



CITY COUNCIL SPECIAL MEETING

Monday, June 28, 2021 at 5:30 PM

Council Chambers at City Hall and also Electronically through Zoom

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 special meeting Monday, June 28, 2021 beginning at 5:30 p.m., at the regular meeting place in Council Chambers at City Hall, 202 North Virginia Street, Port Lavaca, Texas to consider the following items of business:

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/88433664101?pwd=YUhEVnBXRmpTYTBkOEVUY3FIY3UzZz09>

Meeting ID: 884 3366 4101

Passcode: 690068

One Tap Mobile

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

Dial by your location

+1 346 248 7799 US (Houston)

I. CALL TO ORDER

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

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

1. Consider recommendation of the Planning Board for approval of a preliminary and final plat located within the Port Lavaca Extra Territorial Jurisdiction (ETJ) for the Louis Neill Subdivision, being a 4.162-acre tract of land situated in the Pascual Guajardo Survey, Abstract No. 20, Calhoun County, Texas. Presenter is Jessica Carpenter
2. Consider recommendation of the Planning Board for approval of a replat for the Johnson Subdivision, Block 6, Lots 12-16 and part of Lot 11 of Mariemont Subdivision, Section 3 Volume Z, Page 373 of the C.C.D.R. Samuel Shupe Survey, Abstract No. 0000 of Calhoun County Texas. Presenter is Jessica Carpenter
3. Consider recommendation of the Planning Board for approval of a preliminary and final plat of Desai Subdivision, Block 1, Lot 1 and Lot 2, generally located north of Travis Street and south of Tiny Browning Boulevard on SH 35 North. Presenter is Jessica Carpenter
4. Consider approval of New Plan Options for the 2021-2022 Fiscal Year, with Texas Municipal League (TML) Multi-State Intergovernmental Employee Benefits Pool, related to the city's group health insurance coverage. Presenter is Jody Weaver
5. Announcement by Mayor that City Council will retire into closed session for consultation with City Attorney on matters in which the duty of the Attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act (Title 5, Chapter 551, Section 551.071(2) of the Texas Government Code). Presenter is Mayor Whitlow
6. Return to Open Session and take any action deemed necessary with regard to matters in closed session. Presenter is Mayor Whitlow

IV. **ADJOURN SPECIAL MEETING**

V. **CERTIFICATION OF POSTING NOTICE**

This is to certify that the above notice of a special meeting of the City Council of the City of Port Lavaca, scheduled for **Monday, June 28, 2021**, beginning at 5:30 p.m., was posted at city hall, easily accessible to the public, as of 5:00 p.m. Thursday, **June 24, 2021**.

/s/ Mandy Grant

Mandy Grant, City Secretary

ADA NOTICE

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

COMMUNICATION

SUBJECT: Consider recommendation of the Planning Board for approval of a preliminary and final plat located within the Port Lavaca Extra Territorial Jurisdiction (ETJ) for the Louis Neill Subdivision, being a 4.162-acre tract of land situated in the Pascual Guajardo Survey, Abstract No. 20, Calhoun County, Texas. Presenter is Jessica Carpenter

INFORMATION:

CITY OF PORT LAVACA

PB MEETING: June 28, 2021

DATE: 06.23.2021

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: JESSICA CARPENTER, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: Consider and discuss approval of a preliminary and final plat located within the Port Lavaca Extra Territorial Jurisdiction (ETJ) for the Louis Neill Subdivision. Being a 4.162-acre tract of land situated in the Pascual Guajardo Survey, Abstract No. 20, Calhoun County, Texas. The proposed ETJ preliminary plat is subdividing 4.162-acres from the 53.64-acre remainder parcel. Reference PIN 26905 attachment to identify the ETJ segregation.

Plats within the ETJ of Port Lavaca are processed in accordance with Chapter 42 – Subdivisions and Plats. Below references the City Code of Ordinances, Chapter 42 – Subdivisions and Plats, where this Preliminary and Final Plat request is compliant and will meet the ordinance as presented.

Chapter 42 - SUBDIVISIONS AND PLATS

https://library.municode.com/tx/port_lavaca/codes/code_of_ordinances?nodeId=PTIICOOR_CH42SURL_ARTINGE_S42-5PO

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 applicant is compliance with the ETJ platting process prior to development.

Chapter 42 - SUBDIVISIONS AND PLATS [1]

https://library.municode.com/tx/port_lavaca/codes/code_of_ordinances?nodeId=PTIICOOR_CH42SURL

Footnotes:

--- (1) ---

State Law reference— Extraterritorial jurisdiction of municipalities, V.T.C.A., Local Government Code ch. 42; municipal regulation of subdivisions, V.T.C.A., Local Government Code ch. 212; extraterritorial jurisdiction of municipalities in counties that regulate subdivisions, V.T.C.A., Local Government Code

ch. 242; recording of plats, V.T.C.A., Property Code § 12.002; extension of subdivision rules to extraterritorial jurisdiction, V.T.C.A., Local Government Code § 212.003.

Plats within the ETJ of Port Lavaca are processed in accordance with Chapter 42 – Subdivisions and Plats. The Local Government Code provide for reference as noted in the city code.

Texas Local Government Code

<https://statutes.capitol.texas.gov/Docs/LG/htm/LG.212.htm>

Sec. 212.0025. CHAPTER-WIDE PROVISION RELATING TO REGULATION OF PLATS AND SUBDIVISIONS IN EXTRATERRITORIAL JURISDICTION.

The authority of a municipality under this chapter relating to the regulation of plats or subdivisions in the municipality's extraterritorial jurisdiction is subject to any applicable limitation prescribed by an agreement under Section 242.001.

Sec. 212.003. EXTENSION OF RULES TO EXTRATERRITORIAL JURISDICTION.

(a) The governing body of a municipality by ordinance may extend to the extraterritorial jurisdiction of the municipality the application of municipal ordinances adopted under Section 212.002 and other municipal ordinances relating to access to public roads or the pumping, extraction, and use of groundwater by persons other than retail public utilities, as defined by Section 13.002, Water Code, for the purpose of preventing the use or contact with groundwater that presents an actual or potential threat to human health.

Staff Recommendation: Approval

Staff recommends approval of the preliminary and final plat located within the Port Lavaca Extra Territorial Jurisdiction (ETJ) for the Louis Neill Subdivision. Being a 4.162-acre tract of land situated in the Pascual Guajardo Survey, Abstract No. 20, Calhoun County, Texas. The proposed ETJ preliminary plat is subdividing 4.162-acres from the 53.64-acre remainder parcel. Reference PIN 26905 attachment to identify the ETJ segregation.

Planning Board Recommendation: APPROVAL

Approve a preliminary and final plat located within the Port Lavaca Extra Territorial Jurisdiction (ETJ) for the Louis Neill Subdivision. Being a 4.162-acre tract of land situated in the Pascual Guajardo Survey, Abstract No. 20, Calhoun County, Texas. The proposed ETJ preliminary plat is subdividing 4.162-acres from the 53.64-acre remainder parcel. Reference PIN 26905 attachment to identify the ETJ segregation.

Attachments:

- Louis Neill Subdivision
- Louis Neill Subdivision metes and bounds
- PIN 26905

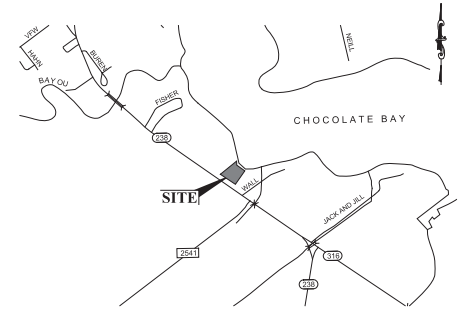
PRELIMINARY PLAT

LOUIS NEILL SUBDIVISION

BEING A 4.162 ACRE TRACT OF LAND SITUATED IN THE PASCUAL GUAJARDO SURVEY, ABSTRACT NO. 20, CALHOUN COUNTY, TEXAS, AND BEING THAT SAME TRACT ONE, A CALLED 4.16 ACRE TRACT OF LAND DESCRIBED BY WARRANTY DEED DATED MARCH 21, 1974 CONVEYED FROM JAMES C. NEILL TO LOUIS W. NEILL AND WIFE, IRMALEE NEILL AS RECORDED IN VOLUME 284, PAGE 1176 OF THE DEED RECORDS, CALHOUN COUNTY, TEXAS.

LOCATION MAP

Item 1.



GENERAL NOTES

SUBDIVISION NAME: LOUIS NEILL SUBDIVISION

1. STREET NAMES:
EXISTING MINOR ARTERIAL - STATE HIGHWAY NO. 238

2. LAND USE: SINGLE FAMILY RESIDENTIAL

3. GROSS LAND AREA: 4.162 ACRES

4. ALL CORNERS ARE MARKED WITH A SET 5/8" DIAMETER STEEL ROD WITH YELLOW PLASTIC CAP MARKED "URBAN SURVEYING, INC" UNLESS OTHERWISE NOTED.

FSR - FOUND STEEL ROD
SSR - SET STEEL ROD

5. THIS PROPERTY IS LOCATED WITHIN THE CITY OF PORT LAVACA'S EXTRATERRITORIAL JURISDICTION (ETJ).

6. SINGLE LOT TO COMPLY WITH CALHOUN COUNTY RIGHT-OF-WAY, CULVERT, AND DRIVEWAY ORDER PASSED AND APPROVED BY CALHOUN COUNTY COMMISSIONER'S COURT ON NOVEMBER 24, 2008 AS REVISED JULY 10, 2019.

7. ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) FOR CALHOUN COUNTY, TEXAS, COMMUNITY PANEL NUMBER 48057 C0185E, MAP REVISED OCT. 16, 2014, THE SUBJECT PROPERTY IS LOCATED IN ZONE X, AREA DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN.



BLUE HERON SUBDIVISION
VOLUME 2, PAGE 728
PLAT RECORDS,
CALHOUN COUNTY, TEXAS

LOT 34

LOT 33

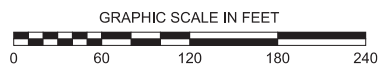
LOT 1
BLOCK 1
4.162 AC

CHOCOLATE
BAY

JAMES DUSTIN JENKINS and
JAMIE LYNN JENKINS
CALLED 4.50 ACRES
INSTRUMENT NO. 135081
OFFICIAL PUBLIC RECORDS,
CALHOUN COUNTY, TEXAS
JUL. 3, 2013

FIELDNOTE
POINT OF BEGINNING

STATE HIGHWAY NO. 238



SURVEYOR
usi
URBAN SURVEYING INC.

2004 N. Commerce St. Victoria, Texas 77901
Phone: (361) 578-9837 FIRM # 10021100

PLAT PREPARED BY
URBAN
engineering

2004 N. Commerce, Victoria, Texas 77901 : 361.578.9836
urbanvictoria.com : TREF# F-10021100

JOB NUMBER: E24342.00 DATE: 06/01/2021 P 6

© 2021 URBAN ENGINEERING

LOUIS NEILL SUBDIVISION

Item 1.

BEING A 4.162 ACRE TRACT OF LAND SITUATED IN THE PASCUAL GUAJARDO SURVEY, ABSTRACT NO. 20, CALHOUN COUNTY, TEXAS, AND BEING THAT SAME TRACT ONE, A CALLED 4.16 ACRE TRACT OF LAND DESCRIBED BY WARRANTY DEED DATED MARCH 21, 1974 CONVEYED FROM JAMES C. NEILL TO LOUIS W. NEILL AND WIFE, IRMALEE NEILL AS RECORDED IN VOLUME 284, PAGE 1176 OF THE DEED RECORDS, CALHOUN COUNTY, TEXAS.

METES AND BOUNDS DESCRIPTION

4.162 ACRES

THE STATE OF TEXAS)
THE COUNTY OF CALHOUN)

BEING A 4.162 ACRE TRACT OF LAND SITUATED IN THE PASCUAL GUAJARDO SURVEY, ABSTRACT NO. 20, CALHOUN COUNTY, TEXAS, AND BEING THAT SAME TRACT ONE, A CALLED 4.16 ACRE TRACT OF LAND DESCRIBED BY WARRANTY DEED DATED MARCH 21, 1974 CONVEYED FROM JAMES C. NEILL TO LOUIS W. NEILL AND WIFE, IRMALEE NEILL AS RECORDED IN VOLUME 284, PAGE 1176 OF THE DEED RECORDS, CALHOUN COUNTY, TEXAS, SAID 4.162 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING AT A FOUND 5/8" STEEL REBAR ALONG THE NORTHEAST LINE OF STATE HIGHWAY NO. 238 (A 120-FOOT RIGHT-OF-WAY) MARKING THE WEST CORNER OF THE AFORESAID 4.16 ACRE TRACT AND THE HEREIN DESCRIBED TRACT;

THENCE, NORTH 43°54'14" EAST (NORTH 53°40'00" EAST), DEPARTING THE NORTHEAST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY NO. 238, WITH THE NORTHWEST LINE OF SAID 4.16 ACRE TRACT, AT A DISTANCE OF 1.50 FEET PASSING THE SOUTH CORNER OF LOT 34 OF THE BLUE HERON SUBDIVISION ACCORDING TO THE ESTABLISHED MAP OR PLAT THEREOF AS RECORDED IN VOLUME Z, PAGE 728 OF THE PLAT RECORDS, CALHOUN COUNTY, TEXAS, AT A DISTANCE OF 445.96 FEET PASSING A FOUND 5/8" STEEL REBAR WITH CAP STAMPED "G&W" ALONG THE SOUTHEAST LINE OF LOT 33 OF THE AFORESAID BLUE HERON SUBDIVISION FOR REFERENCE AND CONTINUING FOR A TOTAL DISTANCE OF 548.10/549.20 FEET TO A POINT ALONG CHOCOLATE BAY MARKING THE COMMON CORNER OF SAID 4.16 ACRE TRACT AND THE AFORESAID LOT 33 FOR THE NORTH CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, ALONG SAID CHOCOLATE BAY, WITH THE NORTHEAST LINE OF SAID 4.16 ACRE TRACT, THE FOLLOWING COURSES AND DISTANCES:

SOUTH 09°11'31" EAST (SOUTH 00°06'00" WEST), A DISTANCE OF 104.83 (103.80) FEET TO A POINT MARKING AN INTERIOR CORNER OF THE HEREIN DESCRIBED TRACT;

SOUTH 61°36'31" EAST (SOUTH 52°19'00" EAST), A DISTANCE OF 255.18 (252.67) FEET TO A POINT MARKING THE EAST CORNER OF SAID 4.16 ACRE TRACT AND BEING THE NORTHWESTERLY CORNER OF A CALLED 4.50 ACRE TRACT OF LAND DESCRIBED BY INSTRUMENT TO 135081 OF THE OFFICIAL PUBLIC RECORDS, CALHOUN COUNTY, TEXAS FOR THE EAST CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, SOUTH 27°34'48" WEST (SOUTH 36°41'00" WEST), ALONG THE COMMON LINE BETWEEN SAID 4.16 ACRE TRACT AND THE AFORESAID 4.50 ACRE TRACT, AT A DISTANCE OF 90.00 FEET PASSING A SET 5/8" STEEL REBAR WITH YELLOW PLASTIC CAP STAMPED "URBAN SURVEYING, INC." FOR REFERENCE ALONG SAID COMMON LINE AND CONTINUING FOR A TOTAL DISTANCE OF 430.25 (429.60) FEET TO A SET 5/8" STEEL REBAR WITH YELLOW PLASTIC CAP STAMPED "URBAN SURVEYING, INC." ALONG THE NORTHEAST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY NO. 238 MARKING THE SOUTH CORNER OF SAID 4.16 ACRE TRACT AND BEING THE WEST CORNER OF SAID 4.50 ACRE TRACT FOR THE SOUTH CORNER OF THE HEREIN DESCRIBED TRACT;

THENCE, ALONG THE NORTHEAST RIGHT-OF-WAY LINE OF SAID STATE HIGHWAY NO. 238, WITH THE SOUTHWEST LINE OF SAID 4.16 ACRE TRACT, THE FOLLOWING TWO (2) COURSES AND DISTANCES:

NORTH 63°24'47" WEST (NORTH 54°16'00" WEST), A DISTANCE OF 461.45 (464.41) FEET TO A SET 5/8" STEEL REBAR WITH YELLOW PLASTIC CAP STAMPED "URBAN SURVEYING, INC." MARKING AN ANGLE POINT OF THE HEREIN DESCRIBED TRACT;

NORTH 63°19'44" WEST (NORTH 54°11'00" WEST), A DISTANCE OF 10.58 (10.59) FEET TO THE POINT OF BEGINNING, CONTAINING WITHIN THESE METES AND BOUNDS A 4.162 ACRE TRACT OF LAND, MORE OR LESS.

BASIS OF BEARING IS BASED ON SUBDIVISION PLAT RECORDED IN VOLUME Z, PAGE 728 OF THE PLAT RECORDS, CALHOUN COUNTY, TEXAS.

ENGINEER'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THAT, I, RAY M. BRIDGES, DO HEREBY CERTIFY THAT THE FOREGOING PLAT WAS PREPARED IN ACCORDANCE WITH THE SUBDIVISION AND DEVELOPMENT ORDINANCE OF CALHOUN COUNTY, TEXAS.

REVIEW COPY

RAY M. BRIDGES, P.E., R.P.L.S.
PROFESSIONAL ENGINEER
TEXAS REGISTRATION NO. 68789

URBAN ENGINEERING
TREF NO. F-160
2004 N. COMMERCE ST.
VICTORIA, TX 77901
(361) 578-9836

SURVEYOR'S CERTIFICATE

KNOW ALL MEN BY THESE PRESENTS:

THAT, I, TERRY T. RUDDICK, DO HEREBY CERTIFY THAT I MADE AN ACTUAL AND ACCURATE SURVEY OF THE PLATTED LAND, AND THAT THE CORNER MONUMENTS SHOWN ON THE FOREGOING PLAT WERE PROPERLY PLACED UNDER MY PERSONAL SUPERVISION, IN ACCORDANCE WITH THE SUBDIVISION AND DEVELOPMENT ORDINANCE OF CALHOUN COUNTY, TEXAS.

REVIEW COPY

TERRY T. RUDDICK, R.P.L.S.
REGISTERED PROFESSIONAL LAND SURVEYOR
TEXAS REGISTRATION NO. 4943

URBAN SURVEYING, INC.
FIRM NO. 10021100
2004 N. COMMERCE ST.
VICTORIA, TX 77901
(361) 578-9836

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 (COMPTROLLER RULE 9.3040) OR PROPERTY OMITTED FROM THE APPRAISAL ROLL AS DESCRIBED UNDER TAX CODE SECTION 25.21 IS NOT INCLUDED IN THIS CERTIFICATE (TAX CODE SECTION 31.08(B)).

SIGNED THIS THE _____ DAY OF _____, 2021.

JESSE W. HURBELL
CHIEF APPRAISER

COUNTY CLERKS' CERTIFICATE

THE STATE OF TEXAS
COUNTY OF _____

I, _____, CLERK OF COUNTY COURT AND COUNTY CLERK OF CALHOUN COUNTY, TEXAS, DO HEREBY CERTIFY THAT THE FOREGOING PLAT OF IN THE COUNTY OF CALHOUN, TEXAS, DULY AUTHENTICATED BY CERTIFICATION OF THE COUNTY OF CALHOUN ATTACHED HERETO, AS FILED FOR RECORD IN MY OFFICE ON THE _____ DAY OF _____, 2021 _____ O'CLOCK _____ M., AND WAS DULY RECORDED ON THE _____ DAY OF _____, 2021, IN THE SLIDE _____ INSTRUMENT NO. _____ OF THE CALHOUN COUNTY PLAT RECORDS.

ANNA GOODMAN
COUNTY CLERK
COUNTY OF CALHOUN
STATE OF TEXAS

CITY SECRETARY'S CERTIFICATE

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

WITNESSED MY HAND AND SEAL OF THE CITY OF PORT LAVACA, TEXAS, ON THIS THE _____ DAY OF _____, 20____

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

CERTIFICATE OF OWNERSHIP AND DEDICATION

THE STATE OF TEXAS
COUNTY OF CALHOUN

THIS IS TO CERTIFY THAT I(WE), THE ESTATE OF LOUIS W. NEILL, AM(ARE) THE LEGAL OWNER(S) OF THE LAND SHOWN ON THIS PLAT, BEING THE TRACT OF LAND AS CONVEYED TO ME(US) BY INSTRUMENT No. 124153 OF THE OFFICIAL RECORDS OF CALHOUN COUNTY, TEXAS, AND DESIGNATED HEREIN AS LOUIS NEILL SUBDIVISION IN CALHOUN COUNTY, TEXAS.

FURTHER, I(WE), THE UNDERSIGNED, DO HEREBY DEDICATE TO THE USE OF THE PUBLIC FOREVER ALL STREETS, ALLEYS, PARKS, WATERCOURSES, DRAINS, EASEMENTS AND PUBLIC PLACES SHOWN ON THIS PLAT FOR THE PURPOSE AND CONSIDERATIONS THEREIN EXPRESSED.

TREVOR NEILL
P.O. BOX 7682
VICTORIA, TX 77903

KATHERINE NEILL NICHOLS
P.O. BOX 7682
VICTORIA, TX 77903

THE STATE OF TEXAS
THE COUNTY OF _____

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

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

NOTARY PUBLIC, STATE OF TEXAS

THE STATE OF TEXAS
THE COUNTY OF _____

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

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

NOTARY PUBLIC, STATE OF TEXAS

4.162 ACRES

THE STATE OF TEXAS}
THE COUNTY OF CALHOUN}

BEING a 4.162 acre tract of land situated in the Pascual Guajardo Survey, Abstract No. 20, Calhoun County, Texas, and being that same Tract One, a called 4.16 acre tract of land described by Warranty Deed dated March 21, 1974 conveyed from James C. Neill to Louis W. Neill and wife, Irmalee Neill as recorded in Volume 284, Page 1176 of the Deed Records, Calhoun County, Texas, said 4.162 acre tract being more particularly described by metes and bounds as follows:

BEGINNING at a found 5/8" steel rebar along the northeast line of State Highway No. 238 (a 120-foot Right-of-Way) marking the west corner of the aforesaid 4.16 acre tract and the herein described tract;

THENCE, North 43°54'14" East (North 53°40'00" East), departing the northeast right-of-way line of said State Highway No. 238, with the northwest line of said 4.16 acre tract, at a distance of 1.50 feet passing the south corner of Lot 34 of the Blue Heron Subdivision according to the established map or plat thereof as recorded in Volume Z, Page 728 of the Plat Records, Calhoun County, Texas, at a distance of 445.96 feet passing a found 5/8" steel rebar with cap stamped "G&W" along the southeast line of Lot 33 of the aforesaid Blue Heron Subdivision for reference and continuing for a total distance of 548.10 (549.20) feet to a point along Chocolate Bay marking the common corner of said 4.16 acre tract and the aforesaid Lot 33 for the north corner of the herein described tract;

THENCE, along said Chocolate Bay, with the northeast line of said 4.16 acre tract, the following courses and distances:

- South 09°11'31" East (South 00°06'00" West), a distance of 104.83 (103.80) feet to a point marking an interior corner of the herein described tract;
- South 61°36'31" East (South 52°19'00" East), a distance of 255.18 (252.67) feet to a point marking the east corner of said 4.16 acre tract and being the northwesterly corner of a called 4.50 acre tract of land described by Instrument to 135081 of the Official Public Records, Calhoun County, Texas for the east corner of the herein described tract;

THENCE, South 27°34'48" West (South 36°41'00" West), along the common line between said 4.16 acre tract and the aforesaid 4.50 acre tract, at a distance of 90.00 feet passing a set 5/8" steel rebar with yellow plastic cap stamped "URBAN SURVEYING, INC." for reference along said common line and continuing for a total distance of 430.25 (429.60) feet to a set 5/8" steel rebar with yellow plastic cap stamped "URBAN SURVEYING, INC." along the northeast right-of-way line of said State Highway No. 238 marking the south corner of said 4.16 acre tract and being the west corner of said 4.50 acre tract for the south corner of the herein described tract;

THENCE, along the northeast right-of-way line of said State Highway No. 238, with the southwest line of said 4.16 acre tract, the following two (2) courses and distances:

- North 63°24'47" West (North 54°16'00" West), a distance of 461.45 (464.41) feet to a set 5/8" steel rebar with yellow plastic cap stamped "URBAN SURVEYING, INC." marking an angle point of the herein described tract;
- North 63°19'44" West (North 54°11'00" West), a distance of 10.57 (10.59) feet to the **POINT OF BEGINNING**, CONTAINING within these metes and bounds a 4.162 acre tract of land, more or less.

Basis of Bearing is based on Subdivision Plat recorded in Volume Z, Page 728 of the Plat Records, Calhoun County, Texas.

The foregoing legal description and accompanying survey plat were prepared from an actual survey made on the ground under my supervision in May, 2021 and are true and correct to the best of my knowledge and belief.



05/25/2021

Urban Surveying, Inc.
By: Michael K. Williams
Registered Professional Land Surveyor
Texas No. 6616



S24342.00

Item 1.

Property Identification #: 26905

Geo ID: A0020-00000-0006-00

Situs Address: Null

Property Type: Real

State Code: D2

Property Information: 2021

LegalA0020 PASCUAL

Description:GUAJARDO, TRACT PT 2, ACRES 53.64

Abstract:A0020

Neighborhood: REGION 6-RURAL

Appraised Value:\$19,450.00

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

Owner Identification #: 116826

Name: NEILL LOUIS W (ESTATE)

Exemptions:

DBA: Null

Re-Center Map

Calhoun CAD Map Search

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



COMMUNICATION

SUBJECT: Consider recommendation of the Planning Board for approval of a replat for the Johnson Subdivision, Block 6, Lots 12-16 and part of Lot 11 of Mariemont Subdivision, Section 3 Volume Z, Page 373 of the C.C.D.R. Samuel Shupe Survey, Abstract No. 0000 of Calhoun County Texas. Presenter is Jessica Carpenter

INFORMATION:

CITY OF PORT LAVACA

PB MEETING: JUNE 28, 2021

DATE: 06.23.2021

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: JESSICA CARPENTER, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: Consider and discuss approval of a replat of lots 12-16 and part of lot 11 in block 6 of Mariemont Subdivision, Section 3 Volume Z, Page 373 of the C.C.D.R. Samuel Shupe Survey, Abstract No. 0000 of Calhoun County Texas. Located south of McPherson Drive and north of Larry Drive. The property identification numbers for this replat are as follows: PIN 20869, PIN 20877, PIN 20883, PIN 20895, PIN 20905, PIN 20917.

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 intent of this replat of lots 12-16 and part of lot 11 in block 6 of Mariemont Subdivision is to replat 6 lots into one larger lot. The property owner understands most of this property is in a flood zone. The only building site is part of lot 11 and part of lot 12 that does not require meeting Base Flood Elevation requirements for building within the FEMA AE Flood Zone. The driveway access shall be from Larry Drive to lot 11 as it is the only developed road to these lots. The proposed replat will create one large lot for the property owner to construct a residential home and enjoy open space.

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. 42-5. - 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 applicant is compliant with the replat process prior to submitting any building plans for residential development.

Department Comments:

Engineering: Only driveway access shall be from Larry Drive to lot 11.

Fire: No comment

Public Works: Utility easement shown in the darker line color (same as building lines)

Development Services: Comply with building permit processes upon replat approval and recordation. Adhere to FEMA flood zone regulations.

Staff Recommendation: Approval

The replat request for approval of the replat of lots 12-16 and part of lot 11 in block 6 of Mariemont Subdivision, meets the City Code of Ordinance, Chapter 42 - Subdivisions and Plats. Therefore, staff recommends approval as per the ordinance citations within this report. Recommended conditions of approval are as follows:

1. Only driveway access shall be from Larry drive to lot 11.
2. Utility easement shown in the darker line color (same as building lines)
3. Comply with building permit processes upon replat approval and recordation.
4. Adhere to FEMA flood zone regulations.

Planning Board Recommendation: APPROVAL

Approve a replat of lots 12-16 and part of lot 11 in block 6 of Mariemont Subdivision, Section 3 Volume Z, Page 373 of the C.C.D.R. Samuel Shupe Survey, Abstract No. 0000 of Calhoun County Texas. Located south of McPherson Drive and north of Larry Drive. The property identification numbers for this replat are as follows: PIN 20869, PIN 20877, PIN 20883, PIN 20895, PIN 20905, PIN 20917.

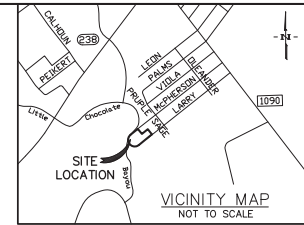
Attachments:

- Johnson Replat
- PIN 20869
- PIN 20877
- PIN 20883
- PIN 20895
- PIN 20905
- PIN 20917

JOHNSON SUBDIVISION

1.83 ACRE SUBDIVISION

BEING LOTS 12-16 AND PART OF LOT 11 IN BLOCK 6 OF MARIEMONT SUBDIVISION, SECTION 3
VOLUME Z, PAGE 373 OF THE C.C.D.R.
SAMUEL SHUPE SURVEY, ABSTRACT NO. 0000 OF CALHOUN COUNTY, TEXAS



Item 2.

CHECKED BY:
H.A.D.
DATE:
MAY 23, 2020
SCALE:
1" = 50'

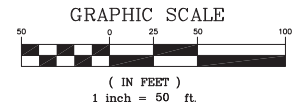
G & W ENGINEERS, INC.

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

FILE NO.:
8987-001
JOB NO.:
8987-001
SHEET NO.:
1 OF 1

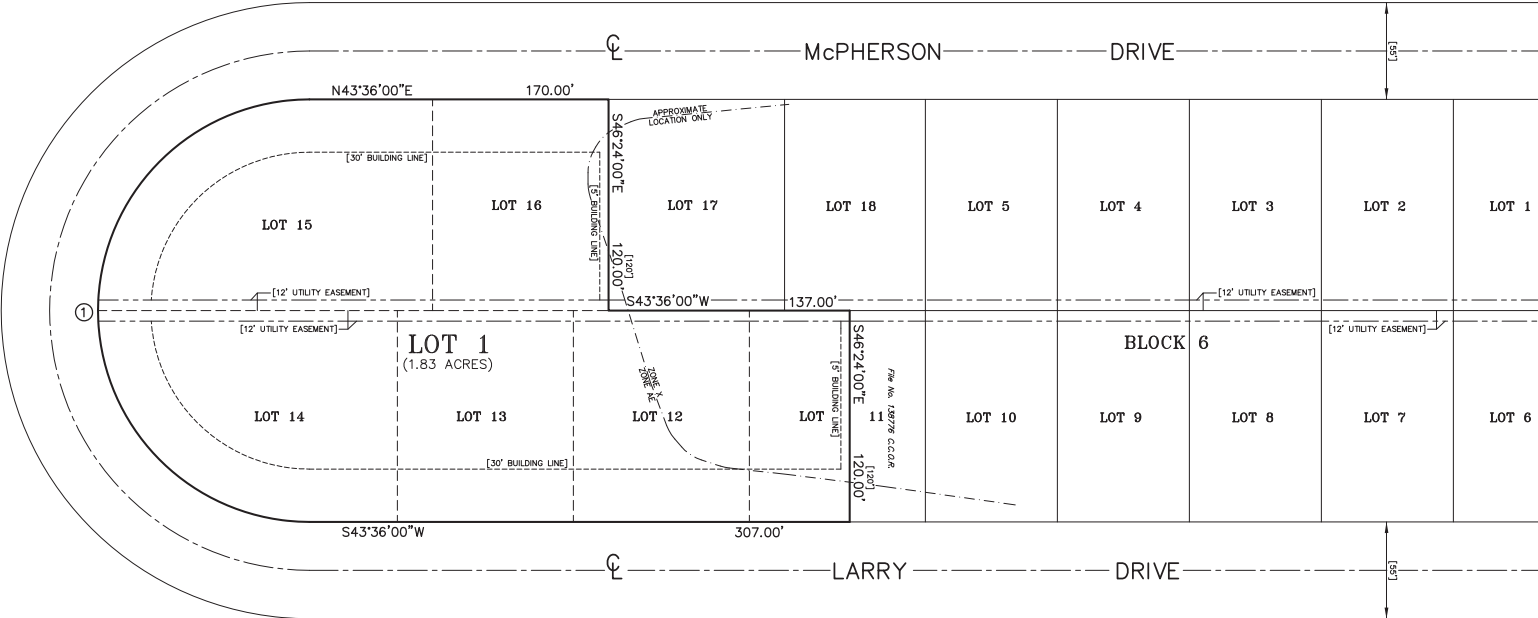
PRELIMINARY PLAT

- LEGEND
- EXISTING 5/8" IRON ROD UNLESS NOTED
 - ⊙ EXISTING 1/2" IRON ROD
 - EXISTING CONCRETE MONUMENT
 - SET 5/8" IRON ROD WITH PLASTIC CAP
 - C.C.D.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.

- ① CURVE DATA
DELTA= 180°00'00"
RADIUS= 120.00'
LONG CH.= N46°24'00"W
240.00'



CERTIFICATE OF OWNERSHIP

STATE OF TEXAS
COUNTY OF CALHOUN

WE, THE UNDERSIGNED, OWNERS OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS JOHNSON 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.

LARRY JOHNSON

STATE OF TEXAS
COUNTY OF _____

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED LARRY JOHNSON, 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

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 (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.

BY: _____
JESSE W. HUBBELL,
CHIEF APPRAISER

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

FLOODPLAIN ADMINISTRATOR

ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) FOR CALHOUN COUNTY, TEXAS, COMMUNITY PANEL NUMBER 48057C 0185 E, EFFECTIVE DATE OCTOBER 16, 2014, THE SUBJECT PROPERTY IS LOCATED IN FLOOD HAZARD AREA ZONE AE AND ZONE X.

A DEVELOPMENT PERMIT IS REQUIRED FROM THE FLOOD PLAIN ADMINISTRATORS OFFICE, 211 SOUTH ANN STREET, ROOM 301, PORT LAVACA, TEXAS, 77979.

LADONNA THIGPEN
FLOODPLAIN ADMINISTRATOR

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

05-27-2021
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 MAY 3, 2021.

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





Geo ID: S0215-00060-0002-00
Situs Address: Null
Property Type: Real
State Code: C1

Legal Description:	MARIEMONT #3 (PORT LAVACA), BLOCK 6, LOT 57 OF 11
Abstract:	S0215
Neighborhood:	MARIEMONT AREA
Appraised Value:	\$1,000.00
Jurisdictions:	G05, NV6, S01, C04, FML, CAD, GWD

Item 2.

Name: JOHNSON LARRY JR
Exemptions:
DBA: Null

An aerial photograph of a residential neighborhood with property boundaries overlaid. Each parcel is labeled with a number. Parcel 20889 is highlighted with a red rectangle. The map includes a scale bar at the bottom left and a north arrow at the bottom right. The text 'POWERED BY esri' is visible in the bottom right corner, along with a list of data providers: Maxar, Microsoft, Esri, HERE, Garmin, iPC.

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 #: 20877

Geo ID: S0215-00060-0003-00

Situs Address: Null

Property Type: Real

State Code: C1

Property Information: 2021

Legal Description: MARIEMONT #3 (PORT LAVACA), BLOCK 6, LOT 12

Abstract: S0215

Neighborhood: MARIEMONT AREA

Appraised Value: \$1,000.00

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

Owner Identification #: 118518

Name: JOHNSON LARRY JR

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 #: 20883

Geo ID: S0215-00060-0004-00
Situs Address: Null
Property Type: Real
State Code: C1

Property Information: 2021

Legal Description: MARIEMONT #3 (PORT LAVACA), BLOCK 6, LOT 13
Abstract: S0215
Neighborhood: MARIEMONT AREA
Appraised Value: \$1,000.00
Jurisdictions: G05, NV6, S01, C04, FML, CAD, GWD

Owner Identification #: 118518

Item 2.

Name: JOHNSON LARRY JR
Exemptions:
DBA: Null

Re-Center Map



Calhoun CAD Map Search

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Property Identification #: 20895

Geo ID: S0215-00060-0005-00

Situs Address: Null

Property Type: Real

State Code: C1

Property Information: 2021

Legal Description: MARIEMONT #3 (PORT LAVACA), BLOCK 6, LOT 14

Abstract: S0215

Neighborhood: MARIEMONT AREA

Appraised Value: \$1,000.00

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

Owner Identification #: 118518

Name: JOHNSON LARRY JR

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 #: 20905

Geo ID: S0215-00060-0006-00

Situs Address: Null

Property Type: Real

State Code: C1

Property Information: 2021

Legal Description: MARIEMONT #3 (PORT LAVACA), BLOCK 6, LOT 15
Abstract: S0215
Neighborhood: MARIEMONT AREA
Appraised Value: \$1,000.00
Jurisdictions: G05, NV6, S01, C04, FML, CAD, GWD

Owner Identification #: 118518

Item 2.

Name: JOHNSON LARRY JR
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 #: 20917

Geo ID: S0215-00060-0007-00

Situs Address: Null

Property Type: Real

State Code: C1

Property Information: 2021

Legal Description: MARIEMONT #3 (PORT LAVACA), BLOCK 6, LOT 16

Abstract: S0215

Neighborhood: MARIEMONT AREA

Appraised Value: \$1,000.00

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

Owner Identification #: 118518

Name: JOHNSON LARRY JR

Exemptions:

DBA: Null

Item 2.

Re-Center Map

Calhoun CAD Map Search

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



COMMUNICATION

SUBJECT: Consider recommendation of the Planning Board for approval of a preliminary and final plat of Desai Subdivision, Block 1, Lot 1 and Lot 2, generally located north of Travis Street and south of Tiny Browning Boulevard on SH 35 North. Presenter is Jessica Carpenter

INFORMATION:

CITY OF PORT LAVACA

MEETING: June 28, 2021

DATE: 06.23.2021

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: JESSICA CARPENTER, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: To consider and discuss approval of a preliminary and final plat, Desai Subdivision. Generally located north of Travis Street and south of Tiny Browning Boulevard on SH 35 N. The property identification for this site is 29853. The preliminary legal description for the proposed subdivision will be Lot 1 and Lot 2 of Block 1 of Desai Subdivision in Calhoun County, Texas. The total acreage for this plat is 3.99 acres. As well as consider and discuss for approval a Variance request for a reduced frontage lot width from the minimum of 50 ft to 40.06 ft.

Sec. 42-6. - Procedure

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

The applicant for the proposed Desai Subdivision plat is requesting to subdivide the 3.99-acre parcel currently developed as their La Quinta Inn and Suites property, into two (2) lots. Lot one (1) is 1.28 acres and will be the lot for the current site of the La Quinta Inn and Suites. Lot two (2) is 2.71 acres of undeveloped land adjacent to lot 1. The applicant is preparing to develop lot 2 as a future hotel. Currently the preliminary plat is representing the access for lot 2 through the existing access for the La Quinta hotel.

However, the applicant is considering seeking approval from TxDOT to widen the existing access on lot 1 from SH 35 N, and utilizing the flag portion of lot 2 as the easement to improve the access to lot 2. There is not a direct access from SH 35 N for lot 2. TxDOT will not approve a separate direct access to lot 2 from SH 35 N due to the close proximity of the existing accesses to Walmart and La Quinta, and because the SH 35 N frontage of lot 2 does not meet the minimum frontage requirements of a lot as per:

Sec. 42-131. - Lots.

(a) Minimum dimensions.

(1) Sewered lots. Where connection to the city's sewage collection system is available, each lot shall have minimum area of 5,500 square feet with a minimum width of 50 feet...

Therefore, the applicant is requesting a variance to the above referenced code as lot 2 has a 40.06 ft. width as the front property line adjacent to SH 35 N. This is 9.94 ft. less than the minimum lot width requirement of 50 ft.

Unfortunately, the applicant has sought shared access with Walmart in the past. Walmart has refused the applicant a shared access agreement. Therefore, the applicant has a hardship in developing the 2.71-acre property to the rear of their existing LA Quinta hotel with adequate access.

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 applicant is preparing to develop another hotel behind the existing La Quinta Inn and Suites. This commercial corridor of SH 35 N is well suited to support a new hotel and the plat serves as the legal location for the proposed hotel upon approval of the platting process.

Department & Agency Comments:

Engineering:

- If the access easement is recorded as currently proposed on the preliminary plat, lot two (2) will require development restrictions. Commercial retail would not be feasible to be developed on lot 2 as the access does not serve adequately for semi-truck access for delivery. A proposed hotel would be adequate.
- No direct access to lot 2 from the reduced frontage of 40.06 ft. on SH 35 N.
- Until final improvements are decided for access to lot 2 and widening existing access on lot 1 is approved by TxDOT, the applicant will be required to provide a blanket easement for access to lot 2 in writing on the face of the plat, including the fire department conditions stated below.

TxDOT:

- A new driveway between La Quinta and Walmart would not meet TxDOT access guidelines. The best opportunity for access would be a shared access off the existing Walmart driveway.

Fire:

CITY OF PORT LAVACA

- Represent a 25-Foot Fire Lane - Emergency Access Easement and full fire turn around on the face of the plat for recordation of the easement that extends through lot 2.
- Provide engineered plans for all fire sprinkler protection systems for future construction at the time of building plan submittal.

Public Works:

- Provide utility easements on the plat for lot 2 due to utilities that currently exist on the interior of the south and west property lines of lot 2.
- Provide engineered plans for water, sewer, and drainage at the time of building plan submittal.

Development Services:

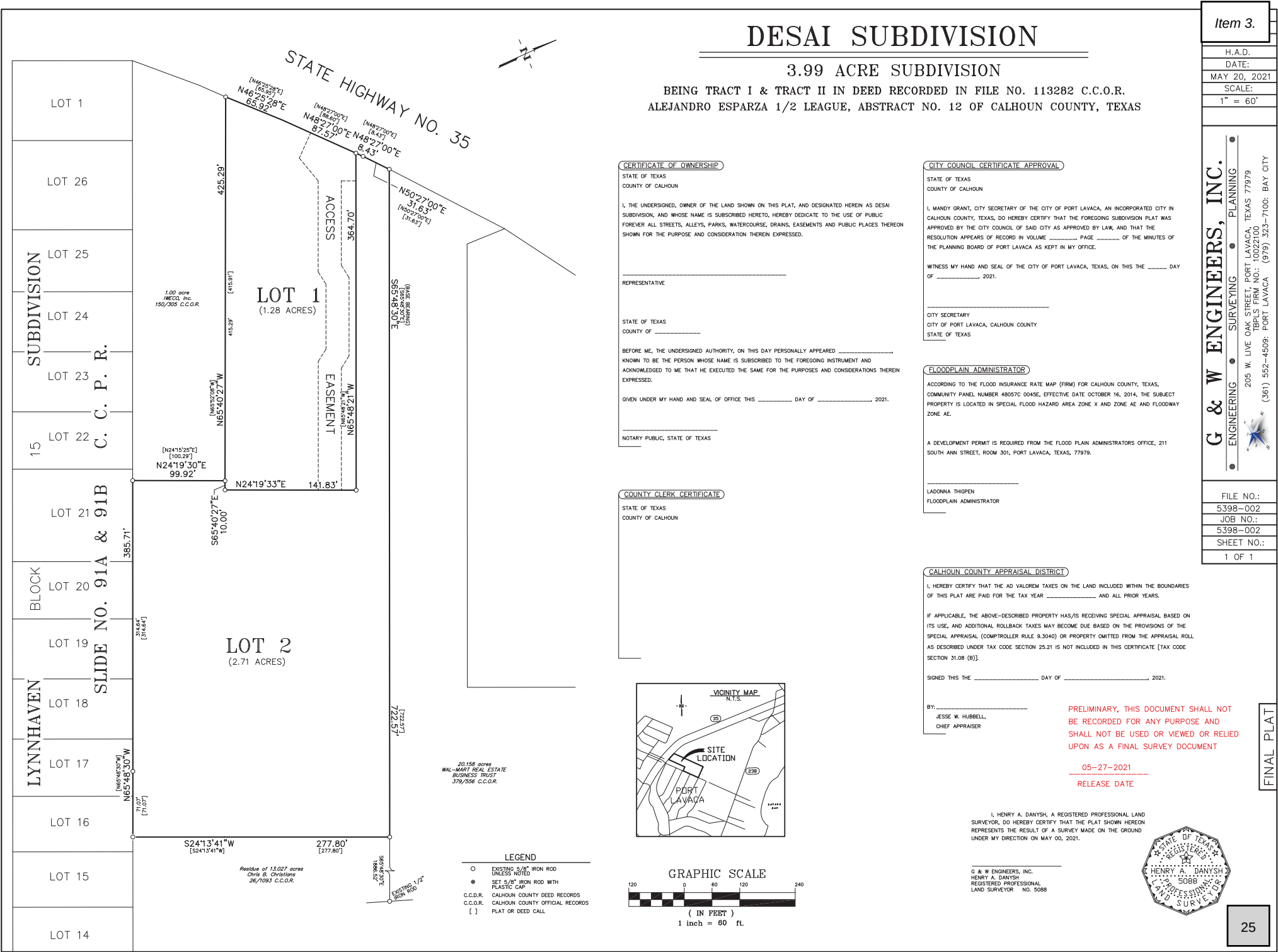
- Meet all department and agency conditions prior to submitting the final plat.
- Comply with building permit processes upon plat approval and recordation.

Planning Board Recommendation: APPROVAL

Approve of preliminary and final plat, Desai Subdivision. Generally located north of Travis Street and south of Tiny Browning Boulevard on SH 35 N. The property identification for this site is 29853. The preliminary legal description for the proposed subdivision will be Lot 1 and Lot 2 of Block 1 of Desai Subdivision in Calhoun County, Texas. The total acreage for this plat is 3.99 acres. As well as consider and discuss for approval a Variance request for a reduced frontage lot width from the minimum of 50 ft to 40.06 ft.

Attachments:

Desai Preliminary Plat
Images of the site
CAD information
Walmart Subdivision



DESAI SUBDIVISION

3.99 ACRE SUBDIVISION

BEING TRACT I & TRACT II IN DEED RECORDED IN FILE NO. 113282 C.C.O.R.
ALEJANDRO ESPARZA 1/2 LEAGUE, ABSTRACT NO. 12 OF CALHOUN COUNTY, TEXAS

CERTIFICATE OF OWNERSHIP

STATE OF TEXAS
COUNTY OF CALHOUN

I, THE UNDERSIGNED, OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS DESAI 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.

REPRESENTATIVE

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

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

FLOODPLAIN ADMINISTRATOR

ACCORDING TO THE FLOOD INSURANCE RATE MAP (FIRM) FOR CALHOUN COUNTY, TEXAS, COMMUNITY PANEL NUMBER 48057C 0045E, EFFECTIVE DATE OCTOBER 16, 2014, THE SUBJECT PROPERTY IS LOCATED IN SPECIAL FLOOD HAZARD AREA ZONE X AND ZONE AE AND FLOODWAY ZONE AE.

A DEVELOPMENT PERMIT IS REQUIRED FROM THE FLOOD PLAIN ADMINISTRATORS OFFICE, 211 SOUTH ANN STREET, ROOM 301, PORT LAVACA, TEXAS, 77979.

LADONNA THIGPEN
FLOODPLAIN ADMINISTRATOR

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 (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.

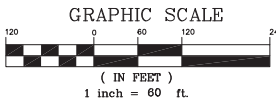
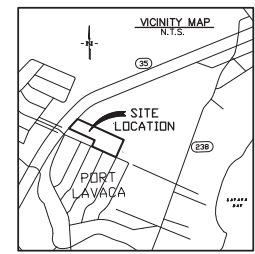
BY: _____
JESSE W. HUBBELL
CHIEF APPRAISER

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

05-27-2021
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 MAY 03, 2021.

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



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

Item 3.
H.A.D.
DATE:
MAY 20, 2021
SCALE:
1" = 60'
G & W ENGINEERS, INC.
ENGINEERING • SURVEYING • PLANNING
205 W. LIVE OAK STREET, PORT LAVACA, TEXAS 77979
TBPLS FIRM NO.: 10022100
(361) 552-4509; PORT LAVACA (979) 323-7100; BAY CITY
FILE NO.:
5398-002
JOB NO.:
5398-002
SHEET NO.:
1 OF 1

FINAL PLAT

XTEND EXISTING ACCESS



La Quinta Inn & Suites by Wyndham...
4.1 ★ (221)
3-star hotel

ATM

Covington Credit

FIR



UTILITY
EASEMENTS



Property Information: 2021	
Legal Description:	A0012 ALEJANDRO ESPARZA, TRACT PT 1 WILSON, NOBLE & BOYD, ACRES 4.0
Abstract:	A0012
Neighborhood:	PORT LAVACA COMMERCIAL
Appraised Value:	\$5,890,030.00
Jurisdictions:	G05, NV6, S01, C04, FML, CAD, GWD

Owner Identification #: 104

Name: OCEANVIEW

Exemptions:

DBA: LA QUINTA II

Name: OCEANVIEW

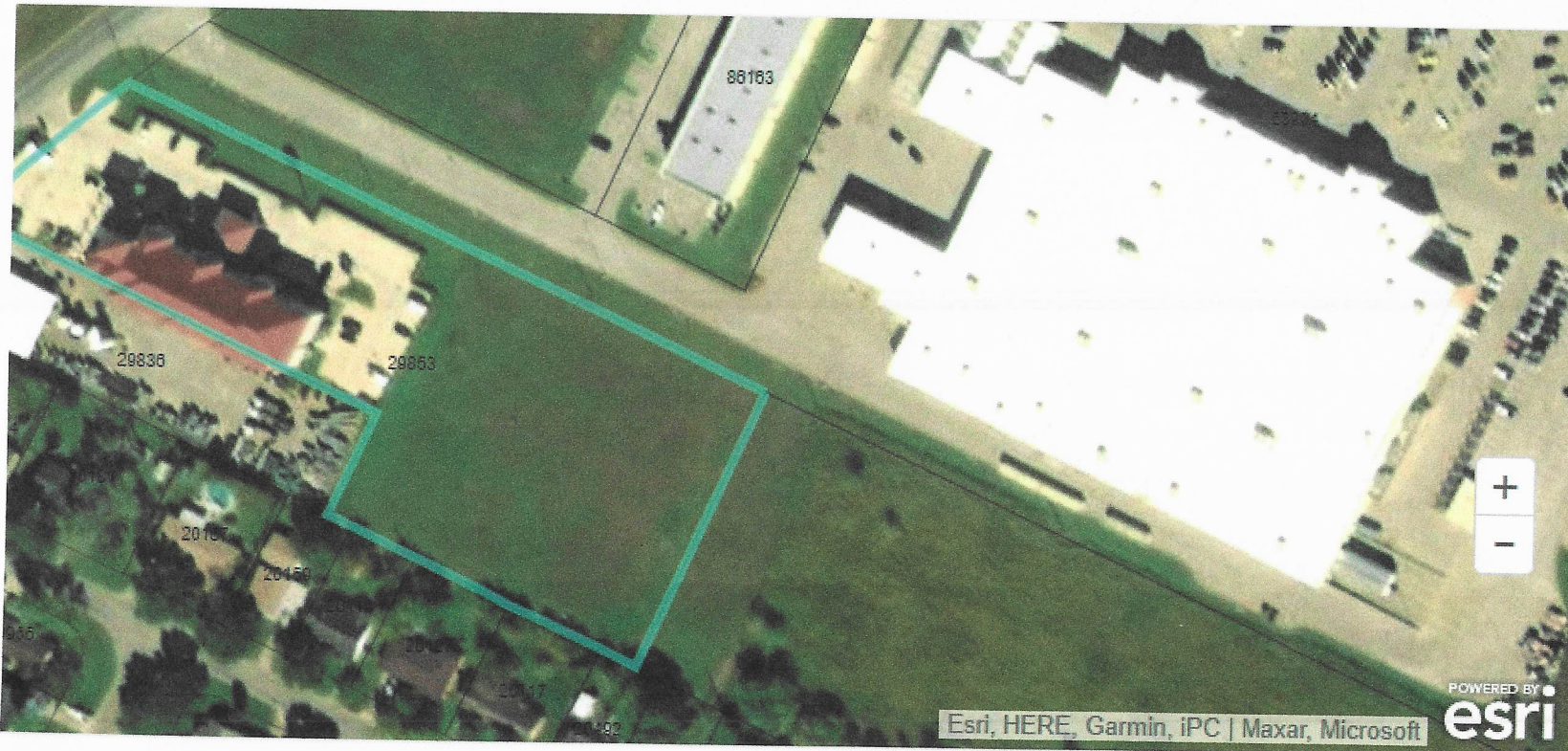
Exemptions:

DBA: LA QUINTA II

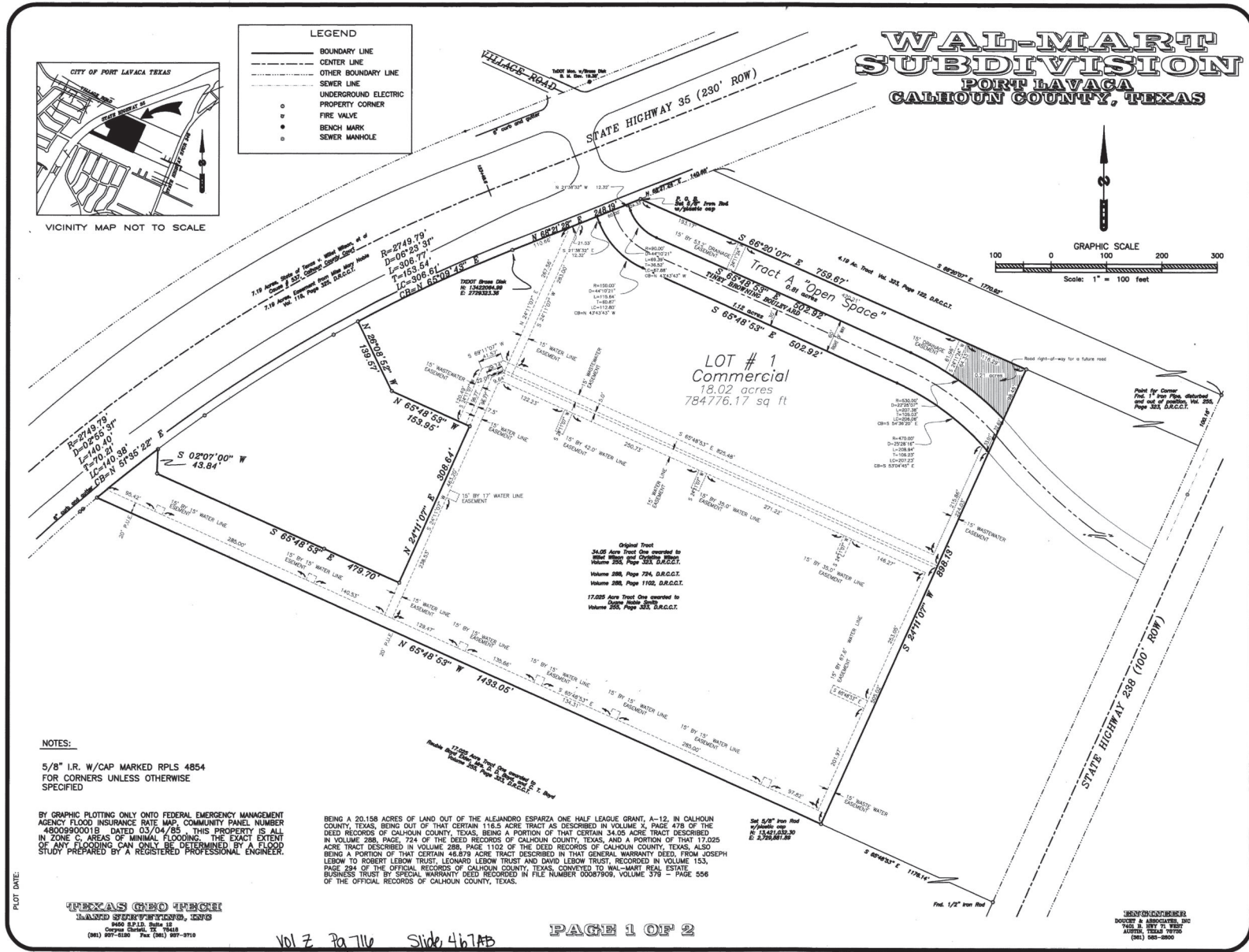
Calhoun CAD Map Search

This product is for information engineering, or surveying purposes only. It does not guarantee an approximate relative location. No warranty, express or implied, is made by the State of Georgia, any and all liability in connection with the use of this product shall be the responsibility of the user.

This product is for information engineering, or surveying purposes only. It does not guarantee approximate relative location. We disclaim any and all liability in connection with this product.



Wal-Mart S/D P.1



WAL-MART SUBDIVISION **PORT LAVACA** **CALHOUN COUNTY, TEXAS**

STATE OF TEXAS
COUNTY OF CALHOUN

I, Joe Grasso a Registered Professional Engineer in the State of Texas, do hereby certify that proper engineering consideration has been given this plot.

Joe Grasso 10/27/06
Texas Registration No. 73285
Doucet & Associates, Inc.
7401 B Hwy. 71 W.-Suite 160
Austin TX 78735



STATE OF TEXAS
COUNTY OF CALHOUN

I, Bonnie Grasso, City Secretary of the City of Port Lavaca, an incorporated City in Calhoun County, Texas, do hereby certify that the foregoing plot was approved by the City Council of said City as approved by law, and that the resolution appears of record in Volume XX Page of the Minutes of the City Council of Port Lavaca as kept in my office.

WITNESS MY HAND AND SEAL OF THE CITY OF PORT LAVACA, TEXAS, on this the 21st day of NOV, 2006.
Bonnie Grasso
City Secretary
City of Port Lavaca, Calhoun County
State of Texas



STATE OF TEXAS
COUNTY OF CALHOUN

I, Anita Fricker, Clerk of County Court and County Clerk of Calhoun County, Texas, do hereby certify that the foregoing plot of WAL-MART SUBDIVISION in the City of Port Lavaca, Calhoun County, Texas, duly authenticated by certification of the City of Port Lavaca, Texas, attached hereto, as filed for record in my office on the 16th day of November, 2006, at 10:10 o'clock A.M., and was duly recorded on the 16th day of November, 2006 in Volume 2 Page 106 of the Calhoun County Deed Records.

Anita Fricker
County Clerk
County of Calhoun
State of Texas
By Christina Eduardo

STATE OF TEXAS
COUNTY OF CALHOUN

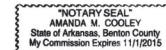
I, (we), the undersigned, owner(s) of the land shown on this plot, and designated herein as the Wal-Mart Subdivision to the City of Port Lavaca, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown for the purpose and consideration therein.

Owner(s)
Robert Stoker
Vice President
Wal-Mart Real Estate Business Trust
2001 S.E. 10th Street
Bentonville Ar. 72716

STATE OF ARKANSAS
COUNTY OF BENTON

Before me, the undersigned authority, on this day personally appeared Robert Stoker known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that such person executed the same for the purposes and considerations therein stated.

Given under my hand and seal of office this the 2nd day of November, 2006.
Notary Public, Amanda M. Cooley Notary Public in and for Benton County,
Benton County, Arkansas



STATE OF TEXAS
COUNTY OF CALHOUN

I, Ronald C. Steinnmeyer, a Registered Public Surveyor in the State of Texas, do hereby certify that I prepared this plot from an actual and accurate survey of the land and that the corner monuments shown thereon were placed under my personal supervision, in accordance with the Subdivision Regulations of the City of Port Lavaca, Texas.

Ronald C. Steinnmeyer
Registered Public Surveyor No. 3907
9450 S.P.L.D. - SUITE 12
Corpus Christi Texas, 78418



PLOT DATE:

TEXAS GEO TECH
LAND SURVEYING, INC.
1400 S. 27th, Suite 11
Corpus Christi, TX 78418
(361) 837-8323 Fax (361) 837-8710

PAGE 2 OF 2

REGISTERED PROFESSIONAL ENGINEER
DOUCET & ASSOCIATES, INC.
7401 B HWY. 71 WEST
AUSTIN, TEXAS 78735
(512) 882-3900

WAL-MART SUBDIVISION PORT LAVACA CALHOUN COUNTY, TEXAS

STATE OF TEXAS
COUNTY OF CALHOUN

I, Joe Grasso a Registered Professional Engineer in the State of Texas, do hereby certify that proper engineering consideration has been given this plat.

Joe Grasso 10/27/06
Joe Grasso
Texas Registration No. 73285
Doucet & Associates, Inc.
7401 B Hwy. 71 W.-Suite 160
Austin TX 78735



STATE OF TEXAS
COUNTY OF CALHOUN

I, Brenda Gibson, City Secretary of the City of Port Lavaca, an incorporated City in Calhoun County, Texas, do hereby certify that the foregoing plat was approved by the City Council of said City as approved by law, and that the resolution appears of record in Volume XX, Page of the Minutes of the City Council of Port Lavaca as kept in my office.

WITNESS MY HAND AND SEAL OF THE CITY OF PORT LAVACA, TEXAS, on this the 21st day of NOV, 2006.

Brenda Gibson
City Secretary
City of Port Lavaca, Calhoun County
State of Texas



STATE OF TEXAS
COUNTY OF CALHOUN

I, Artha Fricker, Clerk of County Court and County Clerk of Calhoun County, Texas, do hereby certify that the foregoing plat of Wal-Mart Subdivision in the City of Port Lavaca, Calhoun County, Texas, duly authenticated by certification of the City of Port Lavaca, Texas, attached hereto, as filed for record in my office on the 21st day of NOVEMBER, 2006, at 10:20 o'clock A.M., and was duly recorded on the 21st day of NOVEMBER, 2006 in Volume 2, Page 116 of the Calhoun County Deed Records.

Artha Fricker
County Clerk
County of Calhoun
State of Texas
By Donna B. Bland

STATE OF TEXAS
COUNTY OF CALHOUN

I, (we), the undersigned, owner(s) of the land shown on this plat, and designated herein as the Wal-Mart Subdivision to the City of Port Lavaca, Texas, and whose name is subscribed hereto, hereby dedicate to the use of the public forever all streets, alleys, parks, watercourses, drains, easements and public places thereon shown for the purpose and consideration therein.

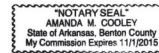
Owner(s) Robert Stoker
Robert Stoker
Vice President
Wal-Mart Real Estate Business Trust
2001 S.E. 10th Street
Bentonville Ar. 72716

STATE OF ARKANSAS
COUNTY OF BENTON

Before me, the undersigned authority, on this day personally appeared Robert Stoker known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that such person executed the same for the purposes and considerations therein stated.

Given under my hand and seal of office this the 2nd day of NOVEMBER, 2006.

Notary Public, Amanda M. Cooley Notary Public in and for Benton County, Benton County, Arkansas



STATE OF TEXAS
COUNTY OF CALHOUN

I, Ronald C. Steinmeyer, a Registered Public Surveyor in the State of Texas, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were placed under my personal supervision, in accordance with the Subdivision Regulations of the City of Port Lavaca, Texas.

Ronald C. Steinmeyer
Ronald C. Steinmeyer
Registered Public Surveyor No. 3907
9450 S.P.L.D. - SUITE 12
Corpus Christi, Texas, 78418



PLAT DATE:

TEXAS GEO TECH
LAND & SURVEY, INC.
P.O. Box 1213
Corpus Christi, TX 78418
(361) 897-5525 Fax (361) 897-5710

PAGE 2 OF 2

INDEPENDENT
DOUCET & ASSOCIATES, INC.
P.O. Box 10717 West
Austin, Texas 78766
(512) 452-3400

COMMUNICATION

SUBJECT: Consider approval of New Plan Options for the 2021-2022 Fiscal Year, with Texas Municipal League (TML) Multi-State Intergovernmental Employee Benefits Pool, related to the city's group health insurance coverage. Presenter is Jody Weaver

INFORMATION:



Memorandum

Date: June 24, 2021

To: The Honorable Mayor and City Council Members

From: JoAnna P. “Jody” Weaver, P.E., Interim City Manager
Susan Lang, Director of Finance

Reference: Health Insurance Plan Recommendation for FY 2022

We have received and reviewed the available health insurance plan options available to the City for the fiscal year beginning October 1, 2021. According to TML Health Benefits Pool, the City’s current provider of coverage, United Health Care, will no longer be an option. Had the United plan been offered, the cost of renewal would have likely increased by more than 6%. Fortunately, the City’s risk pool has partnered with BCBSTX for what it believes to be a 6.9% cost of care savings across the Pool. We are limited in our choices and must respond to TML by June 30, 2021.

Several plan options that closely resemble the City’s current plan have been compared. Based upon the City’s utilization and experience, the coverage option that provide the best benefit for its employees will only increase the current rates by 2.25%.

Changes to plan coverage should be highlighted below:

- The \$30 co-pay for office visits will remain the same, but X-rays and laboratory testing will now be included in the co-pay. The previous plan did not include those items in the office visit co-pay.
- The prescription drug plan will now allow a 2-tiered Dispense As Written (DAW) option where the difference can be paid by the employee if a Generic does not meet the health needs of the employee. The previous plan did not cover the DAW and would only pay for Generic.
- The Individual Deductible will increase by \$200 (all plan choices had the same increase), and the Out of Pocket Maximum will increase by \$700 in total.

The City is projecting an increase to the annual budget of approximately \$21,000 for FY 2022, if the City pays the entire amount of the premium increase. There would only be an offset of approximately \$4,000 if the City were to equally shift the increase on to its employees. Based upon this de minimis amount, staff is recommending the City budget for the entire increase and maintain the employee portion of premiums the same as last year. As with last year, the city expects to receive a “renewal credit” that may offset the increase in premium contributions. Last year’s renewal credit amounted to \$5,479.21 per month or \$65,751. TML has not made a final decision on this year’s credit, but we are hopeful that this will help to offset the increased premiums for fiscal year 2022.

Staff recommends the approval of BCBSTX Option 2 as offered by TML Health Benefits Pool.



MEDICAL COST PROJECTION

Port Lavaca - PPORTLA1

05/27/21

MEMBER OPTION

5/27/2021 7:47 AM

Item 4.

Current Plan

6%

2020-2021
Current Rates
P85-30-23 \$30 OV
80% / 50%
PPO
\$300 In Ded
\$550 Out Ded
\$2,300 In OOP
\$30 OV
NonDAW Rx Plan

EE	\$569.98
EE + Spouse	\$1,157.08
EE + Child(ren)	\$1,003.18
EE + Family	\$1,681.46

New Plan Options

2021-2022

Option 1

6.42% Increase
Coplay-500-2K ER
80% / 50%
PPO (copay)
\$500 In Ded
\$1,000 Out Ded
\$2,000 In OOP
\$0 Tela Health Copay
\$30 OV/\$45 SP/\$75 UC/\$500 ER Copay
DAW1&2 Rx Plan

EE	\$606.60
EE + Spouse	\$1,231.44
EE + Child(ren)	\$1,067.64
EE + Family	\$1,789.50

Option 1

Option 2

2.25% Increase
Coplay-500-3K ER
80% / 50%
PPO (copay)
\$500 In Ded
\$1,000 Out Ded
\$3,000 In OOP
\$0 Tela Health Copay
\$30 OV/\$45 SP/\$75 UC/\$500 ER Copay
DAW1&2 Rx Plan

EE	\$582.82
EE + Spouse	\$1,183.16
EE + Child(ren)	\$1,025.80
EE + Family	\$1,719.36

Option 2

Option 3

0.56% Decrease
Coplay-500-4K ER
80% / 50%
PPO (copay)
\$500 In Ded
\$1,000 Out Ded
\$4,000 In OOP
\$0 Tela Health Copay
\$30 OV/\$45 SP/\$75 UC/\$500 ER Copay
DAW1&2 Rx Plan

EE	\$566.78
EE + Spouse	\$1,150.60
EE + Child(ren)	\$997.56
EE + Family	\$1,672.02

Option 3

Option 4

1.64% Decrease
Coplay-750-3K ER
80% / 50%
PPO (copay)
\$750 In Ded
\$1,500 Out Ded
\$3,000 In OOP
\$0 Tela Health Copay
\$30 OV/\$45 SP/\$75 UC/\$500 ER Copay
DAW1&2 Rx Plan

EE	\$560.66
EE + Spouse	\$1,138.16
EE + Child(ren)	\$986.78
EE + Family	\$1,653.96

Option 4

Please sign & date option chosen:

Signature / Date

Signature / Date

Signature / Date

Signature / Date

DAW1&2 Plan: If a brand name drug is dispensed and a generic alternate drug exists, the Covered Individual pays the difference between the brand name and generic price in addition to the appropriate copayment for the brand name. The cost difference between the brand name and generic price does not apply to any individual deductibles or out of pocket amounts. The differential applies to all prescriptions purchased through this program when a generic alternate is available.

NonDAW Plan: If a brand name drug is dispensed and a generic alternate drug exists, the Covered Individual pays the appropriate brand copay.

THIS DOES NOT COMPLETE THE RERATE PROCESS. YOU WILL NEED TO SIGN THE MEMBER OPTION AND DO ONE OF THE FOLLOWING BY 06/25/2021:

1. Scan an image of the signed member option and email it to underwriting@tmlhb.org, or
 2. Fax the signed member option to (512) 719-6541, attn: Underwriting
- THEN A NEW RERATE NOTICE WILL BE GENERATED AND MAILED TO YOU. THE RERATE SHEET MUST BE SIGNED AND RECEIVED IN AUSTIN BY 07/01/2021 FOR THE NEW BENEFITS AND RATES TO BE EFFECTIVE FOR 10/01/2021.**

COMMUNICATION

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

INFORMATION:

COMMUNICATION

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

INFORMATION:

