	\$28,325	Wharton County	\$72,887
Kemp	\$6,419	Wheeler	\$447
Kempner	\$330	Wheeler County	\$26,273
Kendall County	\$100,643	White Deer	\$1,273
Kendleton	\$13	White Oak	\$15,305
Kenedy	\$676	White Settlement	\$23,304
Kenedy County	\$1,000	Whiteface	\$155
Kenefick	\$416	Whitehouse	\$29,017
Kennard	\$132	Whitesboro	\$18,932
Kennedale	\$21,024	Whitewright	\$7,098
Kent County	\$939	Whitney	\$73
Kerens	\$1,924	Wichita County	\$552,371
Kermit	\$5,652	Wichita Falls	\$832,574
Kerr County	\$218,452	Wickett	\$87
Kerrville	\$190,357	Wilbarger County	\$55,124
Kilgore	\$105,583	Willacy County	\$24,581
Killeen	\$535,650	Williamson County	\$1,195,987
Kimble County	\$20,480	Willis	\$24,384
King County	\$1,000	Willow Park	\$26,737
Kingsville	\$20,083	Wills Point	\$43,765
Kinney County	\$2,142	Wilmer	\$426
Kirby	\$8,752	Wilson	\$12
Kirbyville	\$10,690	Wilson County	\$121,034
Kirvin	\$2	Wimberley	\$724
Kleberg County	\$124,109	Windercrest	\$12,908
Knollwood	\$1,160	Windom	\$1,087
Knox City	\$1,962	Windthorst	\$3,385
Knox County	\$11,730	Winfield	\$290
Kosse	\$2,468	Wink	\$120
Kountze	\$19,716	Winkler County	\$61,163
Kress	\$186	Winnssboro	\$28,791
Krugerville	\$1,508	Winona	\$319
Krum	\$9,661	Winters	\$6,229
Kurten	\$686	Wise County	\$289,074
Kyle	\$51,835	Wixon Valley	\$441
La Feria	\$10,381	Wolfe City	\$5,466

La Grange	\$9,623	Wolfforth	\$4,022
La Grulla	\$1,708	Wood County	\$267,048
La Joya	\$8,457	Woodbranch	\$9,617
La Marque	\$98,930	Woodcreek	\$358
La Porte	\$91,532	Woodloch	\$1,012
La Salle County	\$14,975	Woodsboro	\$1,130
La Vernia	\$3,217	Woodson	\$122
La Villa	\$572	Woodville	\$20,340
La Ward	\$321	Woodway	\$25,713
LaCoste	\$159	Wortham	\$376
Lacy-Lakeview	\$11,599	Wylie	\$114,708
Ladonia	\$2,011	Yantis	\$2,072
Lago Vista	\$13,768	Yoakum County	\$34,924
Laguna Vista	\$3,689	Yoakum	\$20,210
Lake Bridgeport	\$232	Yorktown	\$5,447
Lake City	\$2,918	Young County	\$44,120
Lake Dallas	\$25,314	Zapata County	\$56,480
Lake Jackson	\$75,781	Zavala County	\$38,147
Lake Tanglewood	\$613	Zavalla	\$1,088
Lake Worth	\$20,051		

EXHIBIT C

Exhibit C: TX Opioid Council & Health Care Region Allocations plus Administrative Costs
70% of Total (\$700 million)

Health Care Region Allocation*: \$693 million; Administrative Costs: \$7 million		
Region	Counties in Health Care Region	Allocation
1	Anderson, Bowie, Camp, Cass, Cherokee, Delta, Fannin, Franklin, Freestone, Gregg, Harrison, Henderson, Hopkins, Houston, Hunt, Lamar, Marion, Morris, Panola, Rains, Red, River, Rusk, Smith, Titus, Trinity, Upshur, Van, Zandt, Wood	\$38,223,336
2	Angelina, Brazoria, Galveston, Hardin, Jasper, Jefferson, Liberty, Nacogdoches, Newton, Orange, Polk, Sabine, San Augustine, San Jacinto, Shelby, Tyler	\$54,149,215
3	Austin, Calhoun, Chambers, Colorado, Fort Bend, Harris, Matagorda, Waller, Wharton	\$120,965,680
4	Aransas, Bee, Brooks, De Witt, Duval, Goliad, Gonzales, Jackson, Jim Wells, Karnes, Kenedy, Kleberg, Lavaca, Live Oak, Nueces, Refugio, San Patricio, Victoria	\$27,047,477
5	Cameron, Hidalgo, Starr, Willacy	\$17,619,875
6	Atascosa, Bandera, Bexar, Comal, Dimmit, Edwards, Frio, Gillespie, Guadalupe, Kendall, Kerr, Kinney, La Salle, McMullen, Medina, Real, Uvalde, Val Verde, Wilson, Zavala	\$68,228,047
7	Bastrop, Caldwell, Fayette, Hays, Lee, Travis	\$50,489,691
8	Bell, Blanco, Burnet, Lampasas, Llano, Milam, Mills, San Saba, Williamson	\$24,220,521
9	Dallas, Kaufman	\$66,492,094
10	Ellis, Erath, Hood, Johnson, Navarro, Parker, Somervell, Tarrant, Wise	\$65,538,414
11	Brown, Callahan, Comanche, Eastland, Fisher, Haskell, Jones, Knox, Mitchell, Nolan, Palo Pinto, Shackelford, Stephens, Stonewall, Taylor	\$9,509,818
12	Armstrong, Bailey, Borden, Briscoe, Carson, Castro, Childress, Cochran, Collingsworth, Cottle, Crosby, Dallam, Dawson, Deaf Smith, Dickens, Donley, Floyd, Gaines, Garza, Gray, Hale, Hall, Hansford, Hartley, Hemphill, Hockley, Hutchinson, Kent, King, Lamb, Lipscomb, Lubbock, Lynn, Moore, Motley, Ochiltrie, Oldham, Parmer, Potter, Randall, Roberts, Scurry, Sherman, Swisher, Terry, Wheeler, Yoakum	\$23,498,027
13	Coke, Coleman, Concho, Crockett, Irion, Kimble, Mason, McCulloch, Menard, Pecos, Reagan, Runnels, Schleicher, Sterling, Sutton, Terrell, Tom Green	\$5,195,605
14	Andrews, Brewster, Crane, Culberson, Ector, Glasscock, Howard, Jeff Davis, Loving, Martin, Midland, Presidio, Reeves, Upton, Ward, Winkler	\$12,124,354
15	El Paso, Hudspeth	\$17,994,285
16	Bosque, Coryell, Falls, Hamilton, Hill, Limestone, McLennan	\$9,452,018
17	Brazos, Burleson, Grimes, Leon, Madison, Montgomery, Robertson, Walker, Washington	\$23,042,947
18	Collin, Denton, Grayson, Rockwall	\$39,787,684
19	Archer, Baylor, Clay, Cooke, Foard, Hardeman, Jack, Montague, Throckmorton, Wichita, Wilbarger, Young	\$12,665,268
20	Jim Hogg, Maverick, Webb, Zapata	\$6,755,656
	Administrative Costs	\$7,000,000

* Each Region shall reserve 25% of its allocation for Targeted Funds under the guidelines of Exhibit A.

COMMUNICATION

SUBJECT: Consider request of AECOM for approval of Task Orders No. 3 and No. 4, in the total amount of \$251,720.00, for the following Scope of Work: Presenter is Jody Weaver

INFORMATION:

Task Order No. 3 is for City's Water Supply: Rehabilitate the existing 250,000 gallon Ground Storage Tank (GST) at George St and develop construction documents for a new High Service Pump Station. Construction phase services are included; and

Task Order No. 4 is for City's Lynn's Bayou WWTP Improvements: Develop construction documents for the immediate needs identified in the Lynn's Bayou WWTP condition assessment including pump replacement, new blowers, and a new blower building. Evaluate influent flow data to confirm if the surface loading rate of the secondary clarifier meets the TCEQ 2-hour peak requirement.

CITY OF PORT LAVACA

COUNCIL MEETING: DECEMBER 13, 2021**AGENDA ITEM __****DATE:** 12.09.2021**TO:** HONORABLE MAYOR AND CITY COUNCIL MEMBERS**FROM:** JODY WEAVER, INTERIM CITY MANAGER**SUBJECT: NEXT STEPS FOR CITY'S WATER SUPPLY STUDY AND WWTP IMPROVEMENTS – AECOM TASK ORDERS 3 AND 4**

FINANCIAL IMPLICATIONS:

At the Special meeting in November, AECOM presented their final report for the City's Water Supply Feasibility Study and the WWTP expansion.

In order to keep progress moving forward on both the Water Supply needs and the required improvements to the Wastewater Treatment Plant, AECOM has prepared Task Orders 3 and 4 as "next steps" for Council consideration.

Task 3 is to prepare bid documents and construction phase support to rehabilitate the 250,000 gpm ground storage tank and construct a new High Service Pump Station at George Street. This will bring us into compliance with TCEQ for required water storage.

Task 4 is to prepare bid documents and construction phase support to address the "immediate needs" identified in the WWTP condition assessment, including pump replacement, new blowers and a new blower building. This will be a first step in the ultimate TCEQ requirement to expand the capacity of the plant.

The total estimated cost for both engineering Task Orders is \$251,720.00. There are funds available in the Public Utility Fund Reserves to fund this. As far as the funds available for the preliminary estimate of \$3M for construction, we will have approximately \$2M for the American Recovery Act grant funds, but the remainder will need to be financed. Once we have good engineering estimates, we will begin looking at financing options to pay for the construction.

Exhibit A

City of Port Lavaca

Water Systems Planning and Lynn's Bayou Wastewater Treatment Plant Expansion

Tasks 3 and 4

6 December 2021

Reference:

RN101612893

City of Port Lavaca - Water Systems Planning and Lynn's Bayou Wastewater Treatment Plant Expansion - Engineering Scope of Services

Introduction:

The AECOM team appreciates the opportunity to work with the City of Port Lavaca (City) on these challenging and important projects. The City is requiring engineering services to assist in the assessment of the existing water supply and distribution systems, the expansion of the Lynn's Bayou Wastewater Treatment Plant, and planning for future upgrades and expansion of the water and wastewater system to manage future growth.

AECOM completed two initial task orders considered as part of the Professional Services Agreement (PSA) as described below:

- 1) City's Water Supply Feasibility Study: Assess the City's current water supply and evaluate options for additional sources of water for future growth and a secondary source.
- 2) City's Lynn's Bayou Wastewater Treatment Plant (WWTP) expansion: Assess the condition of the existing WWTP and develop a plan for engineering study/design to expand the plant to accommodate for future growth as per TCEQ requirements.

Based on recommendations from the above-referenced task orders, AECOM will begin next steps to secure additional sources of water in accordance with the City's Water Feasibility Study and address some high priority issues identified during the condition assessment conducted at Lynn's Bayou WWTP.

Scope of Work (SOW):

The proposed scope of services for this work authorization includes the following tasks:

- 3) City's Water Supply: Rehabilitate the existing 250,000 gallon Ground Storage Tank (GST) at George St and develop construction documents for a new High Service Pump Station. Construction phase services are included.
- 4) City's Lynn's Bayou WWTP Improvements: Develop construction documents for the immediate needs identified in the Lynn's Bayou WWTP condition assessment including pump replacement, new blowers, and a new blower building. Evaluate influent flow data to confirm if the surface loading rate of the secondary clarifier meets the TCEQ 2-hour peak requirement.

1. Project Management and Coordination

This task includes the following project management meetings, project management deliverables and project coordination activities for Task Orders 3 and 4:

- 1.1. Project Manager and select staff participation in the project kick-off meeting (one combined meeting for both task orders). The objectives of the kickoff meeting will include aligning project team with the City's expectations on the project scope, establishing lines of communication, and confirming staff roles and responsibilities. The kick-off meeting will be conducted via a virtual video conference program (such as Microsoft Teams or Zoom).
- 1.2. Project Manager and select staff participation in project progress conference calls (maximum of six conference calls for both task orders) to provide progress update and facilitate general project coordination, communication with City staff, and other stakeholders for the project duration.
- 1.3. Preparation and maintenance of a schedule, progress and financial status report updated and submitted monthly through the end of both task orders.
- 1.4. Preparation and maintenance of health and safety plan (for field activities), project schedule, monthly progress reporting and invoicing.
- 1.5. General Project Management activities including providing day-to-day coordination of activities, subconsultant coordination, and providing project control (cost & schedule – plan vs. actual).

2. City's Water Supply Feasibility Study:

City of Port Lavaca is contracted with the Guadalupe-Blanco River Authority (GBRA) to purchase its water from the Water Treatment Plant (WTP) located seven miles outside the City of Port Lavaca. The raw water source for the treated drinking water is provided by the diversion of water from the Guadalupe River near Tivoli by GBRA's Calhoun Canal System, utilizing water rights permits issued to GBRA by the State of Texas. The contract with GBRA has been in place since the late 1960's, prior to which, the City owned and operated its own waterworks system with the City's entire water supplied by wells (7 wells in total at the time) situated near the City. The wells have since been abandoned after the City began purchasing treated water from GBRA. AECOM evaluated the wells as part of Task Order 1 and determined that they could not be rehabilitated and should be permanently abandoned.

The quantity of water delivered to Port Lavaca under the GBRA Water Supply contract is limited to a maximum flow per day of 3.6 MGD, for any calendar year. Port Lavaca's projected demand will reach the contract limit by approximately 2030. AECOM identified potential well sites at City property located at George Street, Tilley Park, and Village Road and recommends that the first well field be developed at George Street and Tilley Park.

Currently the City of Port Lavaca does not meet the TCEQ potable water storage requirement, based on the number of connections to the water system. Rehabilitation of the existing George Street GST will allow CPL to become compliant with the regulations. A new high service pump station (HSPS) is required, as the GST has been out of service for over 15 years. Both activities will require TCEQ approval prior to construction. These tasks are further described in the scope elements below.

2.1. Rehabilitation of Ground Storage Tank

This task includes a pre- and post-rehabilitation inspection and site visit, preparation of a performance specification and bid documents, and construction-phase support. Plan submittal to the TCEQ is covered in Task 2.3.

2.1.1. Pre- and Post- Rehabilitation Inspection:

2.1.1.1. Conduct pre-rehabilitation inspection and provide report that prioritizes repairs.

2.1.1.2. Identify required repairs and finalize report.

2.1.1.3. After completion of rehabilitation, conduct post-inspection.

2.1.2. Preparation of Construction Bid Documents

2.1.2.1. Develop performance specification for tank painting and coating; develop technical specifications for identified repairs, summary of work, and bid form.

2.1.2.2. Develop plans for tank rehabilitation including:

- Cover sheet
- General Notes
- Site Plan
- Inspection Photographs, identifying repairs and scope (2 sheets)
- Repair Details (1 sheet)
- Ground Storage Tank Plans, Sections and Details (as-builts to be provided by CPL for information only)

2.1.3 Construction Phase Services

2.1.3.1 Attend construction pre-bid meeting.

2.1.3.2 Provide technical bid evaluation and make recommendation to CPL.

2.1.3.3 Review up to four submittals and respond to up to four Requests for Information (RFIs).

2.1.3.4 Attend substantial completion site walk and identify punch-list items.

2.2. New High Service Pump Station

This task involves the design of a high service pump station (HSPS) consisting of two-250 gpm pumps, interconnecting piping to the GST, housekeeping pads, and a small shed to protect the pumps and instrumentation (local control panel). Plan submittal to the TCEQ is covered in Task 2.3.

2.2.1. Preliminary Engineering

2.2.1.1 Develop pump curve and horsepower requirements for two, 250-gpm pumps.
Develop list of recommended manufacturers.

2.2.1.2 Identify power source and redline single-line diagram.

2.2.1.3 Develop preliminary site map and identify tie-points and new tank nozzle location.
Sketch pump enclosure.

2.2.1.4 Engineer's probably opinion of cost (assumed to be Class IV estimate in accordance with AACE- see Section 4 below).

2.2.1.5 Prepare draft and final preliminary engineering report.

2.2.2.Final Design

2.2.2.1. Prepare 60 and 90 percent drawings for the new High Service Pump Station.
Drawings are anticipated to include the following:

- Cover Sheet
- General Notes
- Site Plan
- Mechanical Plan/Sections (1 sheet)
- Piping and Connection Layout (1 sheet)
- Structural Elevations and Sections for Enclosure
- Structural Details (housekeeping pads, enclosure supports)
- Electrical Site Plan (with installation notes)
- Single Line Diagram

2.2.2.2. Develop project manual including summary of work, bid form, and technical specifications for 60 and 90 percent review.

2.2.2.3. Provide an updated Class 4 cost estimate in accordance with AACE guidelines at 90 percent review.

2.3 TCEQ Submittal

Submit GST Rehabilitation and New High Service Pump Station Construction Packages to TCEQ for review and approval. Review time for initial TCEQ submittal averages 60 days. The Water Storage Tank Checklist will include information on the distribution system including minimum capacity requirements and fire flows.

2.2.3.Submit Plan Checklist, GST Rehabilitation Package (including as-built drawings), Water Storage Tank Checklist and attachments, Engineering Report for High Service Pump Station, and High Service Pump Station Package to the TCEQ for review and approval.

2.2.4.Address TCEQ comments and resubmit, as required.

3. City's Lynn's Bayou Wastewater Treatment Plant (WWTP) Expansion

Port Lavaca is authorized to treat and discharge domestic wastewater via the Lynn's Bayou WWTP (Permit WQ0010251001). The WWTP, centrally located in the community, was constructed in 1982 and is permitted for 2 MGD average daily flow and a 2-hour peak flow of 5,319 GPM. Currently, the average daily flow to this plant has reached 75% of the WWTP rated capacity for three consecutive months and as such has triggered TCEQ's requirement for the initiation of engineering and financial planning for an expansion of the wastewater treatment plant. It is also understood that during heavy rains the wet weather flows can be quite significant although a decrease in wet weather flows has been observed over a multi-year period as a result of the sewer line rehabilitation and replacement program. The permit discharge limitations are shown in the table below.

Effluent Characteristic	Discharge Limitations				Min. Self-Monitoring Requirements	
	Daily Avg mg/l (lbs/day)	7-day Avg mg/l	Daily Max mg/l	Single Grab mg/l	Report Daily Avg. & Daily Max. Measurement Frequency	Sample Type
Flow, MGD	Report	N/A	Report	N/A	Continuous	Totalizing Meter
Biochemical Oxygen Demand (5-day)	20 (334)	30	45	65	Two/week	Composite
Total Suspended Solids	20 (334)	30	45	65	Two/week	Composite
Total Copper, µg/l	11.10 (0.185)	N/A	23.5	34.4	One/week	Composite
Total Zinc, µg/l	75.19 (1.25)	N/A	159.07	233.1	One/week	Composite
<i>E. coli</i> , CFU or MPN/100 ml	35	N/A	104	N/A	Daily	Grab

AECOM completed a condition assessment and alternatives evaluation in Task 2. Several immediate needs were identified as a result of the condition assessment. These improvements will increase the existing system reliability and compliance with the TCEQ permit. In addition, these improvements will carry forward into the proposed plant expansion (Alternative II in the Wastewater Treatment Plant Expansion Report). The immediate needs include pump replacement, blower replacement, general maintenance of tankage, and an evaluation of secondary clarifier surface loading rates.

3.1. Replace Sludge Drain Lift Station Pumps

This task includes the sizing of a replacement pump to provide system redundancy, development of a procurement package and installation drawings to facilitate installation of the sludge drain lift station pump. One site visit will be made during this task to identify pipe routing and electrical conduit routing for wastewater tasks identified in 3.1 and 3.3

- 3.1.1. Review existing name-plate data, flows, and confirm design criteria. Work with pump vendor(s) to select replacement sludge drain pumps.
- 3.1.2. Develop pump data sheets, specifications, and process flow diagrams for a procurement package for the sludge drain pump. Procurement package will be submitted for 60% and 90% review.
- 3.1.3. Develop limited installation drawings including a mechanical plan and section with notes and connection callouts, and an updated single line diagram. It is assumed that existing housekeeping pads and electrical wiring can be reused and that no new structural supports are needed. Design drawings will be submitted for 60 and 90 percent review.
- 3.1.4. Provide a Class 4 cost estimate in accordance with AACE guidelines at 90 percent review.

3.2. Maintenance of Aeration Basins and Aerated Digester

This task includes the removal of accumulated silt and grit from the existing aeration basin and aerobic digester and an evaluation of fine bubble diffusers.

- 3.2.1. Estimate the volume of grit in the aeration chambers.
- 3.2.2. Write a performance specification for the removal of sludge and grit from the aeration basins and the aerobic digester. It is assumed that the City will review the performance specification and contract this maintenance activity.

3.3. Centrifugal Blowers and New Blower Building

In this task the AECOM design team will develop a construction package for two new centrifugal blowers and design a new blower building. The new blowers will provide adequate air for current conditions and improved plant operations. The temporary blower building will house the two new blowers and associated electrical equipment and could include space for future expansion.

- 3.3.1. Size two new replacement centrifugal blowers at approximately 2,200 SCFM each to meet current conditions. Include new MCC bucket, conduit, and wiring.
 - 3.3.1.1. Confirm design criteria and work with vendors to select new blowers.
 - 3.3.1.2. Develop blower and VFD data sheets, specifications, and process flow diagrams for a procurement package for the centrifugal blower and VFD. It is assumed that VFD No. 2 can be reused, based on the condition assessment, but this will be confirmed during design. Procurement package will be submitted for 60% and 90% review.
 - 3.3.1.3. Develop design drawings including mechanical plans and sections, piping connections, mechanical details, updated electrical site plan, new single line diagram, section and elevation drawing for new MCC, and electrical details. Design drawings will be submitted for 60, and 90 percent review.

3.3.2. Design new blower building

- Design new blower building to house two replacement centrifugal blowers and an electrical room. Approximate size is 60 feet by 25 feet.
- Building will be prefabricated insulated metal panels on a concrete slab foundation. It is assumed that existing geotechnical data is available; a survey will be required.
- Architectural, civil and structural drawings as well as electrical and HVAC drawings will be prepared for 60 and 90 percent review. It is assumed that ventilation will be provided for the blower space and conditioned air will be provided for the MCC/electrical room.

3.4. Evaluation of Surface Loading Rate

Task includes evaluation of two-years' worth of hourly influent flow data (January 2020 through October 2021) to determine if the surface loading rate of the clarifier meets the TCEQ 2-hour peak requirement of 1,200 gpd/sf. It is AECOM's understanding that the hourly influent data is based on paper circle charts and that data extraction and entry will be required before performing calculations. Summarize findings in a brief technical memorandum and recommendation as to whether or not another secondary clarifier is required for TCEQ compliance with current conditions.

4. Assumptions

- Data identified in this cost proposal is readily available within two weeks of the notice to proceed.
- Conceptual cost estimates completed during these two tasks will be performed in accordance with the AACE standards for a Class 4 Estimate with an expected accuracy of -30% to -15% on the low end and +20% to +50% on the high end.
- Design drawings will be submitted for review at 60 and 90 percent milestones. Specifications will be submitted at 60 and 90 percent milestones.
- It is assumed that the sludge drain lift station pump will be replaced in-kind (same size/no change in electrical requirements).
- It is assumed that the City of Port Lavaca will return review comments within two weeks of a draft submittal.
- Geotechnical data is available for Lynn's Bayou WWTP. A site survey is not available and would be required for the new Blower Building only. If geotechnical data is not available, assume one soil boring with geotechnical engineering report for an allowance of \$5,500. Assume an allowance of \$3,500 for Survey.
- As-built drawings will be used as the background for the site plan and sludge pump replacement.
- As-built drawings are available for the George Street GST, and no survey is required.
- Two-250 gpm pumps are adequate for the proposed High Service Pump Station. There will be no VFDs; adequate power is nearby.
- A new nozzle and interconnecting piping will be required between the GST and HSPS.
- Disinfection of the water supply is provided by GBRA; booster chlorination is not included in this scope of work.

Schedule

Please see milestone schedule below for each task. Construction times are estimated.

Task 3 – George Street GST Rehabilitation and new High Service Pump Station

Milestone/Deliverable	Calendar days from NTP
Pre-rehabilitation Inspection and Data review	14
Prepare GST Rehabilitation Drawings and Specifications; prepare HSPS drawings and specifications	56
City review	70
Prepare TCEQ submittal (60-day review period)	140
Address TCEQ comments and issue final (30-day review period)	170

Task 4 – Lynn's Bayou Wastewater Treatment Plant (WWTP) Immediate Needs

Milestone/Deliverable	Calendar days from NTP
Sludge Drain Lift Station Pumps Design Package (90%) Evaluate Clarifier Surface Loading Rate	28
City Review	42
Finalize Clarifier Surface Loading Rate (Technical Memorandum)	56
Sludge Drain Lift Station Pumps Design Package (Final)	49
Performance specification for Aeration Basin and Aerobic Digester Maintenance	21
City Review (Pump)	63
Construction Package for Centrifugal Blowers and Pre-Fab Blower Building (90%)	56

City Review	70
Construction Package for Centrifugal Blowers and Pre-Fab Blower Building (Final)	84

Fee:

The fee for each task and subtask is summarized below. Project management is shown as a shared task among the water and wastewater work orders to promote efficiencies.

Task	Labor Hours	Labor Cost	Subcontractor*	Expenses	Total
Task 1- Project Management and Coordination	121	\$19,095	\$0	\$500	\$19,595
Task 2 Rehabilitation of GST and New High Service Pump Station	874	\$115,095	\$3,000	\$2,650	\$120,745
2.1 Rehabilitation of GST	231	\$31,375	\$3,000	\$1,450	\$35,825
2.2 New High Service Pump Station	589	\$76,725	\$0	\$950	\$77,675
2.3 TCEQ Submittal	54	\$6,995	\$0	\$100	\$7,095
Task 3- Lynn's Bayou WWTP Expansion- Immediate Needs	804	\$107,280	\$3,500	\$600	\$111,380
3.1 Replace Sludge Transfer and Sludge Drain LS Pumps	121	\$16,855		600	\$17,455
3.2 Maintenance of Aeration Basins and Digestor	18	\$2,440			\$2,440
3.3 Centrifugal Blowers and Blower Shed	608	\$80,380	\$3,500		\$83,880
3.4 Evaluate Surface Loading Rate	57	\$7,605			\$7,605
Total	1,799	\$241,470	\$6,500	\$3,750	\$251,720

If geotechnical data is not available for Lynn's Bayou WWTP, the cost is assumed to be \$5,500 for the blower building, and \$3,500 is included as an allowance for survey of the new blower area.

Please let us know if you have any comments or questions.

Yours sincerely,

A handwritten signature in blue ink that reads "Susan Spore". The signature is fluid and cursive, with the first name "Susan" and last name "Spore" clearly distinguishable.

Susan Spore, PE
Senior Project Manager
AECOM
M: 713-582-5038
E: susan.spore@aecom.com

enclosures: Fee Breakdown, condition assessment data forms, AACE document #

COMMUNICATION

SUBJECT: Consider award of construction bid for the Bauer Community Center Parking Lot project. Presenter is Jody Weaver

INFORMATION:

CITY OF PORT LAVACA

CITY COUNCIL MEETING: DECEMBER 13, 2021

DATE: 12.08.2021
TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS
FROM: JODY WEAVER, INTERIM CITY MANAGER 
SUBJECT: Bauer Community Center Parking Lot Rehabilitation

Refer to the attached Recommendation of Award letter from Urban Engineering.

There is a total of \$269,500 budgeted for this project in the FYE 2022 Capital Improvement Plan.

The Apparent Low Bidder is Sylva Construction with a Base Bid of \$164,165.86. The Base Bid includes a sealcoat similar to that constructed at Bayfront Park. Sylva Construction is still the Low Bidder with the alternate bid which was to apply 1-1/2" of Hot-mix Asphalt (HMAC). Their Alternate bid is \$319,158.10.

The Base Bid is \$105,334.14 below the budgeted funds and the Alternate bid is \$49,658.10 over budget.

Recommendation: Considering the increased positive aesthetics and the added structural integrity that would be available by adding \$50,000 from General Fund reserves to the project budget to provide HMAC, this would be my recommendation.

Note: Below is some of the savings/additional revenue that we have realized to date since adopting the FYE 2022 budget:

Ezzell Street: Gen Fund Budget: \$780,000; \$523,133.25 awarded = \$256,866.75

E. George Street: Budget \$785,000 budgeted; \$627,435.25 awarded = \$157,564.75

Budgeted FYE 2021 Sales Tax \$3,290,000; actual rec'd \$3,566,919 = \$276,919.00

Gen. Fund gain over budget as a result of final FYE 2020 audit

\$200,780 less \$66,130 (depot) less \$41,900 (Bayfront) = \$ 92,750.00

TOTAL potentially available from GF above what was budgeted: \$784,100.50

In January, I will be bringing a Task Order from CivilCorp to begin the design work for the 5th Street drainage project which will require another \$300-\$350K above what was budgeted to construct.



December 8, 2021

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

RE: Recommendation of Award
U.E. Job No. E24146.00
Bauer Community Center Parking Lot Rehabilitation
Port Lavaca, Texas

Dear Ms. Weaver:

On December 7, 2021 at 2:00 p.m., public bids were opened for the Bauer Community Center Parking Lot Rehabilitation. The following bids were received:

Bidder	Total Base Bid	Total Base Bid + Alternate No. 1	Calendar Days to Substantial Completion
Sylva Construction, LLC	\$164,165.86	\$319,158.10	70
Brannan Paving Co., Ltd.	\$166,640.55	\$324,252.55	260
K-C Lease Service, Inc. DBA Matagorda Construction & Materials	\$191,461.80	\$361,000.00	60
LCR Total Transport, LLC	\$209,995.45	\$392,216.45	45
Lester Contracting, Inc.	\$229,528.60	\$410,116.80	90

Sylva Construction, LLC submitted the lowest Bid and stated a completion time of 70 calendar days. I recommend that the contract for the aforementioned project be awarded to Sylva Construction, LLC for the Total Base Bid or the Total Base Bid plus Alternate No. 1, if chosen by the City Council. (See attached Bid Tabulation)

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

Sincerely,

A handwritten signature in blue ink, appearing to read "Matt Glaze", with a long horizontal flourish extending to the right.

Matt A. Glaze, P.E.
Senior Engineer

MAG/dmf

Attachment

BID TABULATION													
CITY OF PORT LAVACA													
BAUER COMMUNITY CENTER PARKING LOT REHABILITATION													
BID DATE: DECEMBER 7, 2021													
				Sylva Construction, LLC		Brannan Paving Co., Ltd.		K-C Lease Service, Inc. DBA Matagorda Construction & Materials		LCR Total Transport, LLC		Lester Contracting, Inc.	
ITEM NO.	DESCRIPTION	ESTIMATED QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
BASE BID													
GENERAL													
1.	Mobilization, Insurance and Bonds (Maximum 5% of Base Bid)	1	LS	\$ 7,800.00	\$ 7,800.00	\$ 8,100.00	\$ 8,100.00	\$ 24,973.60	\$ 24,973.60	\$ 5,000.00	\$ 5,000.00	\$ 10,000.00	\$ 10,000.00
2.	Barricading & Traffic Control (Furnish, Install, Maintain & Remove Signs & Warning Devices) (Includes Flagmen, Traffic Handling & Temporary Striping)	1	LS	\$ 3,000.00	\$ 3,000.00	\$ 20,000.00	\$ 20,000.00	\$ 2,500.00	\$ 2,500.00	\$ 7,000.00	\$ 7,000.00	\$ 7,500.00	\$ 7,500.00
3.	Storm Water Pollution Prevention Plan (Prepare, Implement and Maintain Storm Water Plan and Controls)	1	LS	\$ 2,200.00	\$ 2,200.00	\$ 1,000.00	\$ 1,000.00	\$ 2,000.00	\$ 2,000.00	\$ 2,250.00	\$ 2,250.00	\$ 5,000.00	\$ 5,000.00
SUBTOTAL GENERAL					\$ 13,000.00		\$ 29,100.00		\$ 29,473.60		\$ 14,250.00		\$ 22,500.00
PAVING IMPROVEMENTS													
4.	Pulverize Existing Pavement Section (4" Depth)	10,868	SY	\$ 3.80	\$ 41,298.40	\$ 3.05	\$ 33,147.40	\$ 3.50	\$ 38,038.00	\$ 5.00	\$ 54,340.00	\$ 8.00	\$ 86,944.00
5.	Additional Crushed Concrete (Type D, Grade 1-2 or Grade 3) to Achieve Grade (As Directed by Engineer)	250	TONS	\$ 46.48	\$ 11,620.00	\$ 35.46	\$ 8,865.00	\$ 50.00	\$ 12,500.00	\$ 50.00	\$ 12,500.00	\$ 67.50	\$ 16,875.00
6.	Prime Coat (MC-30)	10,868	SY	\$ 1.15	\$ 12,498.20	\$ 1.00	\$ 10,868.00	\$ 1.30	\$ 14,128.40	\$ 1.50	\$ 16,302.00	\$ 1.35	\$ 14,671.80
7.	Two Course Surface Treatment (AC-15P & PB, GR3 & GR4 Pre-Coated Aggregate)	10,868	SY	\$ 5.32	\$ 57,817.76	\$ 6.00	\$ 65,208.00	\$ 6.35	\$ 69,011.80	\$ 7.90	\$ 85,857.20	\$ 6.35	\$ 69,011.80
8.	Single Course Surface Treatment (AC-15P & PB, GR4 Pre-Coated Aggregate)	1,725	SY	\$ 4.43	\$ 7,641.75	\$ 5.90	\$ 10,177.50	\$ 4.00	\$ 6,900.00	\$ 4.25	\$ 7,331.25	\$ 5.30	\$ 9,142.50
9.	Pavement Markings (Permanent) (4" White) (Sherwin Williams SetFast Acrylic Marking Paint)	9,280	LF	\$ 1.50	\$ 13,920.00	\$ 0.45	\$ 4,176.00	\$ 2.00	\$ 18,560.00	\$ 2.00	\$ 18,560.00	\$ 0.95	\$ 8,816.00
10.	Pothole Repair (Including Saw-Cutting)	285	SF	\$ 22.35	\$ 6,369.75	\$ 17.89	\$ 5,098.65	\$ 10.00	\$ 2,850.00	\$ 3.00	\$ 855.00	\$ 5.50	\$ 1,567.50
SUBTOTAL PAVING IMPROVEMENTS					\$ 151,165.86		\$ 137,540.55		\$ 161,988.20		\$ 195,745.45		\$ 207,028.60
TOTAL BASE BID					\$ 164,165.86		\$ 166,640.55		\$ 191,461.80		\$ 209,995.45		\$ 229,528.60
ALTERNATE NO. 1													
PAVING IMPROVEMENTS													
A1.	Two Course Surface Treatment (AC-15P & PB, GR3 & GR4 Pre-Coated Aggregate)	2,132	SY	\$ 5.32	\$ 11,342.24	\$ 6.00	\$ 12,792.00	\$ 6.35	\$ 13,538.20	\$ 9.25	\$ 19,721.00	\$ 6.35	\$ 13,538.20
A2.	HMAC Surface (1.5")	13,000	SY	\$ 11.05	\$ 143,650.00	\$ 11.14	\$ 144,820.00	\$ 12.00	\$ 156,000.00	\$ 12.50	\$ 162,500.00	\$ 12.85	\$ 167,050.00
TOTAL ALTERNATE NO. 1					\$ 154,992.24		\$ 157,612.00		\$ 169,538.20		\$ 182,221.00		\$ 180,588.20
TOTAL BASE BID + ALTERNATE NO. 1					\$ 319,158.10		\$ 324,252.55		\$ 361,000.00		\$ 392,216.45		\$ 410,116.80
CALENDAR DAYS - SUBSTANTIAL COMPLETION					70		260		60		45		90

COMMUNICATION

SUBJECT: Consider recommendation of the Planning Board for approval of a preliminary plat located on Henry Barber Way, legal description is A0137 Samuel Shupe, part of Tract 1, being 12.449 acres and PIN is 14186. Presenter is Jessica Carpenter

INFORMATION:

CITY OF PORT LAVACA

MEETING: December 13, 2021

DATE: 12.08.21

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: JESSICA CARPENTER, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: Consider recommendation of the Planning Board for approval of a preliminary plat. Located on Henry Barber Way. The legal description for this location is A0137 Samuel Shupe, part of tract 1, Port Lavaca, Calhoun County, Texas. Being 12.449 acres. The PIN # for this property is 14186.

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, Gonzalez Industrial Insulation Inc, is proposing an industrial and business office use located on Henry Barber Way. The site location is currently not platted and has a cell tower on site and drainage to the rear of the property adjacent to Chocolate Bayou.

The preliminary plat is the next step in the process to provide a legal lot of record for the proposed development.

The proposal is to develop the site with the following:

- *1(one) building serving as a general office and industrial shop*
- *1(one) Storage Building*
- *Parking*
- *Driveway to shop from Henry Barber Way*
- *Driveway access to general (private/public) parking adjacent to office*

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 Light Industrial. Therefore, the proposed industrial maintenance services, servicing Formosa is compliant with the Future Land Use map.

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 parcel is being platted and prepared to be developed for an industrial development in compliance of Sec. 42-5. – Policy.

Planning Board approved the Conceptual Industrial Use at the November 01, 2021, Planning Board meeting.

City Council approved the Conceptual Industrial Use at the November 08, 2021, City Council meeting.

Staff Recommendation: Approve

Approval of a preliminary plat. Located on Henry Barber Way. The legal description for this location is A0137 Samuel Shupe, part of tract 1, Port Lavaca, Calhoun County, Texas. Being 12.449 acres. The PIN # for this property is 14186.

Planning Board Recommendation: December 06, 2021 - Approved

Approval of a preliminary plat. Located on Henry Barber Way. The legal description for this location is A0137 Samuel Shupe, part of tract 1, Port Lavaca, Calhoun County, Texas. Being 12.449 acres. The PIN # for this property is 14186.

Attachments:

- Preliminary Plat
- Calhoun CAD PIN 14186
- Applicant's Letter

Section VIII. Item #11.

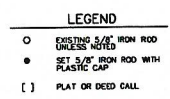
CHECKED BY:
H.A.D.
DATE:
NOV. 24, 2021
SCALE:
1" = 100'

G & W ENGINEERS, INC.
• ENGINEERING • SURVEYING • PLANNING •

 205 W. LIVE OAK STREET, PORT LAVACA, TEXAS 77979
P.O. BOX 1000, PORT LAVACA, TEXAS 77979
(361) 552-4509; PORT LAVACA (979) 323-7100; BAY CITY

FILE NO.:	10221-001
JOB NO.:	10221-001
SHEET NO.:	1 OF 1

PRELIMINARY PLAT



NOTE: BEARINGS SHOWN HEREON ARE TEXAS
STATE PLANE SOUTH CENTRAL ZONE
NAD'83 GRID BASED ON STATION
HAPC-0219 ON THE RTX NETWORK.

STATE OF TEXAS
REGISTERED
HENRY A. DANYSH
5088
PROFESSIONAL
LAND SURVEYOR

Property Identification #: 90212

Geo ID: A0137-00000-0047-00
 Situs Address: Null
 Property Type: Real
 State Code: E4

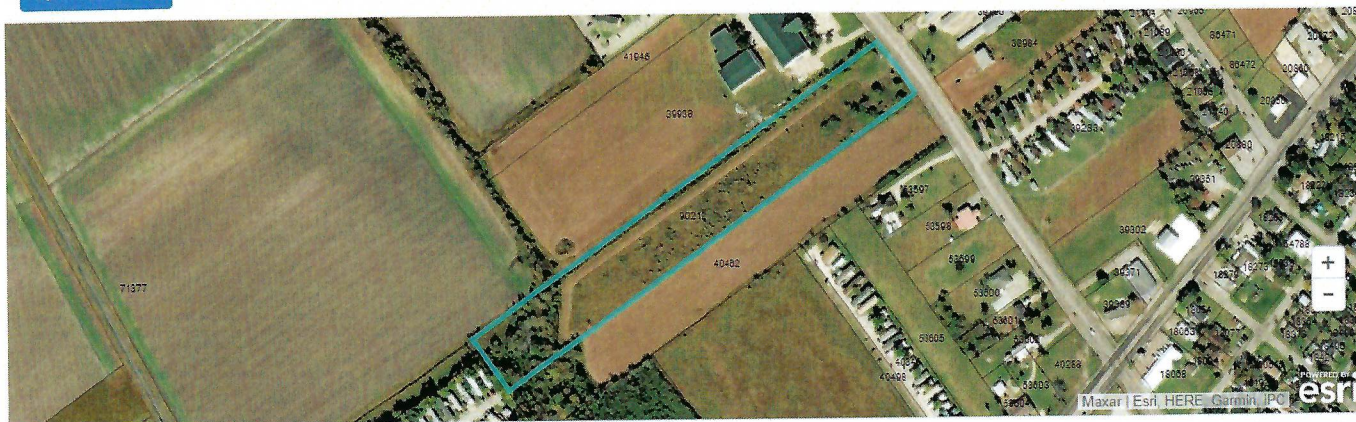
Property Information: 2022

Legal Description: A0137 SAMUEL SHUPE, TRACT PT 52, ACRES 6.96
 Abstract: A0137
 Neighborhood: PORT LAVACA WEST
 Appraised Value: N/A
 Jurisdictions: C04, CAD, FML, G05, GWD, NV6, S01

Owner Identification #: 101093

Name: MCDANIEL JANICE
 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.



Gonzalez Industrial Insulation, Inc.
3706 E. Rio Grande
Suite B
Victoria, TX 77901
Office 361-987-2770

October 15, 2021

Ms. Jessica Carpenter
City of Port Lavaca
Director of Development Services
202 North Virginia
Port Lavaca, TX 77979

RE: Conceptual Approval Request – Gonzalez Industrial Insulation, Inc. (Property Identification #: 14186)

Dear Ms. Carpenter:

GII, Inc. sincerely appreciates the opportunity to present this request for conceptual approval for the improvements to the property located off Henry Barber Way (CR 101), approximately 2,400 lf east of SH 238 and 3,000 lf west of SH 35, in Port Lavaca, Calhoun County, Texas. GII, Inc., based in Victoria, Texas, has provided professional industrial maintenance services for local chemical plants such as Formosa for over 30 years and intends to expand their facilities to a more appropriate location within the City of Port Lavaca.

It is our understanding that the said property is currently appropriately zoned for commercial/industrial. GII intends to develop the site in accordance with this zoning to include the following general elements:

- 1 (one) building structure serving as general office and industrial shop
- 1 (one) storage building
- Parking
- Driveway access to shop from Henry Barber Way (CR 101)
- Driveway access to general (private/public) parking adjacent to office

Dimensions and geometry of office/shop building, storage building, and parking facilities are to be determined and will comply with city code and requirements.

Per our conversation on October 12, 2021, this project is subject to the following:

1. Review and Approval of the site improvements concept by Planning Board and City Council
2. Predevelopment Meeting with appropriate City Departments
3. Platting Process – Approval of preliminary/final plats by Planning Board and City Council

GII, Inc. thanks you for this opportunity to provide this plan and we look forward to working with you to complete this project. If you have any questions, please feel free to call 361-571-5739 or email at gii@hughes.net.

Sincerely,

Arnulfo Gonzalez
President

COMMUNICATION

SUBJECT: Consider recommendation of the Planning Board for a Variance Request for a manufactured home to be permanently placed on one lot of a 3-lot proposed replat that is not a manufactured home park or in a block with at least half of the residential homes are manufactured homes; being Lot 2A and Lot 3A, of Block 1, of the original W. Peikert Subdivision. Presenter is Jessica Carpenter

INFORMATION:

CITY OF PORT LAVACA

PB MEETING: December 13, 2021

DATE: 12.08.2021

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: JESSICA CARPENTER, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: Consider recommendation of the Planning Board for approval of a Variance Request for a manufactured home to be permanently placed on one lot of a 3-lot proposed replat that is not a manufactured home park or in a block with at least half of the residential homes are manufactured homes. Being a replat, Lot 3A, of Block 1, of the original Lot 1, Block 1 W. Peikert Subdivision.

Chapter 26 – Manufactured housing

No person shall place a manufactured home on property not approved for a manufactured home as per Chapter 26 of the City of Port Lavaca Code of Ordinances without a variance approval of said manufactured home by the Planning Commission.

Onel Diaz is presenting this proposed site plan for a variance request to place a manufactured home on a parcel currently being platted from one lot to three lots. The proposed lot requested for a variance for a manufactured home is accessed from Peikert Road. The remaining 2 lots have existing single-family stick built homes.

Below references City Code of Ordinances, Chapter 26 – Manufactured Housing, Section 26.2, where this variance request is compliant and will meet the ordinance as presented.

Sec. 26-2. - Mobile home requirements.

(a) Connection to water/sewer system prohibited. From and after the effective date of the ordinance from which this chapter is derived, placement permits shall not be issued for the installation of a mobile home, as defined in section 26-1, within or outside of the city limits where it is to be connected to the city's water and sewer systems.

Applicant will adhere to the proper permitting prior to placement of the manufactured home.

(c) Use. No mobile home shall be used for any purpose other than residential occupancy without the planning commission's recommendation and the city council's approval.

The intent for the manufactured home is to be utilized as a residence for perpetuity.

Below references the City Code of Ordinances, Chapter 26, Section 26.4, where this variance request is non-compliant and does not meet the ordinance as presented.

Sec. 26-4. - HUD-Code manufactured housing.

(2) Installation, habitability, and use.

c. HUD-Code manufactured housing shall be installed only in a manufactured housing park, manufactured housing subdivisions or other property approved by the building official as described in the remainder of this subsection. A HUD-Code manufactured home will be permitted to be installed on any lot on which a manufactured home was situated or any block with a mobile home density of at least 50 percent of existing structures, as of the effective date of the ordinance.

The proposed manufactured home is to be permanently installed on a vacant lot that is not a manufactured home park and is not in a block with at least 50 percent of the existing structures are manufactured homes.

Future Land Use Map

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

The location of this variance request for a manufactured home is in proximity to the Future Land Use Map designated area for manufactured homes, and the Lakeside RV Resort is directly across Henry Barber Way from this plat. The lot proposed for the manufactured home is accessed from Peikert which is not a block with a mobile home density of at least 50 percent of existing structures per the aforementioned code.

Department Comments:

Fire: Manufactured homes meets all ordinance requirements for installation.

Public Works: Manufactured homes meets all ordinance requirements for installation.

Development Service: If the Planning Commission approves this variance request from Chapter 26 Manufactured Housing Sec 26.4(2)(c), the applicant must achieve compliance with all conditions of approval. Including, adherence to the site plan as approved. Ensure all installation permits and inspections are administered and followed.

Planning Board Recommendation: Approve

Approval of a Variance Request for a manufactured home to be permanently placed on one lot of a 3-lot proposed replat that is not a manufactured home park or in a block with at least half of the residential homes are manufactured homes. Being a replat, Lot 3A, of Block 1, of the original Lot 1, Block 1 W. Peikert Subdivision.

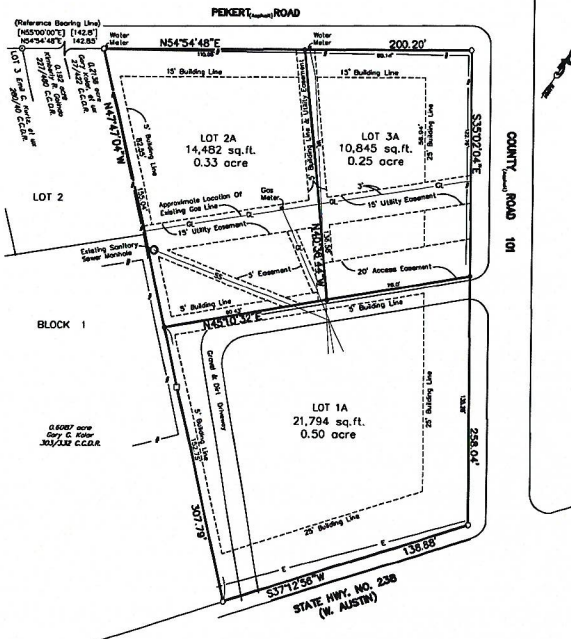
The Planning Board deemed this location to be within the scope of the boundary discussed for manufactured homes. This lot requested for the manufactured home is on the corner of Henry Barber

CITY OF PORT LAVACA

Way and Peikert, and in close proximity to the existing approved location for manufactured homes and manufactured home parks designation in accordance with the Future Land Use Map.

Attachments:

- Replat
- Calhoun CAD
- Aerial map

		DRAWN BY: O.W.D. CHECKED BY: D.J.E. DATE: NOV. 22, 2021 SCALE: 1" = 50'
LEGEND ○ FOUND EXISTING IRON ROD UNLESS NOTED ● SET 1/2" IRON ROD WITH PLASTIC CAP () PLAT OR DEED CALL —#— EXISTING CHAINLINK FENCE —C— OVERHEAD POWERLINE —G— EXISTING GAS LINE —W— EXISTING WATER LINE —S— EXISTING SEWER LINE	STATE OF TEXAS COUNTY OF CALHOUN 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 Planning Board of said City as approved by law, and that the resolution appears of record in Volume _____ Page _____ 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 _____ day of _____, 2021. _____ City Secretary City of Port Lavaca, Calhoun County State of Texas	RE-PLAT OF PEIKERT SUBDIVISION BECING LOT 1A, 2A AND 3A, BLOCK 1 OF THE ORIGINAL W. PEIKERT SUBDIVISION LOT 1, BLOCK 1, RECORDED IN VOL. "Z", PG. 125, CALHOUN COUNTY PLAT RECORDS SAMUEL SHUPE SURVEY, A-137, CALHOUN COUNTY, TEXAS
STATE OF TEXAS COUNTY OF CALHOUN I, (we) the undersigned, owner(s) of the land shown on this plat, being LOT 1, BLOCK 1, W. PEIKERT SUBDIVISION, as per the recorded plat in Volume "Z", Page 125, a subdivision in the town of Port Lavaca, Calhoun County, Texas and whose name(s) are subscribed hereat, hereby dedicate to the public forever all streets and easements thereon shown for the purpose and consideration therein expressed. One: _____	APPRaiser's CERTIFICATION STATE OF TEXAS COUNTY OF CALHOUN I hereby certify that the ad valorem taxes on the land included within the boundaries of this plat are paid for the tax year _____ and all prior years. If applicable, the above-described property has/a 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 properly omitted from the appraisal roll as described under tax code section 25.21 is not included in this certificate [tax code section 31.06(h)] Signed this the _____ day of _____, 2021. CALHOUN COUNTY APPRAISAL DISTRICT BY: _____ Chief Appraiser	STATE OF TEXAS COUNTY OF CALHOUN I DO HEREBY CERTIFY THAT THIS SURVEY WAS MADE ON THE GROUND OF THE PROPERTY LEGALLY DESCRIBED HEREON ON NOVEMBER 19, 2021. _____ Dennis J. Ellis REGISTERED PROFESSIONAL LAND SURVEYOR TEXAS NO. 4736 DATE _____
Notary Public Calhoun County, Texas Given under my hand and seal of office this _____ day of _____, 2021.		County Clerk County of Calhoun State of Texas County Plot Records. Slide No. _____
FINAL		ELLIS SURVEYING Dennis J. Ellis, P.O. Box 7343, Victoria, Texas 77903 1-361-571-2082 (Cell) 1-361-579-7099 (Fax)
FIRM REGISTRATION NO. 10194034		FILE NO.: ONEL 1 JOB NO.: ONEL SHEET NO.: 1 OF 1

Property Identification #: 19688

Geo ID: S0340-00100-0001-00
 Situs Address: 2503 W AUSTIN ST PORT LAVACA, TX 77979
 Property Type: Real
 State Code: A1

Property Information: 2022

Legal Description: PEIKERT, BLOCK 1, LOT 1, 1.087 ACS
 Abstract: S0340
 Neighborhood: PEIKERT
 Appraised Value: N/A
 Jurisdictions: G05, NV6, S01, C04, FML, CAD, GWD

Owner Identification #: 112364

Name: DIAZ ONEL
 Exemptions: HS
 DBA: Null

Re-Center Map



Calhoun CAD Map Search

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COMMUNICATION

SUBJECT: Consider approval of cost proposal submitted by CRG Environmental Services, Inc. to prepare a response to TCEQ's Request For Information (RFI) regarding the Limited Phase II Environmental Site Assessment performed at the Harbor of Refuge. Presenter is Jody Weaver

INFORMATION:

CITY OF PORT LAVACA

CITY COUNCIL MEETING: DECEMBER 13, 2021

DATE: 12.08.2021

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: JODY WEAVER, INTERIM CITY MANAGER 

SUBJECT: TCEQ RFI regarding Phase II Environmental Site Assessment / TRRP

As you recall, at the June 14th meeting, Council approved submitting to TCEQ the Limited Phase II Environmental site assessment which had been performed by CRG Environmental on Tracts 16, 17, and 17A at the Harbor of Refuge. The purpose of submitting the Limited Phase II Report to TCEQ was to explore any environmental concerns that may be as a result of the land use by the City's tenant over the past 20 years and request a final determination from TCEQ regarding any action that may or may not be needed.

On November 29, we finally received a response from TCEQ in the form of a RFI (Request for Information). They are requesting additional information before making a determination as to whether the site can be excluded from entry into the Texas Risk Reduction Program (TRRP).

The TCEQ reviewer has raised several questions that will require a more comprehensive assessment than the Limited work previously performed. CRG has presented a proposal for the Phase II Soil and groundwater sampling and lab analysis required in order to have the information to respond to TCEQ's RFI.

The total cost of this additional work is \$29,284.00.

Recommendation:

Authorize the lump sum proposal in the amount of \$29,284.00, to be paid from General Fund Reserves, for the additional scope of work required to respond to TCEQ's RFI.

With the upcoming growth at the Calhoun County Port Authority, we anticipate an increased demand to lease waterfront property. This investment now to explore any potential environmental concerns, and then address them if found, is critical to put us in a position to maximize the potential leasing opportunities for the Harbor of Refuge in the coming years.

Attachments:

- TCEQ RFI dated 11.29.2021
- CRG Proposal – Response to TCEQ RFI dated 12.03.2021

Jon Niermann, *Chairman*
 Emily Lindley, *Commissioner*
 Bobby Janecka, *Commissioner*
 Toby Baker, *Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

November 29, 2021

Transmitted via email

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

Re: Request for Information
Limited Phase II Environmental Site Assessment, July 1, 2021
 Harbor of Refuge - City of Port Lavaca
 South Virginia Street, Port Lavaca (Calhoun County)
 TCEQ Facility ID No. T3678; CN600755052; RN102335361

Dear Ms. Weaver:

The Texas Commission on Environmental Quality (TCEQ) has reviewed the above-referenced submittal. The TCEQ cannot approve the submittal because sufficient information is not available for completing the review. Please provide the following information to determine if Texas Risk Reduction Program (TRRP) rules apply to the:

1. The TCEQ does not accept lab-filtered groundwater samples to be representative of the in-situ groundwater. Please resample groundwater using low flow sample collection techniques. Please note, groundwater can only be filtered in the field with a 10-micron (or larger) filter if the turbidity measurement of the groundwater to be sampled is greater than 10 nephelometric turbidity units (NTUs). Filtering through a 10-micron (or larger) filter ensures that the sample collected represents the groundwater with its naturally suspended solids (e.g., colloids) and does not exclude any of the solids that could migrate with the water in the saturated zone.

Please ensure that the groundwater monitoring well is properly developed, and the groundwater's physical parameters have stabilized, before determining if the groundwater sample should be filtered. Additionally, for metals analyses, the groundwater sample obtained using a 10-micron (or larger) filter still corresponds to a total metals analysis for comparison of sample results to TRRP Tier 1 groundwater protective concentration levels (PCLs);

The TCEQ does not accept groundwater samples collected from temporary wells that were not properly completed or developed per Title 16 Texas Administrative Code Chapter 76;

Ms. Jody Weaver
Page 2
November 29, 2021
TCEQ Facility ID No. T3678

2. Please note, the TCEQ cannot accept a Class 3 groundwater resource classification demonstration or Tier II PCLs when a site is not subject to the TRRP;
3. Soil confirmation samples of polycyclic aromatic hydrocarbons (PAHs) were analyzed by the laboratory outside of the analytical method's holding time. New confirmation samples will need to be collected. Please note, confirmation samples of PAHs need to be collected in the area with the highest concentration of total petroleum hydrocarbons (TPH);
4. Please provide additional information pertaining to the site's history, including information on potential source areas, historical site operations, and known releases. It is unclear if the correct target COCs were chosen for the assessment. Also, please clearly define the areas of the site for which the City of Port Lavaca is seeking "no further action" (NFA) determination from the TCEQ;
5. Please note, the City of Port Lavaca will need to fully assess the areas that it is seeking NFA by identifying the source area(s) and delineating to the critical residential assessment level based on a Class 1 groundwater resource. For additional information, please refer to the TCEQ guidance document: "*Determining Which Releases are Subject to TRRP*" available on TCEQ's public webpage at: <https://www.tceq.texas.gov/remediation/trrp/guidance.html>.

Please prepare a written response to each comment, referencing the assigned TCEQ comment number. ***Your response must be received within 90 days from the date of this letter.***

Questions concerning this letter should be directed to me at (512) 239-2489. When responding by mail, please submit one paper copy and one electronic copy (on USB or disc) of all correspondence and reports to the TCEQ Remediation Division at Mail Code MC-127. An additional copy should be submitted in electronic format to the local TCEQ Region Office. The information in the reference block should be included in all submittals. Note that the electronic and hard copies should be identical, complete copies. A Correspondence ID Form (TCEQ Form 20428) must accompany each document submitted to the Remediation Division and should be affixed to the front of your submittal. The Correspondence ID Form helps ensure that your documents are identified correctly and are routed to the applicable program for a timely response.

Sincerely,



Garrett Thering, Project Manager
Team 1, VCP-CA Section
Remediation Division
Texas Commission on Environmental Quality

GMT/gmt

Ms. Jody Weaver

Page 2

November 29, 2021

TCEQ Facility ID No. T3678

cc: Mr. Timothy Perdue, TCEQ, Waste Section Manager, Corpus Christi Regional
Office, MC R-14 (via email)

December 3, 2021

JoAnna P. "Jody" Weaver, P.E.
City Engineer/Community and Economic Development
City of Port Lavaca
202 N. Virginia St.
Port Lavaca, Texas 77979



Subject: Proposal – Response to TCEQ Request for Information
Limited Phase II Environmental Site Assessment (ESA)
Harbor of Refuge, City of Port Lavaca
South Virginia Street, Port Lavaca, Calhoun County, Texas
TCEQ Facility ID No. T3678; CN600755052' RN102335361

Dear Ms. Weaver;

CRG Texas Environmental Services, Inc. (CRG Texas) is pleased to present this work plan and cost proposal to provide environmental consulting services for the City of Port Lavaca in support of the above-referenced project. We have reviewed the November 29, 2021 letter from TCEQ requesting additional information for the subject site. This proposal and cost estimate provides for the collection of additional data to facilitate development of a technical response to TCEQ's request for information.

Much of the original information provided in the July 1, 2021 Limited Phase II Environmental Site Assessment was derived from a "screening assessment." Screening assessments are typically employed as a more cost effective mechanism to gather preliminary data. The TCEQ reviewer raised several questions that require a more comprehensive assessment strategy in an effort to further characterize the site and determine the site's status with respect to the provisions of the Texas Risk Reduction Program (TRRP). As such, it will be necessary to further evaluate site groundwater conditions through the installation of permanent groundwater monitoring well (MWs), collection of soil and groundwater samples for laboratory chemical analysis, and preparation of a more comprehensive Phase II ESA report. This effort should be sufficient to further evaluate the screening PCLs exceedances discovered during the Limited Phase II ESA conducted on the property. This proposal summarizes the proposed scope of work, schedule, estimated costs, and contractual conditions. At the conclusion of these activities, CRG Texas will prepare a technical response report for submittal to TCEQ.

SCOPE OF WORK

Technical Response

CRG Texas will prepare a technical response for transmittal to TCEQ outlining the proposed activities to collect the additional information and respond to the request for additional information. As TCEQ has not yet determined the applicability of TRRP to the site, it is advisable to maintain a constructive dialogue with

the TCEQ reviewer, address the listed data gaps, and secure TCEQ acknowledgement and/or concurrence with the proposed activities.

Soil Boring Installation / Monitor Well Construction

Prior to Mobilization, a 48-hour utility locate notification will be submitted to Lonestar Locators, One Call, or Digg Tess as required by law. A total of four (4) soil borings will be installed using a hollow-stem auger or direct-push drilling rig at locations identified from the Limited Phase II ESA. Given the previous data and our understanding of the shallow subsurface geology, it is expected that the soil borings will be advanced to a depth of no more than 20 feet where permanent monitor wells will be constructed as follows:

- The monitor wells will be constructed using 2-inch diameter PVC screens and riser casing and completed within a steel man way set in a concrete pad and flushed within ½-inch of the existing surface with 0.010" slotted screen to extend above the static water level in the well, and will have a lockable expansion plug;
- Each newly installed monitoring well would be developed by removing at least 5 well volumes of casing water or purged until dry;
- The top of casing in each well will be surveyed, static water level measurements recorded, and groundwater samples will be collected;
- The TOC elevations and groundwater measurements will be used to determine groundwater potentiometric elevations and groundwater flow directions will be calculated; and,
- A Texas-Licensed Water Well Driller will perform all boring related activities under the direct supervision of a Texas-Licensed Professional Geologist. The driller will complete the State of Texas Well Reports as required.

Soil and Groundwater Sampling

Soil samples recovered from each soil boring will be continuously screened for odors and staining, and vapor concentrations will be measured using an organic vapor monitor (OVM). Soil and groundwater samples will be collected from each soil boring as follows.

- Soil samples will be collected at an approximate depth of 5 ft below grade, and from the interval representing the apparent capillary fringe just above the soil-groundwater interface;
- Groundwater will be purged from the well until relatively free of sediment to allow for the collection of groundwater samples using a low-flow sampling procedure (TCEQ Comment No. 1);
- Low-flow groundwater sampling will be conducted in accordance with EPA guidelines. Tubing intake depths will be set at about 5' above the bottom the well. Groundwater sampling will be conducted using a peristaltic pump and dedicated ¼-inch polyethylene tubing. Low-flow purging will be conducted at an EPA-recommended purge rate of 0.2 liters/minute. Field parameters of pH, specific conductivity, temperature, dissolved oxygen, turbidity and oxidation-reduction potential will be monitored every ½-liter in an air-tight flow-through cell. Well drawdown will be monitored with each set of field parameters. Upon stabilization of field parameters, the water input tube will be disconnected from the flow through cell, and groundwater samples collected

directly into laboratory-supplied bottles. Filled sampled bottles will be immediately placed in an iced cooler;

- All samples will be placed into containers provided by the laboratory. The samples will be transported under chain-of-custody to the Eurofins Xenco laboratory in Stafford, Texas for the analyses listed in the following section; and,
- All soil and groundwater wastes generated during drilling will be properly stored and characterized prior to onsite reuse or offsite disposal. If any are found to be in exceedance of regulatory thresholds, we will arrange for proper off-site disposal. The current property owner will be responsible for signing all waste manifests and/or bills of lading.

Laboratory Chemical Analysis

Soil and groundwater samples will be analyzed as indicted:

- Total petroleum hydrocarbons (TPH) by Texas Method 1005;
- If TPH is detected in the soil or groundwater samples, the soil and/or groundwater sample with the highest TPH concentration will be analyzed for poly-aromatic hydrocarbons (PAHs) by EPA Method 8270C or TPH speciation by Method TX 1006 (TCEQ Comment No. 3);
- RCRA metals by EPA Method 6010/6020/7471;
- Total Dissolved Solids (TDS) (will be needed to formally address TCEQ Comment No. 2); and,
- Depending on the initial metals results, soil samples may be further analyzed for by Synthetic Precipitation Leaching Procedures to determine the potential for soil-to-groundwater transfer of specific analytes.

Schedule

The 48 hour Lonestar Locators utility locate will be submitted and work will be scheduled upon written notice to proceed, and mobilization will occur to the site as soon as practical. The field work will be completed in one day on-site; barring no unanticipated field conditions are encountered. Laboratory chemical analysis will be performed on a standard 7 day turnaround time. The report will be delivered in approximately 14-21 days from receipt of validated analytical results.

Reporting

Upon receipt of the analytical results, the report will be completed and submitted electronically to the Client. The analytical results will be compared to media-specific, critical residential assessment levels based on the Texas Commission on Environmental Quality (TCEQ) to include Tier 1 protective concentration levels (PCLs) appropriate for Residential Soil or Class I groundwater resource.

A Phase II Report will be provided that summarizes the findings and conclusions of the investigation, and will include the following information:

- Comprehensive Site Historical Operations Narrative (TCEQ Comment No. 4)
- Site Map (to indicate areas seeking the NFA designation – TCEQ Comment No. 5)
- Soil Data and Analytical Summary

- Groundwater Monitoring Well Analytical Summary
- Chain of Custody and Field Reports
- Laboratory Analytical Results

If analytical results are favorable, these results would be reported to the TCEQ in the form of a Request for No Further Action (NFA) in accordance with the requirements detailed in the TCEQ publication entitled "Determining Which Releases are Subject to TRRP (November 19, 2010)" which may be obtained using the following link:

<https://www.tceq.texas.gov/assets/public/remediation/trrp/releasesTRRPrev.pdf>

The proposed submittal to TCEQ would include the NFA request, copies all the assessment reports prepared for the Site, the previously completed Tier 1 Exclusion Criteria Checklist (30 TAC 350.77(b)), a Core Data Form (TCEQ-10400) and Correspondence Identification Sheet (TCEQ-20428).

If the site is determined to be impacted and a no further action designation is not appropriate at this time, we would provide recommendations for the appropriate next steps. One option to consider if the stakeholders are interested, the Site could be enrolled in the Texas Voluntary Cleanup Program (VCP). The Texas VCP provides administrative, technical, and legal incentives to encourage the cleanup of contaminated sites in Texas. Once completed, in addition to the NFA Letter, the TCEQ would issue a Certificate of Completion under the VCP which is an agreement between the TCEQ, and the Parties listed on the VCP application. Additional information may be obtained using the following link:

<https://www.tceq.texas.gov/remediation/vcp>

Cost and Payment Terms

CRG will perform the Phase II ESA on a **lump sum basis**. Total estimated cost for the project is **\$29,284.00** and is valid for 60 days from the date of this proposal. If requested, then each GBC hard bound copy of the report would be invoiced at **\$175.00 per copy additionally**.

Limitations

The proposed work is limited to the scope of work listed herein. Unless accurate as built drawings for all underground utilities and fuel system underground piping are provided, then CRG Texas shall be held harmless against damages to any such subsurface utilities at the subject site should they be encountered while drilling. No Phase II ESA can eliminate all uncertainty. Furthermore, any sample, either surface or subsurface, taken for chemical analysis may or may not be representative of a larger population. Professional judgment and interpretation are inherent in the process and uncertainty is inevitable. Additional assessment may be able to reduce the uncertainty. Even when Phase II ESA work is executed with an appropriate site-specific standard of care, certain conditions present especially difficult detection problems. Such conditions may include, but are not limited to, complex geological settings, the fate and transport characteristics of certain hazardous substances and petroleum products, the distribution of

previous and existing contamination, physical limitations imposed by the location of utilities and other man-made objects, and the limitations of assessment technologies. Phase II ESAs do not generally require an exhaustive assessment of environmental conditions on a property and are intended as a screening exercise. If hazardous substance or petroleum releases are confirmed on a parcel of property, the extent of further assessment is related to the degree of uncertainty that is acceptable to the user with respect to the real estate transaction budget, schedule, and other factors beyond the control of the environmental consultant. Measurements and sampling data only represent the site conditions at the time of data collection. Therefore, the usability of data collected as part of this ESA may have a finite lifetime (usually up to 180 days from the date of the field work or if site and surrounding property conditions change) depending on the application and use being made of the data. An environmental professional should evaluate whether the generated data are appropriate for any subsequent use beyond the original purpose for which it was collected.

Client Authorization

If you are in agreement with the estimated costs, terms, conditions, and schedule listed above please sign, date, and return this document as acknowledgement of Notice to Proceed with the project. We will coordinate directly with you as needed and begin work as soon as the 48 hour utility locate is completed and the driller is scheduled.

Printed Name: _____

Title: _____

Client Signature: _____

Date: _____

We appreciate the opportunity to provide Environmental Services to you.

Cordially,



Kevin C. Casler
Vice President
CRG Texas Environmental Services, Inc.

Attachments:
Cost Estimate



Cost Worksheet PH II ESA
City of Port Lavaca Landfill

Site Research, Technical Response, TCEQ Coordination, PM				
Project Manager	4	hours	\$152	\$608.00
Staff Geoscientist	8	hours	\$125	\$1,000.00
				\$1,608.00
Phase II Soil and Groundwater Sampling				
Driller	1	ls	\$10,400	\$10,400.00
Project Manager	8	hours	\$152	\$1,216.00
Staff Geoscientist	20	hours	\$125	\$2,500.00
Field Technician	30	hours	\$85	\$2,550.00
Field Vehicle with Hand Tools	3	day	\$100	\$300.00
Organic Vapor Meter	2	day	\$100	\$200.00
Low Flow Sampling Equipment Package	1	day	\$275	\$275.00
Oil-Water Interface Probe	2	day	\$35	\$70.00
Survey Equipment	1	day	\$100	\$100.00
				\$17,611.00
Laboratory Chemical Analysis				
Surface Soil (4), Subsurface Soil (4)				
VOCs Soil	8	each	\$140	\$1,120.00
TPH Soil	8	each	\$110	\$880.00
SVOCs Soil	2	each	\$275	\$550.00
Metals (RCRA 8) Soil	8	each	\$130	\$1,040.00
SPLP Metals Analyses / TX 1006 TPH	2	each	\$350	\$700.00
VOCs Water	4	each	\$140	\$560.00
TPH Water	4	each	\$110	\$440.00
SVOCs Water	1	each	\$275	\$275.00
Metals (RCRA 8) Water	4	each	\$130	\$520.00
				\$5,565.00
Phase II ESA Report / TRRP Exclusion	1	LS	\$4,500	\$4,500.00
Total Phase II ESA				\$29,284.00

COMMUNICATION

SUBJECT: Consider approval of cost proposal submitted by CRG Environmental Services, Inc. to prepare a Phase I Environmental Site Assessment to encompass generally the land south of the East-West channel and west of the North-South Channel at the Harbor of Refuge.

Presenter is Jody Weaver

INFORMATION:

CITY OF PORT LAVACA

CITY COUNCIL MEETING: DECEMBER 13, 2021

DATE: 12.08.2021
TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS
FROM: JODY WEAVER, INTERIM CITY MANAGER
SUBJECT: Phase I ESA of former landfill property at the Harbor of Refuge

Prompted by potential environmental concerns, as a result of recent land use of a part of the old land fill property, the City is investing in environmental assessments of this particular leased area. The goal is to have a clear determination of what development and land use can and cannot occur on this property moving forward. But this determination will apply only and specifically to identified tracts 16, 17, and 17A.

As mentioned in the agenda item above, with the upcoming growth at the Calhoun County Port Authority, we anticipate an increased demand to lease waterfront property, therefor there soon may be a demand for the acreage to the north and south of these tracts 16, 17, and 17A. The Port Commission recommends, and I concur, that we need to consider and examine the entire area south and west of the Harbor of Refuge channels to identify any environmental concerns and address them in order to be in a position to maximize the potential leasing opportunities at the Harbor of Refuge in the coming years. The first step in this effort would be to conduct a Phase 1 Environmental Site Assessment.

Attached is a proposal from CRG Environmental, for a lump sum \$5,500.00 to conduct a Phase I on the entirety of this area, which is about 68 acres, which includes all of the 75 acres of the former landfill less those areas that are clearly wetlands. (The scope would include the area now being used as the gun range). Although this is within the expenditure limit that I can approve, I am bringing it to Council for your knowledge and approval to allocate general fund reserves to pay for this Assessment.

Recommendation:

Approve expenditure of \$5,500 from General Fund Reserves to contract with CRG Environmental Services, Inc. to perform a Phase I Environmental Site Assessment on the old landfill property as proposed.

Attachment: CRG Proposal dated 12.08.2021

December 8, 2021



JoAnna P. "Jody" Weaver, P.E.
City Engineer/Community and Economic Development
City of Port Lavaca
202 N. Virginia St.
Port Lavaca, Texas 77979

Subject: Phase I Environmental Site Assessment
Former Landfill Property - Approximately 68 Acres
Port Lavaca, Texas

Dear Ms. Weaver;

Thank you for giving CRG Texas Environmental Services, Inc. (CRG Texas or CRG) the opportunity to provide this proposal to you (the Client) for environmental consulting services for property located at the above referenced site address. This proposal summarizes the project understanding, proposed scope of work, schedule, estimated costs, and contractual conditions.

SCOPE OF WORK

Phase I Environmental Site Assessment

CRG proposes to conduct a Phase I Environmental Site Assessment (ESA) per the methodologies and procedures described in this proposal. The work would be conducted in accordance with applicable federal, state, and local regulations and consistent with established ASTM E-1527-13, standards and policies and industry-standard protocol. The purpose of the Phase I ESA is to identify if recognized environmental conditions in connection with the property as it relates to the past use, storage, waste, and disposal of petroleum or hazardous chemicals where it poses a likely threat of impact to the subject site.

The work would be performed by an environmental professional in accordance with the ASTM standards. The scope of work for this project includes a Phase I ESA as described herein, and would include the following tasks:

- Review and document readily available records (maps, plans, photographs, monitoring data, environmental, health, and other documentation / reports / studies, and site or local investigation reports), and contact appropriate regulatory authorities for records.
- Environmental Professional to conduct and document an inspection of the subject property and the adjoining sites to evaluate operations/activities that might cause and other issues and provide photographs to show the current status of the property and illustrate issues.
- Conduct and document interviews with readily available past and current property owners, buyers, and others who might be familiar with the subject property or adjoining sites.

CRG Texas Environmental Services, Inc.
2504 Avenue I Rosenberg, Texas 77471

Phone: 713-474-1570
Fax: 713-481-1861

Phase I Environmental Site Assessment
Former Landfill Property - Approximately 68 Acres
Port Lavaca, Texas

Page 2

- Review readily available layout maps, historical photographs, topographical maps, water quality monitoring data, environmental reports, geological maps and studies, and the results of any existing soil and groundwater investigations at the property.
- Perform additional historical research to include historic city directory and Sanborn Fire Insurance map search.
- Prepare a draft Phase I ESA report, providing the information collected during the Phase I ESA, within 15 days of the completion of the Phase I site visit.
- Provide one (1) electronic pdf copy of the ESA report to the client via email upon completion.
- Color 2-sided GBC bound copies of the report are \$125 per copy additionally.
- Additional work would only be performed upon written authorization to proceed for additional fee(s) agreed upon in advance.
- This assessment does not include anything beyond the ASTM E 1527-13 standard such as wetlands assessment, mold, lead based paint, asbestos, radon, or flood plain elevations.
- This assessment does not include extensive federal, state, or local regulatory file review beyond what is readily available and ascertainable through standard environmental regulatory records review provided by information providers in the industry.

SCHEDULE

The commencement of field work for the Phase I ESA would begin as soon as possible after CRG receives authorization to proceed (email is acceptable). Research activities would begin immediately following the acceptance of the proposal. The draft report would be provided to the client within 3 weeks from the date of Notice to Proceed.

REPORTING

Upon completion and following one round of comments from the client, one electronic pdf copy of the report with attachments would be delivered via e-mail. Hardbound copies of the report are additional at \$75 per copy.

ESTIMATED COST

CRG would perform the Phase I ESA and PCA on a lump sum basis for a cost as follows:

Please check the boxes below for the service requested

☐ Phase I ESA	(lump sum)	\$5,500.00
--------------------------------------	------------	------------

PAYMENT TERMS

Payment is due in full to CRG Texas upon engagement. We accept checks and bank wire transfers. Please scan and email a copy of the signed proposal and check or email a copy of the signed proposal and coordinate with Melinda Frey at 713-474-1570 to make payment arrangements in advance.

TERMS AND CONDITIONS

Work would be completed by CRG in accordance with applicable federal, state, and local laws/regulations and established ASTM E 1527-13 standard.

This proposal does not include the following:

- Reliance Letter

Phase I Environmental Site Assessment
Former Landfill Property - Approximately 68 Acres
Port Lavaca, Texas

Page 3

- Chain of Title or Deed work
- Any sampling of any kind
- Non- Scope Considerations

An authorized representative must provide access to all portions of the site, interior, and exterior areas of all buildings. You acknowledge with this written authorization is for CRG to proceed by printing, signing, and returning this proposal with the date of signature to authorize the work to CRG. Please return a signed copy via email or fax (listed below) as Notice to Proceed immediately.

CLIENT AUTHORIZATION

By: _____
Printed Name

Signature: _____

Title: _____

Date: _____

By Signing above, I am authorized to instruct CRG Texas to perform the work and agree to pay CRG the full amount listed above upon engagement.

CLOSING

We appreciate this opportunity to provide these consulting services to you on this project. Should you have questions, please feel free to contact me at (713) 517-7591.

Sincerely,

CRG Texas Environmental Services, Inc


Kevin C. Casler
Vice President

COMMUNICATION

SUBJECT: Receive preliminary report for Election Redistricting Plans (with Draft Plan A Map) based on the 2020 United States Census Data, prepared by the law firm of Rolando L. Rios & Associates, PLLC of San Antonio, Texas. Presenter is Mandy Grant

INFORMATION:

CITY OF PORT LAVACA

CC MEETING: DECEMBER 13, 2021

DATE: 12/08/21

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

FROM: MANDY GRANT, CITY SECRETARY

SUBJECT: PRELIMINARY REPORT FOR ELECTION REDISTRICTING PLANS (WITH DRAFT PLAN A MAP) BASED ON THE 2020 U.S. CENSUS DATA PREPARED BY THE LAW FIRM OF ROLANDO L. RIOS & ASSOCIATES, PLLC

BACKGROUND:

City Council entered into a professional services agreement on November 09, 2020 between the City of Port Lavaca and the law firm of Rolando L. Rios and Associates, PLLC of San Antonio, Texas for the purpose of providing Election Redistricting Plans based on the 2020 United States Census Data. This was the third time the City has contracted with this firm to provide redistricting services. They also performed these services based on the 2000 and 2010 U.S. Census.

This is a draft Plan A along with the associated reports intended to prompt the elected officials to think about what changes they may want to make. The dark line on the map represents the existing districts and the color are the suggested changes; the plan reduces the deviation to 5.4% making it constitutional.

This is for Councilmembers to review and should they want alternative plans, Mr. Rios can draw new plans by zoom meeting individually or as a group. Once Council agrees on a plan, they can adopt a Resolution subject to review by our City Attorney.

IMPACT ON COMMUNITY SUSTAINABILITY:

When voters cast a ballot, they expect their votes to matter in choosing representatives who are responsive, reflective, and accountable to the communities they represent. Election districts for federal, state, and local offices should be drawn to advance those ends.

RECOMMENDATION:

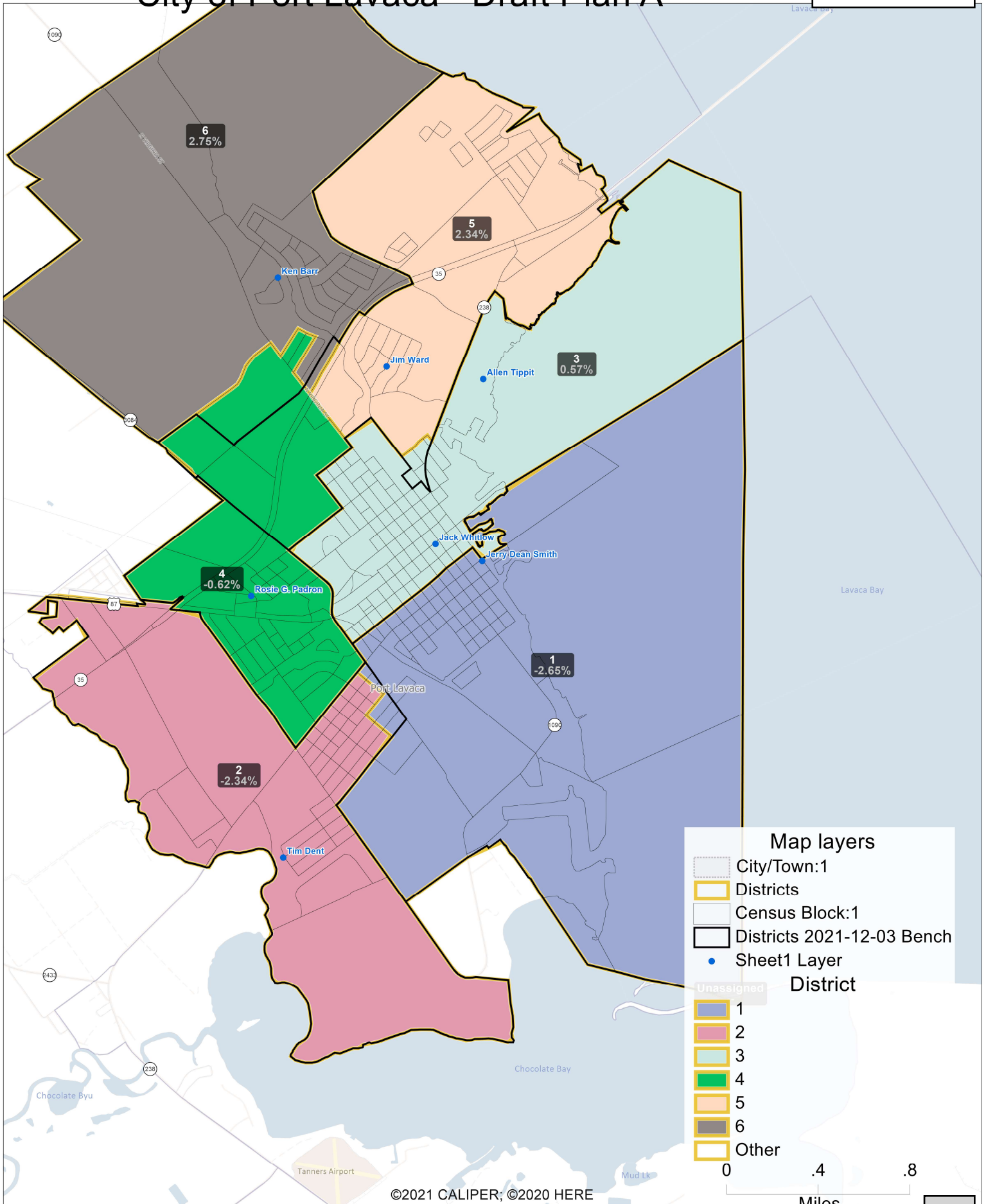
Staff recommends receipt of report.

ATTACHMENTS:

Draft Plan A Map
Draft Plan A 2020 U.S. Census Population
Draft Plan A District Statistics

City of Port Lavaca - Draft Plan A

Section VIII. Item #15.



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CITY OF PORT LAVACA
TEXAS

Draft Plan A

Rolando L. Rios
Attorneys at Law

2020 US CENSUS POPULATION

Dist		Tot Pop	Dev	% Dev
1	2020 Data	1,875	-51	-2.65%
2	2020 Data	1,881	-45	-2.34%
3	2020 Data	1,937	11	0.57%
4	2020 Data	1,914	-12	-0.62%
5	2020 Data	1,971	45	2.34%
6	2020 Data	1,979	53	2.75%
2020 Census Data		11,557		
Ideal Population =		1,926	Ideal	
Estimated Deviation :			High	1,979
			Low	-1875
				104
Projected Deviation* =				5.40%

*** Population deviation is below 10% and therefore, constitutional**

2020 US Census Minority Concentration

Dist	Pop	Hisp pop	% Hisp pop	Blk pop	% Blk pop	Comb Min*
1	1,875	1,321	70.45%	133	7.09%	77.55%
2	1,881	1,261	67.04%	51	2.71%	69.75%
3	1,937	1,478	76.30%	32	1.65%	77.96%
4	1,914	1,487	77.69%	59	3.08%	80.77%
5	1,971	797	40.44%	24	1.22%	41.65%
6	1,979	817	41.28%	55	2.78%	44.06%

***Comb Min = Combine Minority**

District Statistics

Friday, December 3, 2021

1:40 PM

District 1

Total Population 1,875 Total18+ 1,415
 Deviation -51
 Dev Percentage -2.65%

	Deviation	[Hispanic Origin]	Black
Total	-51	1,321	133
Total %	-2.72%	70.45%	7.09%
Total18+		953	113
Total18+ %		67.35%	7.99%

District 2

Total Population 1,881 Total18+ 1,388
 Deviation -45
 Dev Percentage -2.34%

	Deviation	[Hispanic Origin]	Black
Total	-45	1,261	51
Total %	-2.39%	67.04%	2.71%
Total18+		876	40
Total18+ %		63.11%	2.88%

District 3

Total Population 1,937 Total18+ 1,369
 Deviation 11
 Dev Percentage 0.57%

	Deviation	[Hispanic Origin]	Black
Total	11	1,478	32
Total %	0.57%	76.30%	1.65%
Total18+		1,014	19
Total18+ %		74.07%	1.39%

District 4

Total Population 1,914 Total18+ 1,448
 Deviation -12
 Dev Percentage -0.62%

	Deviation	[Hispanic Origin]	Black
Total	-12	1,487	59
Total %	-0.63%	77.69%	3.08%
Total18+		1,102	48
Total18+ %		76.10%	3.31%

District 5

Total Population	1,971	Total18+	1,552
Deviation	45		
Dev Percentage	2.34%		

	Deviation	[Hispanic Origin]	Black
Total	45	797	24
Total %	2.28%	40.44%	1.22%
Total18+		575	22
Total18+ %		37.05%	1.42%

District 6

Total Population	1,979	Total18+	1,473
Deviation	53		
Dev Percentage	2.75%		

	Deviation	[Hispanic Origin]	Black
Total	53	817	55
Total %	2.68%	41.28%	2.78%
Total18+		554	49
Total18+ %		37.61%	3.33%

User: RR

Plan Name: Port Lavaca 2020 Plan A

Plan Type: Port Lavaca 2020 Bench

Communities of Interest (Condensed)

Friday, December 3, 2021

1:42 PM

Whole Unified School : 0**Unified School Splits: 7****Zero Population Unified School Splits: 1**

District	Unified School	Population	% Pop	District	Unified School	Population	% Pop
Unassigned	Calhoun County Independent School Distri	0	0.00%				
1	Calhoun County Independent School Distri	1,875	16.22%				
2	Calhoun County Independent School Distri	1,881	16.28%				
3	Calhoun County Independent School Distri	1,937	16.76%				
4	Calhoun County Independent School Distri	1,914	16.56%				
5	Calhoun County Independent School Distri	1,971	17.05%				
6	Calhoun County Independent School Distri	1,979	17.12%				

User: RR

Section VIII. Item #15.

Plan Name: Port Lavaca 2020 Plan A

Plan Type: Port Lavaca 2020 Bench

Communities of Interest (Condensed)

Friday, December 3, 2021

1:41 PM

Whole Voting District : 11

Voting District Splits: 22

Zero Population Voting District Splits: 10

District	Voting District	Population	% Pop	District	Voting District	Population	% Pop
Unassigned	000005	0	0.00%				
Unassigned	000006	0	0.00%				
Unassigned	000013	0	0.00%				
Unassigned	000003	0	0.00%				
1	000007	165	16.00%				
1	000008	1,288	100.00%				
1	000001	121	8.74%				
1	000014	299	100.00%				
1	000005	0	0.00%				
1	000006	2	100.00%				
2	000007	866	84.00%				
2	000005	0	0.00%				
2	000020	273	100.00%				
2	000004	695	100.00%				
2	000013	47	100.00%				
2	000002	0	0.00%				
3	000010	50	19.76%				
3	000001	1,263	91.26%				
3	000009	130	100.00%				
3	000015	420	100.00%				
3	000016	61	3.19%				
3	000018	13	100.00%				
4	000010	82	32.41%				
4	000011	268	24.43%				
4	000002	1,564	100.00%				
5	000010	121	47.83%				
5	000011	0	0.00%				
5	000016	1,850	96.81%				
6	000011	829	75.57%				
6	000016	0	0.00%				
6	000017	1,150	100.00%				
6	000012	0	0.00%				

COMMUNICATION

SUBJECT: Consider the first reading of an Ordinance (F-1-21) of the City of Port Lavaca, Texas granting to AEP Texas Inc., its Successors and Assigns, a non-exclusive Franchise to construct, maintain and operate lines and appurtenances and appliances for conducting electricity in, over, under, and through the streets, avenues, alleys and public places of the City of Port Lavaca, Texas. Presenter is Jody Weaver

INFORMATION:

ORDINANCE NO. F-1-21

AN ORDINANCE OF THE CITY OF PORT LAVACA, TEXAS GRANTING TO AEP TEXAS INC., ITS SUCCESSORS AND ASSIGNS, A NON-EXCLUSIVE FRANCHISE TO CONSTRUCT, MAINTAIN AND OPERATE LINES AND APPURTENANCES AND APPLIANCES FOR CONDUCTING ELECTRICITY IN, OVER, UNDER, AND THROUGH THE STREETS, AVENUES, ALLEYS AND PUBLIC PLACES OF THE CITY OF PORT LAVACA, TEXAS.

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

SECTION 1: That AEP Texas Inc., a corporation organized under the laws of the State of Delaware, its successors and assigns ("Company") is granted the non-exclusive right, privilege, franchise and authority until January 14, 2037, to acquire, construct, maintain, and operate in, above, under, across, over, and along the streets, alleys, thoroughfares, bridges, and public places ("Public Rights-of-Way"), as the same now exist or may hereafter be laid out in the City of Port Lavaca, State of Texas, (the "City"), lines for the transmission and distribution of electric energy and services incidental thereto, either by means of overhead or underground conductors, with all necessary or desirable appurtenances and appliances as currently installed or that may be installed in the future including but not limited to electric substations, underground conduits, poles, towers, wires and transmission and distribution lines, and fiber optic cable and telegraph and telephone wires for audio, video and data communications for use in support of transmission and distribution operations and the electric system and grid and matters appurtenant thereto, all for the purpose of transmitting and distributing electrical energy to the City and its inhabitants, and persons and corporations within and beyond the limits thereof for light, heat, power and any other purpose or purposes for which electric energy is now or may hereafter be used, and to license or lease space on or within Company's poles, conduit, and appurtenant facilities for the attachment of third-party facilities, and for all other facilities Company deems reasonably necessary for the provision of safe, reliable, and economical electric service to the City.

SECTION 2: Poles and towers must be erected so as not to interfere unreasonably with traffic over streets and alleys, and the City may make and impose reasonable requirements fixing the location of poles, towers, and conduits, provided that no such requirement may be unreasonably burdensome upon Company or unreasonably interfere with the operation or maintenance of its facilities.

SECTION 3: The City grants to Company permission to cut down, trim, remove, and otherwise control using herbicides or tree growth regulators, any trees, branches, vegetation, or brush upon and overhanging the Public Rights-of-Way of the City in the vicinity of Company's electric facilities where such trees and other vegetation, in Company's reasonable opinion, may endanger the safety of Company's personnel or interfere with the construction, operation or maintenance of Company's facilities or ingress or egress to, from, or along the Public Rights-of-Way.

SECTION 4: Company shall fully indemnify and save the City harmless from any and all damage, loss, action, or cause of action arising in whole or in part from Company's exercise of any of its rights, privileges, franchises, and obligations hereunder except to the extent arising out of the City's negligence or willful misconduct.

SECTION 5: For and as full consideration and compensation for this franchise and the rights, privileges, and easements granted and conferred thereby and as rental for the use of the Public Rights-of-Way within or that may in the future be within the City, Company must pay the City an amount calculated in accordance with the methodology prescribed by applicable law, as it exists today in the form and substance of the Texas Public Utilities Regulatory Act (PURA) Section 33.008(b), Texas Utilities Code, currently the product of a factor of \$0.002804 per kilowatt hour multiplied times the number of kilowatt hours delivered by Company to retail customers within the City's boundaries as such charge may be revised from time to time in accordance with Section 33.008(b) of the Texas Utilities Code or any other applicable provision of law regarding franchise fee payments. A payment made based on the foregoing applicable law or any change, modification, or replacement thereof will be made each month throughout the term provided for in this ordinance, with each such payment to be made on the first business day of the second month following the month in which the deliveries occurred, for the billing cycle for that month.

The City must notify the Company in writing of newly annexed and de-annexed areas. The notice must include the ordinance number authorizing the action, an appropriate map identifying the areas and documentation of the notice to the State of Texas regarding the annexation or de-annexation. The Company will have no responsibility for commencing payments to the City for kilowatt hours delivered in newly annexed areas until it has received the City's notification. Upon the City's notification and starting the 91st day after receipt of such notice, Company will commence payments to the City for kilowatt hours delivered in each newly annexed area and will make any appropriate adjustments in payments reflecting over deliveries of kilowatt hours in any prior month resulting from inclusion of kilowatt hours from de-annexed areas in the calculation of the monthly charge. Payments for deliveries in newly annexed areas and adjustments for over deliveries in de-annexed areas must be made back to the effective date of the ordinance.

SECTION 6: References made in this ordinance to the City or Company will include the respective successor or assign of either the City or Company, and all rights, privileges, franchises and obligations contained in this ordinance will bind and benefit each successor or assign, in which event the predecessor of each successor or assign is divested of all such rights, privileges, franchises, or obligations, whether or not so expressed.

SECTION 7: The terms and provisions of this franchise are joint and several, and the invalidity of any part will not affect the validity of the remainder of the franchise.

SECTION 8: This ordinance will take effect from and after the earliest period allowed by law, provided that Company must file its written acceptance of this ordinance within ninety days after its adoption. Once this ordinance takes effect, the electric franchise under which the City has been operating until this time will stand surrendered.

FIRST READING this 13th day of December, 2021.

Jack Whitlow, Mayor

SECOND READING this 10th day of January, 2022.

Jack Whitlow, Mayor

APPROVED AND ADOPTED this 10th day of January, 2022.

Jack Whitlow, Mayor

ATTEST:

Mandy Grant, City Secretary

Approved by:

Anne Marie Odefey, City Attorney

RECORD OF VOTE

First Reading	Second and Final	Passed and Approved
------------------	---------------------	------------------------

Councilman Smith
Councilman Dent
Councilman Tippet
Councilwoman Padron
Councilman Ward
Councilman Barr

Record of approval by City Council: City Council Minute Records, Volume 3H, Page ____.

ACCEPTANCE OF FRANCHISE

WHEREAS, the City of Port Lavaca, Texas, by Ordinance No. F-1-21 passed, adopted and approved at a meeting of the City held on the 10th of January, 2022, granted to AEP Texas Inc., (formerly known as AEP Texas Central Company) a franchise in accordance with applicable law to supply electricity to the City of Port Lavaca, Texas, until January 14, 2037 (the "Franchise Ordinance"); and

WHEREAS, in compliance with the terms of the Franchise Ordinance, AEP Texas Inc. desires to file its written acceptance thereof.

NOW, THEREFORE, AEP Texas Inc., a Texas corporation, acting by its duly authorized officer, accepts the Franchise Ordinance and files this acceptance and agrees that it and its successors and assigns, are and shall be entitled to all of the rights, privileges, authority, and franchise thereby granted and are and shall be bound by and will comply with all of the duties, liabilities, terms, and provisions of the Franchise Ordinance.

IN WITNESS WHEREOF, AEP Texas Inc. has caused this Acceptance of Franchise to be executed by its duly authorized officer this the 10th day of January, 2022.

AEP Texas, Inc.

By:

Robert Black
Vice President of External Affairs

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

To discuss personnel matters in accordance with Title 5, Section 551.074 of the Texas Government Code (to discuss appointment, employment, evaluation, responsibilities and duties, reassignment, discipline or dismissal of an officer or employee, or to hear a complaint or charge against an officer or employee [City Manager]). 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:

