

CITY COUNCIL REGULAR MEETING

Monday, June 09, 2025 at 6:30 PM City Council Chambers | 202 N. Virginia Street, Port Lavaca TX 77979

PUBLIC NOTICE OF MEETING

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

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

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

AGENDA

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

MEETING PROCEDURE

Public notice is hereby given that the City Council of the City of Port Lavaca, Texas, will hold a regular meeting Monday, June 09, 2025 beginning at 6:30 p.m., at the regular meeting place in Council Chambers at City Hall, 202 North Virginia Street, Port Lavaca, Texas to consider the following items of business.

[After publication, any information in a council packet is subject to change during the meeting]

The meeting will also be available via the video conferencing application "Zoom",

Join Zoom Meeting:

https://us02web.zoom.us/j/84191019858?pwd=Vyae8rlmWrMcPD5DFxCk3sq3OAJsAI.1

Meeting ID: 841 9101 9858

Passcode: 775773

One Tap Mobile +13462487799,,81793583407#,,,,*995664# US (Houston)

Dial by your location +1346 248 7799 US (Houston)

- I. ROLL CALL
- II. CALL TO ORDER
- **III. INVOCATION**
- IV. PLEDGE OF ALLEGIANCE

V. PRESENTATION(S)

Employee Service Award

 Boyd Staloch - 40 Years – Fire Department

VI. COMMENTS FROM THE PUBLIC

(Limited to 3 minutes per individual unless permission to speak longer is received in advance. You may make public comments as you would at a meeting by logging on with your computer and using "Join Zoom Meeting" information on first page of this agenda).

- VII. CONSENT AGENDA Council will consider/discuss the following items and take any action deemed necessary
 - A. Minutes of May 12, 2025 Regular Meeting
 - B. Minutes of May 27, 2025 Special Meeting
 - C. Review of Credit Card Statement
 - D. Receive Monthly Financial Highlight Report
 - E. Budget Amendment #GF-006 Donation to Fire Department
 - F. Receive Victoria Economic Development Corporation (VEDC) Monthly Report

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

- 1. Conduct Public Hearing in accordance with the City of Port Lavaca Code of Ordinances, Chapter 12 Buildings and Building Regulations, Article IV - Substandard Buildings, Section 12-291 - Notice (a) and (b), for the following properties listed:
 - (a) 1216 Tilley
 - (b) 500 Blk N. SanAntonio (Property ID 21373)
 - (c) 423 N. Guadalupe
- 2. Consider and take action to declare property to be substandard and required action following declaration, following a Public Hearing held on June 09, 2025:
 - (a) 1216 Tilley
 - (b) 500 Blk N. SanAntonio (Property ID 21373)
 - (c) 423 N. Guadalupe
- <u>3.</u> Call annual corporate meeting to order for Port Lavaca Channel & Dock Company and consider and take any action deemed necessary for adoption of unanimous written consent. <u>Presenter is Anne Marie Odefey</u>

- <u>4.</u> Call annual corporate meeting to order for Clement Cove Harbor Company and consider and take any action deemed necessary for adoption of unanimous written consent. <u>Presenter is Anne Marie Odefey</u>
- 5. Receive the 2026 proposed Budget from the Calhoun County Appraisal District (CCAD) as required by Sec. 6.06 (A) of the Texas Property Tax Code to the Governing bodies of the Taxing Units within. Presenter is Chief Appraiser Paul Spaeth
- <u>6.</u> Consider appointment of member(s) to the Port Commission to fill a vacancy and/or start a new term of two (2) years. <u>Presenter is Jody Weaver</u>
- 7. Consider appointment and/or re-appointment of representative(s) to the Golden Crescent Regional Planning Commission (GCRPC) General Assembly and Board of Directors. <u>Presenter is Jody Weaver</u>
- 8. Consider approval for a Snow Cone Stand to be located on the corner of Seadrift Street and West Austin, Property ID 22087. The legal description is Lot 18 & PT of 19 of Block 7 of the South Park Subdivision (1111 W. Austin St.). <u>Presenter is Derrick Smith</u>
- <u>9.</u> Consider award for the Micro Surfacing Pavement Treatment for Mariemont and Hillside Terrace Subdivisions. <u>Presenter is Jody Weaver</u>
- <u>10.</u> Consider awarding a contract with NewGen Strategies and Solutions to conduct a Water and Wastewater Rate Study, for a fee not to exceed \$45,000. <u>Presenter is Jody Weaver</u>
- <u>11.</u> Consider approval of new plan options for the 2025-26 Fiscal Year with Texas Municipal League (TML) Intergovernmental Employee Benefits Pool related to the City's Group Health Insurance Coverage. <u>Presenter is Brittney Hogan</u>
- Consider Resolution No. R-060925-1 of the City of Port Lavaca Supporting an application to the Texas Department of Transportation's (TxDOT) 2025 Transportation Alternative set-aside (TA) Call for Projects. <u>Presenter is Jody Weaver</u>
- 13. Consider Resolution No. R-060925-2 of the City of Port Lavaca to renew the application with the Texas Department of Housing and Community Affairs (TDHCA) to continue participation in the HOME Investment Partnerships Program, Homeowner Reconstruction <u>Presenter is Kateryna Thomas</u>
- <u>14.</u> Consider Resolution No. R-060925-3 of the City of Port Lavaca for Award of Administrator for the HOME Program. <u>Presenter is Kateryna Thomas</u>
- 15. Consider Resolution No. R-060925-4 of the City of Port Lavaca authorizing Professional Administration/Project Delivery Services Provider Selection for Community Development Block Grant Mitigation (CDBG-MIT) Program Resilient Communities Program through the Texas General Land Office (GLO) Contract No.23-160-104-F112. <u>Presenter is Kateryna</u> <u>Thomas</u>
- 16. Consider Resolution No. R-060925-5 of the City of Port Lavaca to adopt the Budgetary and Financial Management Policies for FY 2025-2026. <u>Presenter is Brittney Hogan</u>
- <u>17.</u> Consider Resolution No. R-060925-6 of the City of Port Lavaca to approve the annual review of the Investment Policy and Strategy. <u>Presenter is Brittney Hogan</u>

- 18. Consider Second and Final reading of an Ordinance (S-2-25) of the City of Port Lavaca for amendment(s) to the Base Ordinance S-2-24 for 2024-2025 fiscal year budget; providing for Budget Amendment(s); providing for severability, repealing all ordinances in conflict and establishing an effective date. Presenter is Brittney Hogan
- 19. Consider First reading of an Ordinance (G-3-25) of the City of Port Lavaca amending the basic Traffic Control Devices Ordinance G-6-86, Section 3, by adding new street locations in Brookhollow Estates and Jade Bay Subdivisions; Repeal Clause and effective date. Presenter is Colin Rangnow
- 20. Consider First reading of an Ordinance (G-4-25) of the City of Port Lavaca amending the Ordinance codified and described in the City of Port Lavaca's Code of Ordinances as Part II, Chapter 34 Peddlers, Solicitors, Itinerant Vendors, Garage Sales and Mobile Food Units; Chapter 36 Signs; and adding Chapter 35 Garage Sales; providing for purpose of ordinance, providing for severability; providing a repealing clause; and providing an effective date. Presenter is Derrick Smith
- 21. Consider First reading of an Ordinance (G-5-25) of the City of Port Lavaca amending the Ordinance codified and described in the City of Port Lavaca's Code of Ordinances as Part II, Chapter 12 Buildings and Building Regulations, Addition of New Article V Building and Standards Commission; providing for purpose of ordinance, providing for severability; providing a repealing clause; and providing an effective date. <u>Presenter is Derrick Smith</u>
- 22. Consider First reading of an Ordinance (G-6-25) of the City of Port Lavaca amending the Ordinance codified and described in the City of Port Lavaca's Code of Ordinances as Part II, Addition of New Chapter 56 Zoning; providing for purpose of ordinance, providing for severability; providing a repealing clause; and providing an effective date. <u>Presenter is Derrick Smith</u>
- 23. Consider request of the Public Works, Code Enforcement, Police and Fire Departments to declare vehicles and other miscellaneous items as surplus and authorize the disposal of said equipment. Presenter is Colin Rangnow
- 24. Consider Memorandum of Understanding (MOU) between Texas Emergency Management Assistance Teams (TEMAT) Program Administrator and TEMAT Employee Member (Kateryna Thomas) and City of Port Lavaca/Employer, regarding participation in TEMAT Programs and authorize City Manager to execute MOU. <u>Presenter is Kateryna Thomas</u>
- 25. Consider Memorandum of Understanding (MOU) between Texas Emergency Management Assistance Teams (TEMAT) Program Administrator and TEMAT Employee Member (Wayne Shaffer) and City of Port Lavaca/Employer, regarding participation in TEMAT Programs and authorize City Manager to execute MOU. <u>Presenter is Kateryna Thomas</u>

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**, **June 09**, **2025**, beginning at 6:30 p.m., was posted at city hall, easily accessible to the public, as of **5:00 p.m. Wednesday**, **June 04**, **2025**.

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 May 12, 2025 Regular Meeting

INFORMATION:



CITY COUNCIL REGULAR MEETING

Monday, May 12, 2025 at 6:30 PM City Council Chambers | 202 N. Virginia Street, Port Lavaca TX 77979

MINUTES

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

On this the 12th day of May 2025, 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 Daniel Aguirre Tim Dent Allen Tippit Rosie G. Padron Jim Ward Rose Bland-Stewart Justin Burke Mayor Councilman, District 1 Councilman, District 2 Councilman, District 3 Councilwoman, District 4, Mayor Pro Tem Councilman, District 5 (Out Going) Councilman, District 5 (In Coming) Councilman, District 6

And with the following absent: None

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

II. CALL TO ORDER

• Mayor Whitlow called the meeting to order at 6:32 p.m. and presided.

III. INVOCATION

• Councilman Ward gave the invocation.

IV. PLEDGE OF ALLEGIANCE

• Mayor Whitlow – Pledge of Allegiance.

V. PRESENTATION(S) BY THE MAYOR

- Proclamations by the Mayor
 - May is Motorcycle Awareness Month
 - National Police Week is May 11 17, 2025
 - National Public Works Week is May 18 24, 2025 "People, Purpose, Presence"

- VI. COMMENTS FROM THE PUBLIC Limited to 3 minutes per individual unless permission to speak longer is received in advance. You may make public comments as you would at a meeting on Zoom by logging on with your computer and/or smart phone as described in the zoom invitation below or on Facebook Live through the comment section, which will be monitored and answered. As appropriate.
 - Mayor asked for comments from the public and the following citizens spoke:
 - Russell Cain, spoke in favor of the President Trump and American Flag banners displayed on Main Street.
 - Felicia Harral, Rotary President, stated appreciation for all who assisted and attended the Rotary's 100th celebration. Also talked about the Port Authority's putting on some events for the kids.

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

- A. Minutes of April 14, 2025 Regular Meeting
- B. Minutes of April 30, 2025 Special Meeting and Workshop Session
- C. <u>Review of Credit Card Statement</u>
- D. <u>Receive Monthly Financial Highlight Report</u>
- E. <u>Receive 1st Quarterly Report from Public Works Department ending 03.31.2025</u>
- F. <u>Receive Victoria Economic Development Corporation (VEDC) Monthly Report</u>
- G. <u>Receive Quarterly City Investment Report for 01.01.2025 thru 03.31.2025</u>

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 Aguirre

Voting Yea:

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

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

1. <u>Canvass returns of the May 03, 2025 City of Port Lavaca General Officers Election.</u> <u>Presenter is Mayor Whitlow</u>

Records and materials regarding the May 03, 2025 General Election were presented by City Secretary Grant, to canvass the votes. The Canvassing Committee was formed of Mayor Whitlow, Councilman Aguirre and Councilman Tippit. Completed Election Tally Books were distributed to the Committee in order to validate the vote count to the canvassing document as follows:

COUNCIL MEMBER, SINGLE DISTRICT FIVE (5) for a term of three (3) years

| Candidate | Early Voting | Election Day | Total Votes |
|--------------------|--------------|--------------|-------------|
| | | | |
| Rose Bland-Stewart | 84 | 34 | 118 |
| Jim Ward | 64 | 26 | 90 |
| Total Ballots Cast | 148 | 60 | 208 |

Councilman Aguirre and Councilman Tippit both agreed that the elections tally book had the same number of votes for each candidate as established in the canvassing document presented by City Secretary Grant.

No action necessary and none taken.

2. <u>Consider Resolution No. R-051225-1E certifying the May 03, 2025 General Election returns</u> <u>and declaring candidates elected. Presenter is Mandy Grant</u>

Motion made by Councilman District 3 Tippit

WHEREAS, the returns of the May 03, 2025 election were canvassed at the regular city council meeting held on Monday, May 12, 2025, at 6:30 p.m., with the following results:

COUNCIL MEMBER, SINGLE DISTRICT FIVE (5) for a term of three (3) years

| Candidate | Early Voting | Election Day | Total Votes | |
|--------------------|--------------|--------------|-------------|--|
| | 1 | | | |
| Rose Bland-Stewart | 84 | 34 | 118 | |
| Jim Ward | 64 | 26 | 90 | |
| Total Ballots Cast | 148 | 60 | 208 | |

WHEREAS, there came on to be considered the returns of an election held the 3rd day of May, 2025, for the purpose of electing the hereinafter named officials; and

WHEREAS, it appearing from said returns duly and legally made, that two hundred eight (208) valid ballots were cast; and

WHEREAS, that each of the candidates in said election received the votes set out hereinabove:

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

THAT, Rose Bland-Stewart was duly elected Council Member, District Five (5) of the City of Port Lavaca, Texas, at said election, and is hereby declared duly elected to said office, subject to executing the Statement of Officer and taking the Oath of Office as provided by the laws of the State of Texas.

Seconded by Councilman District 1 Aguirre

Voting Yea:

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

3. <u>Administer Oaths of Office and issue Certificates of Election to newly elected officials to the</u> <u>Port Lavaca City Council to-wit: Rosie Padron representing District 4; and Rose Bland-</u> <u>Stewart representing District 5; to each serve a new term of three (3) years. Presenter is</u> <u>Mandy Grant</u>

City Secretary Grant administered the Statement of Elected Official, Oath of Office and Certificate of Election signed by the Mayor, to the following newly elected officials:

- Rosie Padron, Council Member, Single District Four (4), for a term of 3 years; and
- Rose Bland-Stewart, Council Member, Single District Five (5), for a term of 3 years.

No action necessary and none taken.

4. <u>Consider election of Mayor Pro Tem by Council Members in accordance with Section 3.04</u> of the City of Port Lavaca Home Rule Charter. Presenter is Mandy Grant

Section 3.04 of the City of Port Lavaca Home Rule Charter:

"The Mayor Pro Tem shall be selected by the Council at the first regular meeting after each General Election, or upon a vacancy in the office of Mayor Pro Tem, from among the members of the Council and shall perform all duties of the Mayor in the Mayor's absence or disability but shall vote as a Council Member."

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 Section 3.04 of the City of Port Lavaca Home Rule Charter, Councilwoman Rosie Padron be elected to the office of Mayor Pro Tem and shall perform all duties of the Mayor in the Mayor's absence or disability, but shall vote as a Council Member, effective immediately.

Seconded by Councilman District 1 Aguirre

Voting Yea:

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

5. <u>Consider appointment/reappointment of member(s) to the Port Commission to fill a vacancy</u> and/or start a new term. Presenter is Jody Weaver

Interim City Manager Weaver advised Council that current Port Commission Board Members Alex Davila, Mike McGuire, Larry Nichols and Jaime O'Neill have terms that are expiring. All four (4) current members have expressed a desire to be reappointed. There are also two (2) other candidates, Jerry Smith and Jim Ward, that would like to be considered. There are no term limits established and the full term is for a period of two (2) years.

Voting Ballots naming the six (6) candidates were issued to each Council Member and they were instructed to vote for four (4) candidates of their choice and affix their signature to the ballot.

| Record Vote | Port Con | Port Commission Board Member Candidates (New 2-Year Term) | | | | | |
|----------------|----------|---|---------|---------|-------|------|--|
| | | | | | | | |
| Council Member | Davila | McGuire | Nichols | O'Neill | Smith | Ward | |
| | | | | | | | |
| Aguirre | X | | Х | Х | Х | | |
| Dent | | X | X | Х | Х | | |
| Tippit | | Х | X | Х | Х | | |
| Padron* | | Х | | Х | Х | | |
| Bland-Stewart | X | Х | | Х | Х | | |
| Burke | | X | X | X | Х | | |

*Voted only for 3 candidates

City Secretary Grant added the total record votes each candidate received from the ballots taken:

| Candidate: | Davila | McGuire | Nichols | O'Neill | Smith | Ward |
|--------------|--------|---------|---------|---------|-------|------|
| Total Votes: | 2 | 5 | 4 | 6 | 6 | 0 |

Motion made by Councilman District 1 Dent

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

THAT, Council hereby reappoints Mike McGuire, Jaime O'Neill and Larry Nichols to the Port Commission Board to serve a new two-year term.

BE IT FURTHER RESOLVED, THAT Council hereby appoints Jerry Smith to the Port Commission Board to serve a new two-year term

Seconded by Councilwoman District 4 (Mayor Pro Tem) Padron

Voting Yea:

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

6. <u>Receive annual Police Department Activity Report for 2023-2024.</u> Presenter is Colin <u>Rangnow</u>

Police Chief Rangnow presented Council with the annual Police Department Activity Report for 2023-2024.

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 presentation of the annual Police Department Activity Report for 2023-2024.

Seconded by Councilman District 3 Tippit

Voting Yea:

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

7. <u>Consider request of the Police Department to declare the portable speed limit sign as surplus</u> <u>and authorize the disposal of said item. Presenter is Colin Rangnow</u>

Police Chief Rangnow advised Council that the Police Department would like to have the Kustom Signals Smart 850 radar speed display trailer VIN #1R9BR0910EJ482069 declared as surplus. Currently the radar system and message board are inoperable.

Given the age of the unit, parts have become obsolete. The manufacture no longer carries needed parts such as hydraulic shocks or the stabilizer jacks. Both the shocks and the jacks have been replaced multiple times. The unit has also sustained significant damage over the years from being hit by vehicles and weather exposure. This item is decommissioned and no longer used in day-to-day operations.

Motion made by Councilman District 6 Burke

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

THAT, in accordance with the recommendation of staff, Council hereby declares the portable speed limit sign as surplus and authorizes the disposal of said item

Seconded by Councilwoman District 4 (Mayor Pro Tem) Padron

Voting Yea:

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

8. <u>Receive budget from Chief of Police regarding expenditure of felony Forfeiture Funds to</u> <u>purchase new office furniture for several offices in the Police Department. Presenter is Colin</u> <u>Rangnow</u>

Police Chief Rangnow advised Council that the police department plans to use forfeiture funds to furnish CID and the reception office or "old dispatch" with new office furniture. Both areas need updating and refurbishing.

Since the inception of the Calhoun County combined dispatch center, the police department plans to repurpose the "old dispatch" area into a reception office. The Department intends to budget for a receptionist position this upcoming fiscal year. The public would be greeted by the front receptionist Monday- Friday 8 am - 5 pm. The front receptionist would field incoming non-emergency calls to the PD/City Hall and would have limited dispatch capabilities. The position would be cross trained in records and evidence release procedures to better serve the community.

The CID office currently houses three investigators. The office furniture has been piece milled together from other office sets. The goal is to have three workstations for reports in one main office and the second would house evidence processing and electronic extraction equipment.

Coastal Office Supply (PSA/Contract # NCPA #11-18) would supply said furniture at a total cost of \$13,756.40.

Motion made by Councilman District 1 Aguirre

Seconded by Councilman District 6 Burke

Both motions were rescinded when City Attorney advised that the statute does not require council approval.

Rangnow advised that Chapter 59 of the Code of Criminal Procedure allows for police seizure and forfeiture of property used in, and the proceeds gained from, the commission of certain crimes. After seizure, the criminal district attorney may, by agreement, distribute property and funds to local law enforcement agencies to be used for official purposes. The police chief has sole decision-making authority about how felony forfeiture funds are spent. However, the city council is entitled to receive a budget showing how the funds will be spent, but nothing in the statute requires or authorizes city approval of the actual expenditures decided upon by the police chief.

No action necessary and none taken.

9. <u>Consider Resolution No. R-051225-2 of the City of Port Lavaca for Americans with</u> <u>Disabilities Act (ADA) Coordinator, Notice and Grievance Procedure: Administrative</u> <u>Requirements Under Title II of the ADA. Presenter is Jody Weaver</u>

Motion made by Councilman District 1 Aguirre

WHEREAS, the federal government enacted the Americans with Disabilities Act of 1990 (ADA) to prohibit discrimination against qualified individuals with disabilities in all services, programs, or activities of public entities; and

WHEREAS, 28 C.F.R. Part 35 implements Title II of the ADA and outlines requirements for public entities; and

WHEREAS, 28 C.F.R. §35.106 requires a public entity to publish notice regarding the ADA requirements and its applicability to the services, programs, or activities of the public entity to applicants, participants, beneficiaries, and other interested persons; and

WHEREAS, 28 C.F.R. §35.107 (a) requires a public entity that employs 50 or more persons to designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under 28 C.F.R. Part 35 and Title II of the ADA; and

WHEREAS, 28 C.F.R. §35.107 (b) requires a public entity that employs 50 or more persons to adopt and publish grievance procedures providing for prompt and equitable resolution of complaints alleging discrimination on the basis of disability in state and local government services; and

WHEREAS, the City of Port Lavaca has a longstanding commitment to provide access to all its services, programs, and activities to the public and recognizes that adoption of Title II of the ADA notice, Coordinator, and Grievance Procedure regulatory requirements further that goal.

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

Section 1: The above and foregoing recitals are true and correct and are incorporated herein.

Section 2: The City Council does hereby resolve to publish the required information regarding notice under Title II of the ADA, the ADA Coordinator, and the Title II of the ADA Grievance Procedure on the City's website and at such other locations as many as be determined from time to time.

Section 3: The Human Resources Coordinator is designated as the ADA Coordinator for the City of Port Lavaca.

Section 4: The City of Port Lavaca does hereby adopt and approve Title II of the ADA Grievance Procedure, a copy of which is attached for addressing complaints alleging discrimination on the basis of disability in the provision of services, programs, or activities by the City.

Section 5: This resolution shall be effective from and after its date of passage.

Seconded by Councilman District 3 Tippit

Voting Yea:

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

10. <u>Consider Resolution No. R-051225-3 of the City of Port Lavaca to support the submittal of a GLO Coastal Management Program (CMP) Grant application for a Boardwalk along the seawall at Smith Harbor and commit to 40% matching funds if awarded. Presenter is Jody Weaver</u>

Motion made by Councilman District 3 Tippit

WHEREAS, the City of Port Lavaca is a coastal community sitting on the shores of Lavaca Bay, a northwestern extension of the Matagorda Bay ecosystem and is committed to the long-term protection and enhancement of our coastal and natural resources; and

WHEREAS, the Commissioner of the Texas General Land Office is soliciting applications for projects that address environmental concerns and promote economic development with the Texas coastal zone; and

WHEREAS, the Texas General Land Office (GLO) administers the Coastal Management Program (CMP) in Texas to provide Gulf of Mexico Energy Security Act (GOMESA) funding to eligible coastal jurisdictions through a competitive application process and subsequent award of project grant funds; and

WHEREAS, the City of Port Lavaca has adopted a Downtown Waterfront Master Plan that outlines the vision and potential projects to restore the area's original recreational character, protect its natural environment, and transform the waterfront into an eco-friendly economic and tourist attraction; and

WHEREAS, a Letter of Permission to construct the proposed project, being a 10-ft-wide x 368-foot-long boardwalk (Permit No. SWG-2024-00743), was received from the U.S. Army Corps of Engineers on March 28, 2025; and

WHEREAS, in recognition of the critical importance of Port Lavaca's coastal natural resources to all residents and visitors to the Texas coast, the potential availability to leverage local dollars with State and Federal funds, the societal benefits to current and future generations of Texans, the City of Port Lavaca City Council considers it fitting and proper to commit local dollars as required match funds toward grant applications for the implementation of projects consistent with the adopted Downtown Waterfront Masterplan and provide public access to the same; and

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

THAT, the City Council hereby approves and supports the submission of one (1) GLO Texas Coastal Management Program Cycle 31 grant application to solicit funding for the following essential project and hereby also commits to establish and maintain public access to said waterfront:

1) Public Access Boardwalk at Smith Harbor; Preliminary and Final Design Engineering, preparation of Bid documents and Bidding, construction and construction phase engineering.

The City Manager is hereby authorized to execute any and all applications and contract forms as necessary, dedicate/secure the required cash match in an amount not to exceed \$300,000, and coordinate staff's efforts to submit the grant application to the General Land Office and if a conditional Intent to Fund notification is received, work with the GLO on approval of a workplan and budget narrative to secure final funding confirmation.

Seconded by Councilwoman District 4 (Mayor Pro Tem) Padron

Voting Yea:

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

11. <u>Consider First reading of an Ordinance (S-2-25) of the City of Port Lavaca for amendment(s)</u> to the Base Ordinance S-2-24 for 2024-2025 fiscal year budget; providing for Budget <u>Amendment(s)</u>; providing for severability, repealing all ordinances in conflict and establishing an effective date. Presenter is Brittney Hogan

Motion made by Councilman District 3 Tippit

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

THAT, in accordance with the recommendation of staff, Council hereby approves the First reading of an Ordinance (S-2-25) of the City of Port Lavaca for amendment(s) to the Base Ordinance S-2-24 for 2024-2025 fiscal year budget.

Seconded by Councilman District 6 Burke

Voting Yea:

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

Voting Nay: Councilman District 2 Dent

12. 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
- <u>To deliberate commercial or financial information that was received from a business</u> prospect that seeks to locate, stay, or expand in or near the territory of the Governmental Body, and with which the Governmental Body is conducting Economic Development <u>Negotiations, in accordance with Title 5, Chapter 551, Section 551.087 of the Texas</u> <u>Government Code. Presenter is Mayor Whitlow</u>

Mayor Whitlow announced that Council would retire into closed session at 9:50 p.m.

This closed session is for Section 551.071(2) (Attorney Consultation) and Section 551.087 of the Texas Government Code (Economic Development Negotiations).

• <u>To discuss personnel matters in accordance with Title 5, Section 551.074 of the Texas</u> <u>Government Code (to discuss appointment, employment, evaluation, responsibilities and</u> <u>duties, reassignment, discipline or dismissal of an officer or employee, or to hear a</u> <u>complaint or charge against an officer or employee [Municipal Court Judge]). Presenter</u> <u>is Mayor Whitlow</u>

Author's Note: This section of closed section was moved up in the agenda by the Mayor.

Mayor Whitlow announced that Council would retire into closed session at 6:55 p.m.

Mayor Whitlow announced that Council was back in open session at 8:23 p.m.

No action necessary and none taken on Section 551.074 of the Texas Government Code (Municipal Court Judge).

13. <u>Return to Open Session and take any action deemed necessary with regard to matters in</u> closed session. Presenter is Mayor Whitlow

Mayor Whitlow announced that Council was back in open session at 10:16 p.m.

From discussion on Section 551.071(2) (Attorney Consultation) and Section 551.087 of the Texas Government Code (Economic Development Negotiations).

No action necessary and none taken.

IX. <u>ADJOURNMENT</u>

Mayor asked for motion to adjourn.

Motion made by Councilman District Councilman District 3 Tippit

Seconded by Councilwoman District 4 (Mayor Pro Tem) Padron

Voting Yea:

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

Meeting adjourned at 10:18 p.m.

ATTEST:

Jack Whitlow, Mayor

Mandy Grant, City Secretary

COMMUNICATION

SUBJECT: Minutes of May 27, 2025 Special Meeting

INFORMATION:



CITY COUNCIL SPECIAL MEETING

Tuesday, May 27, 2025 at 5:30 PM City Council Chambers | 202 N. Virginia Street, Port Lavaca TX 77979

MINUTES

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

On this the 27th day of May 2025, 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 |
|--------------------|---|
| Daniel Aguirre | Councilman, District 1 |
| Tim Dent | Councilman, District 2 |
| Allen Tippit | Councilman, District 3 |
| Rosie G. Padron | Councilwoman, District 4, Mayor Pro Tem |
| Rose Bland-Stewart | Councilman, District 5 |
| Justin Burke | Councilman, District 6 |

And with the following absent: None

CITY COUNCIL SPECIAL MEETING

II. CALL TO ORDER

• Mayor Whitlow called the meeting to order at 5:40 p.m. and presided.

II. PRESENTATION(S)

Employee Service Award
 Lucio Licerio - 25 Years – Streets Department

III. COMMENTS FROM THE PUBLIC

(Limited to 3 minutes per individual unless permission to speak longer is received in advance. You may make public comments as you would at a meeting by logging on with your computer and using "Join Zoom Meeting" information on first page of this agenda).

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

- **IV. ACTION ITEMS -** *Council will consider/discuss the following items and take any action deemed necessary.*
- 1. <u>Review and discuss Texas Commission on Environmental Quality (TCEQ) Violation Tracking</u> <u>No. 823013, the status of the engineering design of the Lynn's Bayou Wastewater Treatment</u> <u>Plant Expansion and the \$39.15M loan commitment offer from the Texas Water</u> <u>Development Board for the Lynn's Bayou Wastewater Treatment Plant Expansion project.</u> <u>Presenter is Jody Weaver</u>

Robert D. Traylor, Managing Director, RBC Capital Market addressed City Council on the \$39.15M loan commitment offer from the Texas Water Development Board (TWDB) for the Lynn's Bayou Wastewater Treatment Plant Expansion project. He said the deadline is August 31, 2025 to make the commitment for the TTWDB funds.

No action necessary and none taken.

2. <u>Consider Resolution No. R-052725-1 of the City of Port Lavaca authorizing the hiring of</u> <u>Bickerstaff Heath Delgado Acosta LLC on a contingent fee basis as bond counsel to the City</u> <u>of Port Lavaca. Presenter is Jody Weaver</u>

Motion made by Councilman District 3 Tippit

WHEREAS, City of Port Lavaca, Texas ("City") has a substantial need for legal services in connection with the issuance of public securities or the administration of its affairs that pertain to the issuance of public securities or the administration of its affairs pertaining to the issuance of public securities as contemplated by Tex. Govt. Code Section 1201.027 in connection with certain Texas Water Development Board financing for the expansion of the City's Lynn's Bayou Treatment Plant (the "Obligations"); and

WHEREAS, the legal services cannot be adequately performed by the attorneys and supporting personnel of the City because the issuance of Obligations by the City requires specialized skills and experience and the services of a firm that is nationally recognized as bond counsel who can opine on the validity and appropriateness of the Obligations, when issued; and

WHEREAS, the services required are not typically available and cannot reasonably be obtained from attorneys in private practice under a contract providing only for the payment of hourly fees, without regard to the outcome of the matter, because such a contract would require the City to incur costs and expenses which would need to be borne even if the City ultimately determined not to issue Obligations. The nature of the bond counsel engagement with Bickerstaff Heath Delgado Acosta LLP of Austin, Texas ("BHDA"), is feasible only because BHDA is agreeing to provide the services on a contingent fee basis and thus bears the risk if the City ultimately determined that it was not practical or feasible to issue the Obligations; and

WHEREAS, absent the issuance of Obligations, the City does not have funds to pay the estimated amounts required under a contract providing only for the payment of hourly fees; and

WHEREAS, the City, by and through its City Council (the "City Council") and pursuant to all relevant authority, desires to retain and acquire legal counsel and the professional legal services of BHDA regarding the City's sale and issuance of public securities as contemplated by the requirements of Subchapter C of Chapter271 of the Texas Local Government Code, which is further described in the attached Exhibit 1; and

WHEREAS, the City Council has duly posted written notice of its consideration of the decision to hire BHDA in accordance with Section 2254.2036 of the Texas Government Code.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PORT LAVACA, TEXAS THAT the City Council, for and on behalf of the City and in the public interest, hereby makes the following findings, which incorporate each of the preceding recitals as if fully stated below, and orders and approves the following:

- (1) It is necessary, proper, and advisable for the City and City Council to be represented by BHDA regarding the City's sale and issuance of public securities due to the legitimate and principal interests of the City and the public as herein described.
- (2) BHDA is hereby retained by the City Council on behalf of the City and is formally engaged to provide legal counsel and related professional and personal services pursuant to and described in the contract for legal services ("Engagement Agreement") in connection with City's sale and issuance of public securities, said agreement being approved in substantially the form attached hereto as Exhibit 1.
- (3) The Mayor is authorized and directed to execute the Engagement Agreement on behalf of the City.
- (4) Unless otherwise designated, the past, present, or future tense shall each include the other, the masculine, feminine, or neuter gender shall each include the other, and the singular and plural number shall each include the other where necessary for a correct meaning in this resolution.
- (5) This resolution shall take effect immediately from and after its passage and enactment.
- (6) All preliminary recitals of this resolution and all attached documents are incorporated by reference as findings of the City Council.
- (7) This resolution was considered and approved at a meeting held in compliance with the Open Meetings Act, Chapter 551, Texas Government Code.

Seconded by Councilman District 6 Burke

Voting Yea:

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

Voting Nay: Councilman District 3 Tippit,

3. <u>Consider Resolution No. R-052725-2 of the City of Port Lavaca expressing intent to Finance</u> <u>Expenditures to be incurred by the City of Port Lavaca's Lynn's Bayou Wastewater</u> <u>Treatment Plant Expansion, Texas Water Development Board Project No. 73963. Presenter</u> <u>is Jody Weaver</u>

Motion made by Councilman District 2 Dent

WHEREAS, the City of Port Lavaca, Texas (the "Issuer" or "City") is a political subdivision of the State of Texas authorized to issue obligations to finance its activities pursuant to CHAPTER 271, TEXAS LOCAL GOVERNMENT CODE, and other provisions, the interest on which is excludable from gross income for federal income tax purposes ("tax-exempt obligations") pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code");

WHEREAS, the Issuer will make, or has made not more than 60 days prior to the date hereof, payments with respect to the acquisition of the equipment listed on <u>Exhibit "A</u>" attached hereto;

WHEREAS, the Issuer desires to reimburse itself for the costs associated with the projects listed on <u>Exhibit "A</u>" attached hereto from the proceeds of tax-exempt obligations to be issued subsequent to the date hereof; and,

WHEREAS, the Issuer reasonably expects to issue tax-exempt obligations to reimburse itself for the costs associated with the projects listed on <u>Exhibit "A</u>" attached hereto.

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

<u>Section 1</u>. The Issuer reasonably expects to reimburse itself for all costs that have been or will be paid subsequent to the date that are 60 days prior to the date hereof and that are to be paid in connection with the acquisition of the equipment listed on <u>Exhibit "A</u>" attached hereto from the proceeds of tax-exempt obligations to be issued subsequent to the date hereof.

Section 2. This Resolution is also made to evidence the intent of the Issuer to make such reimbursements under Treas. Reg. Section 1.150-2 and Section 1201.042, Texas Government Code.

<u>Section 3</u>. The Issuer reasonably expects that the maximum principal amount of tax-exempt obligations issued to reimburse the Issuer for the costs associated with the project listed on <u>Exhibit "A</u>" attached hereto will not exceed \$39,150,000.

Section 4. The Issuer intends to reimburse the expenditures hereunder not later than 18 months after the later of the date the original expenditure is paid or the date the project is placed in service or abandoned, but in no event more than three years after the original expenditure is paid unless the project is a construction project for which the Issuer and a licensed architect or engineer have certified on Exhibit <u>"A</u>" that at least five years are necessary to complete the project in which event the maximum reimbursement period is five years after the date of the original expenditure.

Seconded by Councilman District 1 Aguirre

Voting Yea:

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

4. <u>Consider Resolution No. R-052725-3 of the City of Port Lavaca authorizing publication of Notice of Intention to Issue Combination Tax and Surplus Revenue Certificates of Obligation for the Lynn's Bayou Wastewater Treatment Plant Expansion project, which project is identified as Texas Water Development Board Project No. 73963. Presenter is Jody Weaver</u>

Motion made by Councilman District 3 Tippit

WHEREAS, the City Council of the City of Port Lavaca, Texas (the "City Council") deems it advisable to give notice of intention to issue combination tax and surplus revenue certificates of obligation of said City, as hereinafter provided; and

WHEREAS, it is officially found and determined that the meeting at which this Resolution has been considered and acted upon was open to the public and public notice of the time, place and subject of said meeting was given, all as required by Chapter 551, Texas Government Code, as amended;

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

<u>Section 1</u>. FORM OF NOTICE. Attached hereto and marked <u>Exhibit "A</u>" is a form of Notice of Intention to Issue Combination Tax and Surplus Revenue Certificates of Obligation, the form and substance of which are hereby adopted and approved.

<u>Section 2</u>. PUBLICATION OF NOTICE. Said Notice shall be published, in substantially the form attached hereto, in a newspaper, as defined in Subchapter C of Chapter 2051, Texas Government Code, of general circulation in said City once a week for two consecutive weeks, the date of the first publication thereof to be at least forty-five (45) days prior to the date tentatively set for passage of the ordinance authorizing the issuance of such certificates.

<u>Section 3</u>. POSTING OF NOTICE ON WEBSITE. Further, said Notice shall be posted in substantially the form attached hereto continuously on the City's website for at least forty-five (45) days prior to the date tentatively set for passage of the ordinance authorizing the issuance of such certificates.

Seconded by Councilman District 1 Aguirre

Voting Yea:

Councilman District 1 Aguirre, Councilman District 3 Tippit, Councilwoman District 4 (Mayor Pro Tem) Padron, Councilwoman District 5 Bland-Stewart

Voting Nay: Councilman District 2 Dent, Councilman District 6 Burke

- 5. Announcement by Mayor that City Council will retire into closed session:
 - To discuss Personnel matters in accordance with Title 5, Section 551.074 of the Texas Government Code (to discuss the appointment, employment, evaluation, duties and responsibilities, reassignment, discipline, or dismissal of an officer or employee, or to hear a complaint or charge against an officer or employee: [Municipal Court Judge]). <u>Presenter is Mayor Whitlow</u>

Mayor Whitlow announced that Council would not be having a closed session.

6. Return to Open Session and take any action deemed necessary with regard to matters in closed session. <u>Presenter is Mayor Whitlow</u>

There was no closed session.

V. ADJOURN SPECIAL MEETING

Mayor Whitlow asked for motion to adjourn.

Motion made by Councilman District 2 Dent

Seconded by Councilman District 6 Burke

Voting Yea:

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

Special Meeting adjourned at 6:53 p.m.

Jack Whitlow, Mayor

Mandy Grant, City Secretary

COMMUNICATION

SUBJECT: Review of Credit Card Statement

INFORMATION:





Section VII. Item #C.

Account Number: XXXX XXXX XXXX 0305

CITY OF

Billing Questions: 800-367-7576

Website: www.cardaccount.net Send Billing Inquiries To:

Card Service Center, PO Box 569120, Dallas, TX 75356

FIRST NATIONAL BANK IN PORT LAVACA Credit Card Account Statement April 8, 2025 to May 8, 2025

SUMMARY OF ACCOUNT ACTIVITY \$9,376.36 **Previous Balance** Payments \$9,376.36 - Other Credits \$206.96 + Purchases \$6,855.59 + Cash Advances \$0.00 \$0.00 + Fees Charged \$0.00 + Interest Charged \$6,648.63 = New Balance Account Number XXXX XXXX XXXX 0305 Credit Limit \$26,500.00 Available Credit \$19,808.00 Statement Closing Date May 8, 2025 Days in Billing Cycle 31

PAYMENT INFORMATION

| New Balance: | \$6,648.63 |
|----------------------|--------------|
| Minimum Payment Due: | \$199.46 |
| Payment Due Date: | June 2, 2025 |

MESSAGES

PROTECT YOURSELF FROM SCAMMERS!

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

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

| TRANSACTIONS | | NS | An amount followed by a minus sign (-) is a credit unless ot herwise indicated | | |
|----------------------|-------|-------------------|--|--------------------------------------|--|
| Tran | Post | Reference Number | Transaction Description | Amount | |
| DateDateDateDateDate | | | Amount | | |
| 05/02 | 05/02 | 85431893S00XSSS0J | PAYMENT - THANK YOU | \$9,376.36- | |
| | | | | Trans actions continued on next page | |

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



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.

| Payment Due Dat | e: | June 2, 2025 |
|-----------------|-----------|--------------|
| Minimum Payment | t Due: | \$199.46 |
| New Balance: | | \$6,648.63 |
| Account Number: | XXXX XXXX | XXXX 0305 |

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





Account Number: XXXX XXXX XXXX 0305

CITY OF

| Tran Date | Post Date | Reference Number | Transaction Description | Amount |
|----------------|----------------|--|--|-------------------|
| | | | TOTAL XXXXXXXXXXX0305 \$9,376.36- | |
| 05/06 | 05/07 | 55432863Y5V30GGQ2 | SQ *THE DONUT PALACE PORT LAVACA TX | \$43.00 |
| | | | ERIC SALES | |
| | | | TOTAL XXXXXXXXXXX0776 \$43.00 | |
| 04/11 | 04/13 | 05295313538AK3RJ5 | PAYPRO-CHARGE.COM LONDON GB | \$2.16 |
| 04/11 | 04/23 | 05140483GMHDXJN5R | H-E-B #434 PORT LAVACA TX | \$2.10 |
| 04/22 | 04/23 | 55506293J96L873XQ | FUEL STOP PORT LAVACA TX | \$31.47 |
| 04/24 | 04/25 | 55309593K40EVY0FB | MURPHY7204ATWALMART PORT LAVACA TX | \$35.00 |
| 04/26 | 04/27 | 55309593M41A6FLSA | MURPHY7204ATWALMART PORT LAVACA TX | \$37.49 |
| 04/27 | 04/28 | 55506293N9AMEQGRX | FUEL STOP PORT LAVACA TX | \$34.10 |
| 04/27 | 04/28 | 55506293N9AMEQGT5 | FUEL STOP PORT LAVACA TX | \$34.49 |
| 04/29 | 04/30 | 55506293R9QMRF5JY | FUEL STOP PORT LAVACA TX | \$30.00 |
| 05/01 | 05/02 | 55480773T2Y0HHMWB | TAPEIT WEATHERFORD TX | \$350.00 |
| 05/04 | 05/05 | 55506293X9HVQ0GLR | FUEL STOP PORT LAVACA TX | \$35.00 |
| 05/05 | 05/06 | 55506293Y9JSV4QD6 | FUEL STOP PORT LAVACA TX | \$49.55 |
| | | | KAREN NEAL | |
| | | | TOTAL XXXXXXXXXXXX0784 \$656.24 | |
| 04/10 | 04/11 | 5526352358TJZS1JJ | HARBOR FREIGHT TOOLS34 PORT LAVACA TX | \$69.98 |
| 04/14 | 04/15 | 5548872391HP6ZLWD | TEXAS COMM FIRE PROT 512-936-3842 TX | \$56.49 |
| 04/14 | 04/15 | 5548872391HP6ZLZN | TEXAS COMM FIRE PROT 512-936-3842 TX | \$56.49 |
| 04/14 | 04/15 | 25247803802GFZWAL | VC MARKETPLACE VICTORIA TX | \$28.50 |
| 04/15 | 04/15 | 55432863960E5ZA5F | TAMUCC ACAD TESTING 361-825-2334 TX | \$10.00 |
| 04/14 | 04/17 | 89938533AS66LAW4J | MARINEENGINE.COM BRANDON VT | \$38.39 |
| 04/17 | 04/18 | 55263523Q90KQHF5D | HARBOR FREIGHT TOOLS34 PORT LAVACA TX | \$66.96 |
| 04/17 | 04/18 | 55488723Q1J80PWPY | DSHS REGULATORY PROG 512-458-7111 TX | \$64.00 |
| 04/25 | 04/27 | 55488723L1KJ494PB | TEXAS COMM FIRE PROT 512-936-3842 TX | \$87.17 |
| 04/25 | 04/27 | 55488723L1KJ494T5 | TEXAS COMM FIRE PROT 512-936-3842 TX | \$87.17 |
| 05/05 05/05 | 05/06 05/06 | 65187423Y00019VSR 51043233X1YS87TY9 | CALHOUN CO TAX ASSESSO PORT LAVACA TX PAYPAL *SMILINGCACT 4029357733 TX | \$7.73 \$49.95 |
| | | | JUAN LUNA | |
| | | | TOTAL XXXXXXXXXXX0941 \$622.83 | |
| 04/11 | 04/13 | 0522702358PMF6PVF | AMERICAN WATER WORKS A DENVER CO | \$264.00 |
| 04/22 | 04/23 | 82711163GEHMLLRHS | WWW.APWA.NET KANSAS CITY MO | \$275.00 |
| 0., | 0 ., 20 | | WAYNE SHAFFER | 4 -1.0.00 |
| | | | TOTAL XXXXXXXXXX1212 \$539.00 | |
| 04/08 | 04/08 | 123020232000YLPSV | AFP*TEXAS COURT CLERKS WOODWAY TX | \$150.00 |
| 04/08 | 04/09 | 823050933EHME5L72 | TMCEC AUSTIN TX | \$150.00 |
| 04/10 | 04/11 | 575402434LP4W1GSS | EB *OPEN RECORDS AMP Y 8014137200 CA | \$200.00 |
| 04/14 | 04/15 | 5550036388X6D4KD6 | WALMART.COM WALMART.COM AR | \$193.84 |
| | , | | MANDY GRANT | |
| | | | TOTAL XXXXXXXXXXXXX1238 \$693.84 | |
| 04/25 | 04/27 | 55432863K5SA9T81S | GOOGLE *CIVI CORP 855-836-3987 CA | \$1.07 |
| 04/29 | 04/30 | 55432863P5VGQ2P04 | SQ *THE DONUT PALACE PORT LAVACA TX | \$99.14 |
| 05/02 | 05/04 | 55547503V43SRBSNB | NOTARY PUBLIC UNDERWRI TALLAHASSEE FL | \$123.90 |
| 05/07 | 05/07 | 55432863Z5VAZM4F0 | INT'L CODE COUNCIL INC 888-422-7233 IL | \$330.00 |
| 05/08 | 05/08 | 5543286405VM5WPL3 | INT'L CODE COUNCIL INC 888-422-7233 IL | \$198.00 |
| | | | DERRICK SMITH | |
| | | | TOTAL XXXXXXXXXXX3836 \$752.11 | |
| 04/16 | 04/18 | 55207393BEV3VB322 | TYLER TECHNOLOGIES, IN YARMOUTH ME | \$275.00 |
| 04/26 | 04/27 | 55432863L5SE4SKQ9 | TEXAS MUNICIPAL LEAGUE 512-231-7400 TX | \$500.00 |
| | | | | |

Section VII. Item #C.





5

CITY OF

TRANSACTIONS (continued)

| Account Number: | XXXX XXXX XXXX 030 |
|--|-----------------------------------|
| An amount followed by a minus sign () is a c | radit unlass at horwise indicated |

| TRANS | TRANSACTIONS (continued) | | An amount followed by a minus sign (-) is a cred | it unless otherwise indicated. |
|--------------|--------------------------|-------------------|--|--------------------------------|
| Tran Date | Post Date | Reference Number | Transaction Description | Amount |
| | | | BRITTNEY HOGAN | |
| | | | TOTAL XXXXXXXXXXXX3462 \$775.00 | |
| 04/13 | 04/15 | 554328638606HPDYT | WHATABURGER 1630 HALLETSVILLE TX | \$14.00 |
| 04/14 | 04/15 | 15449853909RY3VH4 | SHIPLEY DO-NUTS FC6044 BRENHAM TX | \$22.48 |
| 04/15 | 04/17 | 55432863A60RGRBFN | WHATABURGER 140 Q26 WACO TX | \$18.00 |
| 04/16 | 04/18 | 05140483BLM897PPZ | CHICK-FIL-A #03295 WACO TX | \$15.41 |
| 04/17 | 04/20 | 55500363Q90RMQ550 | DAVES HOT CHICKEN 1100 WACO TX | \$14.48 |
| 04/17 | 04/20 | 52704873Q5GHRVE2G | HILTON WACO WACO TX | \$886.49 |
| | | CHECK-IN 04/13/25 | FOLIO #878143 | |
| | | | JOE REYES JR | |
| | | | TOTAL XXXXXXXXXXX215 \$970.86 | |
| 04/09 | 04/10 | 5543286335YPPHQ9Q | CCSI EFAX CORPORATE 323-817-1155 CA | \$137.94 |
| 04/15 | 04/16 | 05436843AEHV7B08T | DOMINO'S 6723 PORT LAVACA TX | \$124.93 |
| 04/21 | 04/22 | 55432863F62DWXWQ2 | UPS*BILLING CENTER 800-811-1648 GA | \$76.40 |
| 05/05 | 05/06 | 55432863X5SWNZED9 | UPS*BILLING CENTER 800-811-1648 GA | \$1.53 |
| 05/07 | 05/08 | 55444363Z9L7JGRFS | CROWN AWARDS INC HAWTHORNE NY | \$86.64 |
| | | | JOANNA WEAVER | |
| | | | TOTAL XXXXXXXXXXX249 \$427.44 | |
| 04/27 | 04/29 | 75120713NS66DZEHF | KALAHARI RESORT - TX ROUND ROCK CREDIT | \$206.96- |
| | | CHECK-IN 04/27/25 | FOLIO #R04185B1 | |
| 04/11 | 04/13 | 25247803501YPHF2Z | DOUBLEDAVES PIZZAWORKS VICTORIA TX | \$19.46 |
| 04/16 | 04/17 | 75306373B4WHTP8R4 | MAMA TERESA S RESTAURA GALVESTON TX | \$40.37 |
| 04/17 | 04/20 | 55432863Q61QPF102 | BUC-EE'S #30 WHARTON TX | \$45.09 |
| 04/17 | 04/20 | 52704873Q5GJLHT4J | HOLIDAY INN GALVESTON GALVESTON TX | \$514.05 |
| | | CHECK-IN 04/14/25 | FOLIO #2458856 | • · · · • • |
| 04/22 | 04/23 | 55500803G952E214N | TEXAS NARCOTIC OFFICER EL PASO TX | \$400.00 |
| | | | COLIN RANGNOW | |
| | | | TOTAL XXXXXXXXXXX2286 \$812.01 | |
| 04/21 | 04/22 | 65187423G00016S5E | CALHOUN CO TAX ASSESSO PORT LAVACA TX | \$7.73 |
| 05/06 | 05/08 | 05314613Z2X67Q1YV | S&A TRAILER SALES LLC VICTORIA TX | \$348.57 |
| | | | CYNTHIA HEYSQUIERDO | |
| | | | | |

TOTAL XXXXXXXXXXX3185 \$356.30

INTEREST CHARGE CALCULATION

| fou | Your Annual Percentage Rate (APR) is the annual interest rate on your account Annual Annual Annual | | | | | | | |
|-----|--|--------------------------|-------------------------------------|--------------------------|--------------------|--|--|--|
| | Type of Balance | Percentage Rate (APR) | Balance Subject to Interest Rate | Days in Billing Cycle | Interest Charge | | | |
| | Purchases | 18.49% (v) | \$0.00 | 31 | \$0.00 | | | |
| | CashAdvances | 18.49% (v) | \$0.00 | 31 | \$0.00 | | | |

(v) - variable

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

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

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

CREDITING OF PAYMENTS

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

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

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

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

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

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

Your Rights if You are Dissatisfied with Your Credit Card Purchases

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

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

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

EXPLANATION OF INTEREST CHARGES

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

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

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

ANNUAL FEE DISCLOSURES

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

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

CREDIT BALANCES

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

(PLEASE SHOW YOUR CORRECT NAME AND ADDRESS)

Name (if incorrect on reverse side)

Street address

Home Phone

City

Effective Date: Month, Day, Year

O1AB5762 - 3 - 05/25/17

Zip Code

Work Phone

Signature

State

30

COMMUNICATION

SUBJECT: Receive Monthly Financial Highlight Report

INFORMATION:

Main Facsimile: 361-552-6062



| To: | Mayor and Members of the City Council |
|----------|--|
| From: | Brittney Hogan, Finance Director |
| Subject: | FY 24-25 Financial Highlights through May 31, 2025 |
| Date: | June 3, 2025 |

Below are the following reports for the period ending May 31, 2025, or 67% of the year:

The major highlights of the Report are as follows:

Property Tax collections as reported by CCAD - are \$5,760,185 for the year as of April Collections in FY 24-25 are 94.03% of total adjusted tax levy. Total current year Property Taxes Outstanding as of April is \$363,771.

In the General Fund, revenues through 05/31/2025 are 72.5% of budget. In addition:

- 1. Current Property Tax collections are \$4,872,840 for the year as of May Collections on FY 24-25 are 106% of the budget.
- 2. Sales Tax collections through May were \$2,393,816 or 64% of budget. Collections through May in FY 23-24 were \$2,451,356.
- 3. Licenses & Permits collections are \$228,396 for the year, or 85% of budget. Collections through May in FY 23-24 were \$68,953.
- 4. Bauer Center Rentals through May are \$48,960 or 49% of budget. Collections through May in FY 23-24 were \$43,547.
- 5. Court Fines are \$70,720 for the year, or 59% of budget. Collections through May in FY 23-24 were \$38,230.

Expenditures in the General Fund for the year are 68% of the budget.

In the Utility Fund, revenues as of 05/31/25 are 60% of the budget. In addition:

- 1. *Metered Water* sales through May are **\$1,902,479 or 58%** of the budget. Collections through May in FY 23-24 were **\$1,836,138**.
- 2. *Residential Sewer* sales through May are **\$1,072,667 or 68.5%** of the budget. Collections through May in FY 23-24 were **\$986,688**.
- 3. *Garbage Billings* through May are **\$675,443 or 66%** of the budget. Collections through May in FY 23-24 were **\$621,988**.

Expenditures on the <u>Utility Fund</u> for the year is 65% of the budget.

In the HOT Fund, revenues as of 05/31/25 are 68% of the budget. In addition:

1. *Hotel Occupancy Taxes* through May are **\$372,695 or 62%** of the budget. Collections through May FY 23-24 were **\$308,944**.

Expenditures on the HOT Fund for the year is 65% of budget

In the <u>Beach Fund</u>, revenues as of **05/31/25** are **27%** of the budget. In addition:

1. *RV Rentals* through May are **\$49,214 or 21.5%** of the budget. Collections through May in FY 23-24 were **\$113,711**.

Expenditures on the <u>Beach Fund</u> for the year is **47%** of the budget

In the Ports & Harbors Fund, revenues as of 05/31/25 are 48.5% of the budget. * In addition:

- 1. *Dock Leases* through May are **\$330,070 or 70%** of the budget. Collections through May in FY 23-24 were **\$284,336**.
- 2. *Tariffs* through May are **\$91,940 or 71%** of the budget. Collections through May FY 23-24 were **\$101,134**.
- 3. *NL Building Lease* through May is **\$62,898** or **70%** of the budget. Collections through May in FY 23-24 were **\$56,924**.

Expenditures on the Ports and Harbors Fund for the year is 55% of the budget.

*Revenues are 76% of budget when Grant Revenue is excluded from budget balance.

Summary – FY 2024-2025 through 05/31/25

| | | <u>%</u> | | <u>%</u> | Revenues Less |
|-------------|-----------------|---------------|----------------|---------------|------------------|
| <u>Fund</u> | <u>Revenues</u> | <u>Budget</u> | <u>Expense</u> | <u>Budget</u> | <u>Expense</u> |
| General | \$ 8,996,497 | 72.5% | \$ 8,354,286 | 68% | \$ 642,211 |
| Utility | \$ 5,014,445 | 60% | \$ 5,286,951 | 65% | \$ (272,506) |
| HOT | \$ 416,536 | 68% | \$ 477,129 | 65% | \$ (60,593) |
| Beach | \$ 71,164 | 27% | \$ 126,213 | 47% | \$ (55,049) |
| Port | \$ 736,976 | 48.5% | \$ 409,715 | 55% | \$ 327,260 |
| | | | | Total | \$ 581,323 |



Port Lavaca PROPERTY TAX COLLECTION REPORT April 30, 2025

| | April 30, 2025 | | | | | | | |
|---|---|---|---|-------------|--|--|--|--|
| TAXES DUE AT CERTIFICATION | | | 6,088,413.16 | | | | | |
| Adjustments to Date | | | 5,647.02 | | | | | |
| TOTAL TAX LEVY | | | 6,094,060.18 | | | | | |
| 2024 Tax Collections | | | | | | | | |
| | Base | Penalties & Interest | Total | | | | | |
| October | 2,569,585.63 | 0.00 | Total | | | | | |
| November | 588,240.96 | 0.00 | 2,569,585.63 | | | | | |
| December | 580,699.77 | 0.00 | 588,240.96 | | | | | |
| January | 1,379,244.48 | | 580,699.77 | | | | | |
| February | | 0.00 | 1,379,244.48 | | | | | |
| March | 407,408.82 | 13,229.82 | 420,638.64 | | | | | |
| April | 125,126.73 79,982.55 | 10,070.82 | 135,197.55 | | | | | |
| May | 79,902.55 | 6,595.22 | 86,577.77 | | | | | |
| June | | | 0.00 0.00 | | | | | |
| July (Delinquent as of July 1, 2023) | | | 0.00 | | | | | |
| August | | | 0.00 | | | | | |
| September | | | 0.00 | | | | | |
| copioniber | | | 0.00 | | | | | |
| TOTAL | 5,730,288.94 | 29,895.86 | 5,760,184.80 | | | | | |
| TOTAL | 0,700,200.04 | 23,035.00 | 5,700,104.00 | Last Year % | | | | |
| | | | | Collected | | | | |
| | % Collected 94.03% | | | | | | | |
| TRANSFERRED TO DELINQUENT ROLL | | | | | | | | |
| TRANSFERRED TO DELINQUENT ROLL | | | | 93.62% | | | | |
| TRANSFERRED TO DELINQUENT ROLL | July, Aug, and Sept F | Payments | 0.00 | | | | | |
| TRANSFERRED TO DELINQUENT ROLL 2024 TAXES OUTSTANDING | July, Aug, and Sept F | Payments | | | | | | |
| | | Payments rrent Outstanding | 0.00 | | | | | |
| 2024 TAXES OUTSTANDING | | | 0.00 363,770.81 5.97% | | | | | |
| 2024 TAXES OUTSTANDING | % Cu | rrent Outstanding | 0.00 363,770.81 5.97% | | | | | |
| 2024 TAXES OUTSTANDING | % Cu | rrent Outstanding | 0.00 363,770.81 5.97% | | | | | |
| 2024 TAXES OUTSTANDING DELINQUENT COLLECTIONS October | % Cu Base 4,959.41 | rrent Outstanding | 0.00 363,770.81 5.97% | | | | | |
| 2024 TAXES OUTSTANDING DELINQUENT COLLECTIONS October November | % Cu Base 4,959.41 14,938.19 | rrent Outstanding Penalties & Interest | 0.00 363,770.81 5.97% Total | | | | | |
| 2024 TAXES OUTSTANDING DELINQUENT COLLECTIONS October November December | % Cu Base 4,959.41 14,938.19 11,576.04 | rrent Outstanding Penalties & Interest 3,228.48 | 0.00 363,770.81 5.97% Total 8,187.89 | | | | | |
| 2024 TAXES OUTSTANDING DELINQUENT COLLECTIONS October November December January | % Cu Base 4,959.41 14,938.19 | rrent Outstanding Penalties & Interest 3,228.48 5,808.40 | 0.00 363,770.81 5.97% Total 8,187.89 20,746.59 | | | | | |
| 2024 TAXES OUTSTANDING DELINQUENT COLLECTIONS October November December January February | % Cu Base 4,959.41 14,938.19 11,576.04 7,277.13 19,158.01 | rrent Outstanding Penalties & Interest 3,228.48 5,808.40 4,227.26 | 0.00 363,770.81 5.97% Total 8,187.89 20,746.59 15,803.30 | | | | | |
| 2024 TAXES OUTSTANDING DELINQUENT COLLECTIONS October November December January February March | % Cu Base 4,959.41 14,938.19 11,576.04 7,277.13 19,158.01 5,817.16 | rrent Outstanding Penalties & Interest 3,228.48 5,808.40 4,227.26 2,634.30 7,560.76 2,796.09 | 0.00 363,770.81 5.97% Total 8,187.89 20,746.59 15,803.30 9,911.43 26,718.77 8,613.25 | | | | | |
| 2024 TAXES OUTSTANDING DELINQUENT COLLECTIONS October November December January February March April | % Cu Base 4,959.41 14,938.19 11,576.04 7,277.13 19,158.01 | rrent Outstanding Penalties & Interest 3,228.48 5,808.40 4,227.26 2,634.30 7,560.76 | 0.00 363,770.81 5.97% Total 8,187.89 20,746.59 15,803.30 9,911.43 26,718.77 8,613.25 25,628.21 | | | | | |
| 2024 TAXES OUTSTANDING DELINQUENT COLLECTIONS October November December January February March April May | % Cu Base 4,959.41 14,938.19 11,576.04 7,277.13 19,158.01 5,817.16 | rrent Outstanding Penalties & Interest 3,228.48 5,808.40 4,227.26 2,634.30 7,560.76 2,796.09 | 0.00 363,770.81 5.97% Total 8,187.89 20,746.59 15,803.30 9,911.43 26,718.77 8,613.25 25,628.21 0.00 | | | | | |
| 2024 TAXES OUTSTANDING DELINQUENT COLLECTIONS October November December January February March April May June | % Cu Base 4,959.41 14,938.19 11,576.04 7,277.13 19,158.01 5,817.16 | rrent Outstanding Penalties & Interest 3,228.48 5,808.40 4,227.26 2,634.30 7,560.76 2,796.09 | 0.00 363,770.81 5.97% Total 8,187.89 20,746.59 15,803.30 9,911.43 26,718.77 8,613.25 25,628.21 0.00 0.00 | | | | | |
| 2024 TAXES OUTSTANDING DELINQUENT COLLECTIONS October November December January February March April May June July | % Cu Base 4,959.41 14,938.19 11,576.04 7,277.13 19,158.01 5,817.16 | rrent Outstanding Penalties & Interest 3,228.48 5,808.40 4,227.26 2,634.30 7,560.76 2,796.09 | 0.00 363,770.81 5.97% Total 8,187.89 20,746.59 15,803.30 9,911.43 26,718.77 8,613.25 25,628.21 0.00 0.00 0.00 | | | | | |
| 2024 TAXES OUTSTANDING DELINQUENT COLLECTIONS October November December January February March April May June July August | % Cu Base 4,959.41 14,938.19 11,576.04 7,277.13 19,158.01 5,817.16 | rrent Outstanding Penalties & Interest 3,228.48 5,808.40 4,227.26 2,634.30 7,560.76 2,796.09 | 0.00 363,770.81 5.97% Total 8,187.89 20,746.59 15,803.30 9,911.43 26,718.77 8,613.25 25,628.21 0.00 0.00 0.00 0.00 | | | | | |
| 2024 TAXES OUTSTANDING DELINQUENT COLLECTIONS October November December January February March April May June July | % Cu Base 4,959.41 14,938.19 11,576.04 7,277.13 19,158.01 5,817.16 | rrent Outstanding Penalties & Interest 3,228.48 5,808.40 4,227.26 2,634.30 7,560.76 2,796.09 | 0.00 363,770.81 5.97% Total 8,187.89 20,746.59 15,803.30 9,911.43 26,718.77 8,613.25 25,628.21 0.00 0.00 0.00 | | | | | |
| 2024 TAXES OUTSTANDING DELINQUENT COLLECTIONS October November December January February March April May June July August | % Cu Base 4,959.41 14,938.19 11,576.04 7,277.13 19,158.01 5,817.16 | rrent Outstanding Penalties & Interest 3,228.48 5,808.40 4,227.26 2,634.30 7,560.76 2,796.09 | 0.00 363,770.81 5.97% Total 8,187.89 20,746.59 15,803.30 9,911.43 26,718.77 8,613.25 25,628.21 0.00 0.00 0.00 0.00 | | | | | |

DELINQUENT TAXES OUTSTANDING TOTAL TAXES OUTSTANDING

380,449.28 744,220.09

CITY OF PORT LAVACA, TEXAS SALES TAX REVENUES

| | | | Prior Year %_ | | TOTAL | A 17 | | Total YTD | | ar Percent |
|---------------|------------|-----------------------|--------------------|------------------------|----------------------------|---------------------|------------------------|--------------------|-----------------|----------------|
| | | Monthly Allocation | Inc (Dec) Month | General Fund | Year-to-Date Allocation | General Fu | nd Budget Y-T-D | Percent | Increase (| |
| Recv'd | 1 | Allocation | wonth | <u>runa</u> | | Month ar 2021-22 | 1-1-D | of Budget | Month | Y-T-D |
| Dec | Oct | 246,194 | -29% | \$246,194 | 246,194 | 318,632 | 318,632 | 77.27% | -28.7% | -28.7% |
| Jan | Nov | 264,290 | -6% | \$264,290 | 510,484 | 259,655 | 578,287 | 88.28% | -6.1% | -18.6% |
| Feb | Dec | 330,154 | 18% | \$330,154 | 840,638 | 258,087 | 836,374 | 100.51% | 18.0% | -7.3% |
| Mar | Jan | 245,570 | -8% | \$245,570 | 1,086,207 | 245,031 | 1,081,405 | 100.44% | -7.6% | -7.4% |
| Apr | Feb | 252,248 | 2% | \$252,248 | 1,338,456 | 227,147 | 1,308,552 | 102.29% | 2.4% | -5.7% |
| May Jun | Mar | 315,077 266,647 | -11% | \$315,077 \$266,647 | 1,653,532 | 326,565 | 1,635,117 | 101.13% | -11.0% | -6.7% |
| Jul | Apr May | 275,093 | -10% -7% | \$266,647 \$275,093 | 1,920,179 2,195,273 | 273,408 271,952 | 1,908,525 2,180,478 | 100.61% 100.68% | -10.0% -6.7% | -7.2% -7.1% |
| Aug | Jun | 315,184 | -4% | \$315,184 | 2,510,457 | 303,725 | 2,484,203 | 101.06% | -4.3% | -6.8% |
| Sep | Jul | 349,708 | 22% | \$349,708 | 2,860,165 | 263,376 | 2,747,579 | 104.10% | 22.5% | -4.0% |
| Oct | Aug | 304,754 | 10% | \$304,754 | 3,164,919 | 254,657 | 3,002,236 | 105.42% | 10.4% | -2.8% |
| Nov | Sep | 325,921 | 4% | \$325,921 | 3,490,839 | 287,764 | 3,290,000 | 106.10% | 4.5% | -2.1% |
| | • | | | | | | | | | |
| Recv'd | 1 | | | | Ficaal V | ar 2022-23 | | | | |
| Dec | Oct | 267,921 | 9% | \$267,921 | 267,921 | 221,082 | 221,082 | 121.19% | 8.8% | 8.8% |
| Jan | Nov | 262,666 | -1% | \$262,666 | 530,587 | 237,332 | 458,414 | 115.74% | -0.6% | 3.9% |
| Feb | Dec | 327,969 | -1% | \$327,969 | 858,556 | 296,478 | 754,892 | 113.73% | -0.7% | 2.1% |
| Mar | Jan | 293,025 | 19% | \$293,025 | 1,151,581 | 220,522 | 975,414 | 118.06% | 19.3% | 6.0% |
| Арг | Feb | 241,757 | -4% | \$241,757 | 1,393,338 | 226,519 | 1,201,932 | 115.92% | -4.2% | 4.1% |
| May | Mar | 288,609 | -8% | \$288,609 | 1,681,948 | 282,939 | 1,484,871 | 113.27% | -8.4% | 1.7% |
| Jun | Apr | 267,670 | 0% | \$267,670 | 1,949,617 | 239,449 | 1,724,320 | 113.07% | 0.4% | 1.5% |
| Jul | May | 310,160 | 13% | \$310,160 | 2,259,777 | 247,034 | 1,971,354 | 114.63% | 12.7% | 2.9% |
| Aug | Jun | 333,198 | 6% | \$333,198 | 2,592,976 | 283,035 | 2,254,389 | 115.02% | 5.7% | 3.3% |
| Sep | Jul | 295,975 | -15% | \$295,975 | 2,888,951 | 314,037 | 2,568,426 | 112.48% | -15.4% | 1.0% |
| Oct | Aug | 335,595 | 10% | \$335,595 | 3,224,546 | 273,669 | 2,842,095 | 113.46% | 10.1% | 1.9% |
| Nov | Sep | 315,989 | -3% | \$315,989 | 3,540,534 | 292,677 | 3,134,772 | 112.94% | -3.0% | 1.4% |
| | | | | | | | | | | |
| Recv'd | İ | | | | Fiscal Ye | ar 2023-24 | | | | |
| Dec | Oct | 281,039 | 5% | \$281,039 | 281,039 | 281,800 | 281,800 | 99.73% | 4.9% | 4.9% |
| Jan | Nov | 279,772 | 7% | \$279,772 | 560,811 | 276,274 | 558,074 | 100.49% | 6.5% | 5.7% |
| Feb | Dec | 333,966 | 2% | \$333,966 | 894,777 | 344,960 | 903,033 | 99.09% | 1.8% | 4.2% |
| Mar | Jan | 264,897 | -10% | \$264,897 | 1,159,674 | 308,205 | 1,211,239 | 95.74% | -9.6% | 0.7% |
| Apr | Feb | 289,101 | 20% | \$289,101 | 1,448,775 | 254,282 | 1,465,520 | 98.86% | 19.6% | 4.0% |
| May | Mar | 341,291 | 18% | \$341,291 | 1,790,066 | 303,561 | 1,769,081 | 101.19% | 18.3% | 6.4% |
| Jun | Apr Mou | 317,416 | 19% | \$317,416 | 2,107,482 | 281,536 | 2,050,617 | 102.77% | 18.6% | 8.1% |
| Jul | May | 302,469 | -2% | \$302,469 \$206,188 | 2,409,951 | 326,228 | 2,376,845 | 101.39% | -2.5% | 6.6% |
| Aug Sep | Jun Jul | 306,188 308,988 | -8% 4% | \$306,188 \$308,988 | 2,716,139 3,025,128 | 350,460 311,308 | 2,727,305 3,038,613 | 99.59% 99.56% | -8.1% 4.4% | 4.7% 4.7% |
| Oct | Aug | 308,258 | -8% | \$308,258 | 3,333,386 | 352,981 | 3,391,594 | 98.28% | -8.1% | 4.7 % 3.4% |
| Nov | Sep | 323,607 | 2% | \$323,607 | 3,656,993 | 332,358 | 3,723,952 | 98.20% | 2.4% | 3.3% |
| | 1- | | | + , | 0,000,000 | 002,000 | 01. 201002 | 00.2070 | 2.170 | 0.070 |
| Doover | | | | | | | | | | |
| Recv'd Dec | Oct | 285,545 | 2% | \$285,545 | Fiscal Ye 285,545 | ar 2024-25 | 206 405 | 00 700/ | 4 00/ | 4 00/ |
| Jan | Nov | 283,901 | 1% | \$283,901 | | 286,185 | 286,185 | 99.78% | 1.6% | 1.6% |
| Feb | Dec | 365,840 | 10% | \$365,840 | 569,445 935,285 | 284,895 340,081 | 571,080 911,160 | 99.71% 102.65% | 1.5% 9.5% | 1.5% 4.5% |
| Mar | Jan | 247,979 | -6% | \$247,979 | 1,183,264 | 269,747 | 1,180,908 | 102.03% | -6.4% | 2.0% |
| Apr | Feb | 246,773 | -15% | \$246,773 | 1,430,037 | 294,394 | 1,475,302 | 96.93% | -0.4% -14.6% | -1.3% |
| May | Mar | 321,275 | -6% | \$321,275 | 1,751,311 | 347,540 | 1,822,842 | 96.08% | -5.9% | -2.2% |
| Jun | Apr | , | 2.5 | | ., | 323,228 | 2,146,070 | 55.5670 | 0.070 | 2.270 |
| Jul | May | | | | | 308,008 | 2,454,077 | | | |
| Aug | Jun | | | | | 311,794 | 2,765,871 | | | |
| Sep | Jul | | | | | 314,646 | 3,080,517 | | | |
| Oct | Aug | | | | | 313,902 | 3,394,420 | | | |
| Nov | Sep | | | | | 329,532 | 3,723,952 | | | |
| | | | | | | | | | | |
PAGE :

Section VII. Item #D.

001-GENERAL FUND FINANCIAL SUMMARY

| A | ORIGINAL BUDGET | AMENDED BUDGET | BUDGET ADJUSTMENT | CURRENT PERIOD | YEAR TO DATE ACTUAL | TOTAL ENCUMBRANCE | BUDEGT BALANCE | % OF BUDGET |
|-------------------------------------|--------------------|-------------------|----------------------|-------------------|------------------------|----------------------|-------------------|----------------|
| REVENUE SUMMARY | | | | | | | | |
| TAXES | 9,092,373 | 9,092,373 | 0 | 436,938.20 | 7,679,827.40 | 0.00 | 1,412,545.60 | 84.46 |
| LICENSES & PERMITS | 268,410 | 268,410 | 0 | 13,320.65 | 228,395.83 | 0.00 | 40,014.17 | 85.09 |
| USER & SERVICE CHARGES | 103,250 | 103,250 | 0 | 2,094.42 | 51,746.82 | 0.00 | 51,503.18 | 50.12 |
| FINES & FORFEITURES | 294,000 | 294,000 | 0 | 22,529.61 | 182,455.21 | 0.00 | 111,544.79 | 62.06 |
| OTHER REVENUE | 565,950 | 566,550 | (600) | 26,254.02 | 212,185.21 | 0.00 | 354,364.79 | 37.45 |
| GRANT AND CONTRIBUTION R | 520,120 | 520,120 | 0 | 0.00 | 325,971.02 | 0.00 | 194,148.98 | 62.67 |
| INTERGOVERNMENTAL REVENUE | 1,567,641 | 1,567,641 | 0 | 25,178.00 | 315,915.52 | 0.00 | 1,251,725.48 | 20.15 |
| TOTAL REVENUES | 12,411,744 | 12,412,344 | (600) | 526,314.90 | 8,996,497.01 | 0.00 | 3,415,846.99 | 72.48 |
| EXPENDITURE SUMMARY | | | | | | | | |
| CITY COUNCIL | 30,884 | 30,884 | 0 | 2,941.60 | 20,750.03 | 0.00 | 10,133.97 | 67.19 |
| CITY MANAGER | 422,786 | 778,245 | (355,459) | 16,481.92 | 565,880.50 | 75,000.00 | 137,364.50 | 82.35 |
| CITY SECRETARY | 251,461 | 251,461 | 0 | 42,032.92 | 161,791.28 | 0.00 | 89,669.72 | 64.34 |
| HUMAN RESOURCE | 100,395 | 100,395 | 0 | 6,036.82 | 57,030.23 | 0.00 | 43,364.77 | 56.81 |
| MUNICIPAL COURT | 177,937 | 177,937 | 0 | 13,930.24 | 119,523.71 | 0.00 | 58,413.29 | 67.17 |
| TECHNOLOGY SERVICES | 510,222 | 510,222 | 0 | 8,802.18 | 441,977.62 | 51,348.52 | 16,895.86 | 96.69 |
| FINANCE | 393,798 | 393,798 | 0 | 32,761.47 | 251,278.59 | 0.00 | 142,519.41 | 63.81 |
| CITY HALL | 548,378 | 548,378 | 0 | 91,574.72 | 136,271.67 | 193,865.06 | 218,241.27 | 60.20 |
| POLICE | 2,887,828 | 2,887,828 | 0 | 201,639.35 | 1,913,160.92 | 15,412.86 | 959,254.22 | 66.78 |
| FIRE | 2,146,503 | 2,147,103 | (600) | 166,479.15 | 1,317,872.29 | 36,842.23 | 792,388.48 | 63.09 |
| ANIMAL CONTROL | 256,834 | 256,834 | 0 | 19,949.52 | 143,920.85 | 0.00 | 112,913.15 | 56.04 |
| CODE ENFORCEMENT/INSPECT | 491,452 | 491,452 | 0 | 28,689.41 | 228,202.99 | 56,250.00 | 206,999.01 | 57.88 |
| STREETS | 3,097,966 | 3,097,966 | 0 | 452,262.05 | 1,486,171.34 | 473,567.72 | 1,138,226.94 | 63.26 |
| PARKS & RECREATION | 877,803 | 877,803 | 0 | 72,007.83 | 634,761.82 | 9,417.48 | 233,623.70 | 73.39 |
| BAUER CENTER | 315,614 | 315,614 | 0 | 17,876.79 | 208,041.10 | 56,344.20 | 51,228.70 | 83.77 |
| NON-DEPARTMENTAL | 866,703 | 866,703 | 0 | 99,046.49 | 667,651.21 | 0.00 | 199,051.79 | 77.03 |
| TOTAL EXPENDITURES | 13,376,564 | 13,732,623 | (356,059) | 1,272,512.46 | 8,354,286.15 | 968,048.07 | 4,410,288.78 | 67.88 |
| REVENUES OVER/ (UNDER) EXPENDITURES | (964,820) | (1,320,279) | 355,459 (| 746,197.56) | 642,210.86 (| 968,048.07)(| 994,441.79) | 24.68 |

PAGE :

Section VII. Item #D.

001-GENERAL FUND REVENUES

| | | ORIGINAL BUDGET | AMENDED BUDGET | BUDGET ADJUSTMENT | CURRENT PERIOD | YEAR TO DATE ACTUAL | TOTAL ENCUMBRANCE | BUDEGT BALANCE | % OF BUDGET |
|----------------|------------------------|--------------------|-------------------|----------------------|-------------------|------------------------|----------------------|-------------------|----------------|
| TAXES | | | | | | | | | |
| 411.01 | PROPERTY TAXES-CURRENT | 4,595,671 | 4,595,671 | 0 | 55,796.94 | 4,872,839.59 | 0.00 | (277,168.59) | 106.03 |
| 411.02 | PROPERTY TAXES-DELINQU | 120,000 | 120,000 | 0 | 7,217.22 | 86,332.01 | 0.00 | 33,667.99 | 71.94 |
| 412.01 | SALES TAX REVENUE | 3,723,952 | 3,723,952 | 0 | 322,609.46 | 2,393,816.13 | 0.00 | 1,330,135.87 | 64.28 |
| 413.01 | NATURAL GAS FRANCHISE | 62,000 | 62,000 | 0 | 0.00 | 29,100.05 | 0.00 | 32,899.95 | 46.94 |
| 413.02 | ELECTRICAL FRANCHISE T | 345,000 | 345,000 | 0 | 24,956.97 | 175,441.23 | 0.00 | 169,558.77 | 50.85 |
| 413.03 | TELEPHONE FRANCHISE TA | 32,000 | 32,000 | 0 | 5,595.80 | 11,648.11 | 0.00 | 20,351.89 | 36.40 |
| 413.04 | CABLE TV FRANCHISE TAX | 50,000 | 50,000 | 0 | 6,081.95 | 12,206.89 | 0.00 | 37,793.11 | 24.41 |
| 413.05 | WASTE COLLECTION FRANC | 128,750 | 128,750 | 0 | 12,014.96 | 75,888.28 | 0.00 | 52,861.72 | 58.94 |
| 413.90 | OTHER FRANCHISE TAX | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 414.01 | ALCOHOLIC BEVERAGE TAX | 35,000 | 35,000 | 0 | 2,664.90 | 19,053.61 | 0.00 | 15,946.39 | 54.44 |
| 415.15 | INTERGOVERNMENTAL REVE | 0 | 0 | 0 | 0.00 | 3,501.50 | 0.00 | (3,501.50) | 0.00 |
| TOTAL TAXES | | 9,092,373 | 9,092,373 | 0 | 436,938.20 | 7,679,827.40 | 0.00 | 1,412,545.60 | 84.46 |
| LICENSES & PEF | RMITS | | | | | | | (95 | |
| 421.02 | BUILDER LICENSES | 7,000 | 7,000 | 0 | 500.00 | 8,950.00 | 0.00 | (1,950.00) | 127.86 |
| 422.01 | ELECTRICAL PERMITS | 25,000 | 25,000 | 0 | 1,200.00 | 7,276.92 | 0.00 | 17,723.08 | 29.11 |
| 422.02 | BUILDING PERMITS | 157,000 | 157,000 | 0 | 7,014.90 | 129,233.26 | 0.00 | 27,766.74 | 82.31 |
| 422.03 | PLUMBING PERMITS | 22,000 | 22,000 | 0 | 1,500.00 | 8,975.00 | 0.00 | 13,025.00 | 40.80 |
| 422.04 | MECHANICAL PERMITS | 5,600 | 5,600 | 0 | 310.00 | 2,385.00 | 0.00 | 3,215.00 | 42.59 |
| 422.05 | FOUNDATION PERMITS | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 422.06 | PEDDLER & SOLICITOR PE | 0 | 0 | 0 | 0.00 | 1,070.00 | 0.00 | (1,070.00) | 0.00 |
| 422.07 | ALCOHOL IN THE PARK PE | 0 | 0 | 0 | 0.00 | 550.00 | 0.00 | (550.00) | 0.00 |
| 423.01 | TRAILER PERMITS | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 423.02 | FOOD HANDLER'S PERMITS | 2,600 | 2,600 | 0 | 530.00 | 1,965.00 | 0.00 | 635.00 | 75.58 |
| 423.03 | LIENS | 1,500 | 1,500 | 0 | 175.75 | 175.75 | 0.00 | 1,324.25 | 11.72 |
| 423.90 | OTHER PERMITS & FEES | 30,000 | 30,000 | 0 | 1,890.00 | 13,413.84 | 0.00 | 16,586.16 | 44.71 |
| 423.91 | LAWN LIBRARY FEES | 0 | 0 | 0 | 0.00 | 94.74 | 0.00 | (94.74) | 0.00 |
| 424.01 | ALCOHOLIC BEVERAGE PER | 7,110 | 7,110 | 0 | 0.00 | 5,790.00 | 0.00 | 1,320.00 | 81.43 |
| 424.02 | AMUSEMENT PERMIT FEES | 300 | 300 | 0 | 0.00 | 0.00 | 0.00 | 300.00 | 0.00 |
| 424.03 | SUBDIVISION & PLAT FEE | 1,000 | 1,000 | 0 | 0.00 | 125.00 | 0.00 | 875.00 | 12.50 |
| 424.04 | ENVIRONMENTAL & HEALTH | 0 | 0 | 0 | 0.00 | 575.00 | 0.00 | | 0.00 |
| 424.05 | PLAN REVIEW FEES | 9,000 | 9,000 | 0 | 200.00 | 47,304.32 | 0.00 | (38,304.32) | 525.60 |
| 425.01 | ANIMAL LICENSES & FEES | 200 | 200 | 0 | 0.00 | 427.00 | 0.00 | | 213.50 |
| 426.01 | ALARM FEES | 100 268,410 | 268,410 | 0 | 0.00 | 85.00 | 0.00 | 15.00 | 85.00 |
| TOTAL LICENS | SES & PERMITS | 268,410 | 268,410 | 0 | 13,320.65 | 228,395.83 | 0.00 | 40,014.17 | 85.09 |
| USER & SERVICE | | | | | | | | | |
| 435.06 | BAUER CENTER RENTALS | 100,000 | 100,000 | 0 | 1,800.00 | 48,960.00 | 0.00 | 51,040.00 | 48.96 |
| 435.07 | BAYFRONT RENTALS | 750 | 750 | 0 | 0.00 | 850.00 | 0.00 | (100.00) | 113.33 |
| 435.08 | CREDIT CARD CONVENIENC | 0 | 0 | 0 | 264.42 | 1,151.82 | 0.00 | | 0.00 |
| 439.01 | POLICE SERVICES | 2,000 | 2,000 | 0 | 30.00 | 785.00 | 0.00 | 1,215.00 | 39.25 |
| 439.05 | POLICE TRAINING FEES | 500 | 500 | 0 | 0.00 | 0.00 | 0.00 | 500.00 | 0.00 |
| TOTAL USER & | SERVICE CHARGES | 103,250 | 103,250 | 0 | 2,094.42 | 51,746.82 | 0.00 | 51,503.18 | 50.12 |

PAGE :

Section VII. Item #D.

001-GENERAL FUND REVENUES

| | | ORIGINAL BUDGET | AMENDED BUDGET | BUDGET ADJUSTMENT | CURRENT PERIOD | YEAR TO DATE ACTUAL | TOTAL ENCUMBRANCE | BUDEGT BALANCE | % OF BUDGET |
|---|---------------------------|--------------------|-------------------|----------------------|-------------------|------------------------|----------------------|-------------------|----------------|
| FINES & | FORFEITURES | | | | | | | | |
| 441.01 | PENALTIES & INTEREST | 95,000 | 95,000 | 0 | 11,139.91 | 67,144.22 | 0.00 | 27,855.78 | 70.68 |
| 441.02 | TAX ATTORNEY FEES | 50,000 | 50,000 | 0 | 2,943.82 | 23,205.26 | 0.00 | 26,794.74 | 46.41 |
| 443.01 | COURT FINES | 120,000 | 120,000 | 0 | 6,270.01 | 70,719.72 | 0.00 | 49,280.28 | 58.93 |
| 443.02 | MUNI COURT- COLLECTION | 14,000 | 14,000 | 0 | 1,351.60 | 12,214.46 | 0.00 | 1,785.54 | 87.25 |
| 443.03 | LOCAL TIME PAYMENT FEE | 5,000 | 5,000 | 0 | 220.62 | 2,664.89 | 0.00 | 2,335.11 | 53.30 |
| 449.02 | ARREST FEES | 10,000 | 10,000 | 0 | 603.65 | 6,506.66 | 0.00 | 3,493.34 | 65.07 |
| 449.03 | CASH OVER-MC | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 449.05 | RECOVERY ADJUSTMENT FE | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| TOTAL | FINES & FORFEITURES | 294,000 | 294,000 | 0 | 22,529.61 | 182,455.21 | 0.00 | 111,544.79 | 62.06 |
| OTHER R | EVENUE | | | | | | | | |
| 451.01 | INTEREST INCOME | 500,000 | 500,000 | 0 | 25,125.67 | 206,039.27 | 0.00 | 293,960.73 | 41.21 |
| 455.01 | OTHER FINANCING SOURCE | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 459.02 | PHOTO COPIES | 500 | 500 | 0 | 6.00 | 23.00 | 0.00 | 477.00 | 4.60 |
| 459.05 | DONATION- POLICE (JEDL | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 459.07 | DONATION- FIRE (JEDLIC | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 459.10 | DONATIONS | 0 | 600 | (600) | 600.00 | 600.00 | 0.00 | 0.00 | 100.00 |
| 459.11 | AUCTION/SALE PROCEEDS | 32,000 | 32,000 | 0 | 0.00 | 0.00 | 0.00 | 32,000.00 | 0.00 |
| 459.12 | TML REIMBURSEMENTS | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 459.14 | ABATEMENT REIMBURSEMEN | 15,000 | 15,000 | 0 | 0.00 | 990.00 | 0.00 | 14,010.00 | 6.60 |
| 459.15 | HURRICANE | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 459.17 | FIRE TRAINING REIMBURS | 2,450 | 2,450 | 0 | 0.00 | 0.00 | 0.00 | 2,450.00 | 0.00 |
| 459.20 | RESTITUTION PAYMENTS | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 459.90 | MISCELLANEOUS INCOME | 10,000 | 10,000 | 0 | 22.35 | 532.94 | 0.00 | 9,467.06 | 5.33 |
| 459.91 | TOWER OF TEX USAGE RIG | 6,000 | 6,000 | 0 | 500.00 | 4,000.00 | 0.00 | 2,000.00 | 66.67 |
| 459.92 | EQUITY BALANCE FORWARD | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| TOTAL | OTHER REVENUE | 565,950 | 566,550 | (600) | 26,254.02 | 212,185.21 | 0.00 | 354,364.79 | 37.45 |
| | ND CONTRIBUTION R | | | | | | | | |
| 482.00 | GRANT REVENUE | 200,000 | 200,000 | 0 | 0.00 | 0.00 | 0.00 | 200,000.00 | 0.00 |
| 482.01 | STATE GRANT- PARKS | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 484.53 | OPERATION STONE GARDEN | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 484.54 | CONTRIBUTION LEOSE- PD | 1,800 | 1,800 | 0 | 0.00 | 3,978.37 | 0.00 | (2,178.37) | 221.02 |
| 484.59 | CALHOUN COUNTY-FIRE | 247,320 | 247,320 | 0 | 0.00 | 250,992.65 | 0.00 | | 101.48 |
| 484.60 | CALHOUN COUNTY-ANIMAL | 65,000 | 65,000 | 0 | 0.00 | 65,000.00 | 0.00 | 0.00 | 100.00 |
| 484.61 | POINT COMFORT-ANIMAL | 6,000 | 6,000 | 0 | 0.00 | 6,000.00 | 0.00 | 0.00 | 100.00 |
| TOTAL | GRANT AND CONTRIBUTION R | 520,120 | 520,120 | 0 | 0.00 | 325,971.02 | 0.00 | 194,148.98 | 62.67 |
| statistical design of the second s | VERNMENTAL REVENUE | | | | | | | | |
| 492.01 | XFER IN- 504 PORT COMM | 22,321 | 22,321 | 0 | 1,860.08 | 14,880.64 | 0.00 | 7,440.36 | 66.67 |
| 492.02 | XFER IN- 501 UTILITY F | 494,588 | 494,588 | 0 | 0.00 | 0.00 | 0.00 | 494,588.00 | 0.00 |
| 492.04 | XFER IN- 503 BEACH FUN | 9,201 | 9,201 | 0 | 766.75 | 6,134.00 | 0.00 | 3,067.00 | 66.67 |
| 493.10 | XFER IN - FD 113 BLDG | 0 | 0 | 0 | 0.00 | 1,200.00 | 0.00 | | 0.00 |
| 493.85 | XFER IN- FD 134 JUSTIC | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 493.87 | XFER IN- FD 161 BAYFRO | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 493.88 | XFER IN- 206 FARF FUND | 770,917 | 770,917 | 0 | 0.00 | 113,291.52 | 0.00 | 657,625.48 | 14.70 |
| 493.89 | XFER IN- 101 HOTEL/MOT | 270,614 | 270,614 | 0 | 22,551.17 | 180,409.36 | 0.00 | 90,204.64 | 66.67 |
| 493.90 | XFER IN- OTHER | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| TOTAL | INTERGOVERNMENTAL REVENUE | 1,567,641 | 1,567,641 | 0 | 25,178.00 | 315,915.52 | 0.00 | 1,251,725.48 | 20.15 |

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|-----|-----|-----|-----|-----|----|
|-----|-----|-----|-----|-----|----|

PAGE :

Section VII. Item #D.

001-GENERAL FUND REVENUES

| | ORIGINAL | AMENDED | BUDGET | CURRENT | YEAR TO DATE | TOTAL | BUDEGT | % OF |
|----------------|------------|------------|------------|------------|--------------|-------------|--------------|--------|
| | BUDGET | BUDGET | ADJUSTMENT | PERIOD | ACTUAL | ENCUMBRANCE | BALANCE | BUDGET |
| TOTAL REVENUES | 12,411,744 | 12,412,344 | (600) | 526,314.90 | 8,996,497.01 | 0.00 | 3,415,846.99 | 72.48 |

PAGE :

Section VII. Item #D.

501-PUBLIC UTILITY FUND FINANCIAL SUMMARY

| | ORIGINAL BUDGET | AMENDED BUDGET | BUDGET ADJUSTMENT | CURRENT PERIOD | YEAR TO DATE ACTUAL | TOTAL ENCUMBRANCE | BUDEGT BALANCE | % OF BUDGET |
|-------------------------------------|--------------------|-------------------|----------------------|-------------------|------------------------|----------------------|-------------------|----------------|
| REVENUE SUMMARY | | | | | | | | |
| USER & SERVICE CHARGES | 8,062,366 | 8,062,366 | 0 | 622,107.54 | 4,852,482.43 | 0.00 | 3,209,883.57 | 60.19 |
| FINES & FORFEITURES | 100,000 | 100,000 | 0 | 10,649.56 | 81,499.69 | 0.00 | 18,500.31 | 81.50 |
| OTHER REVENUE | 162,104 | 162,104 | 0 | 4,022.19 | 80,462.51 | 0.00 | 81,641.49 | 49.64 |
| GRANT AND CONTRIBUTION R | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| INTERGOVERNMENTAL REVENUE | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| TOTAL REVENUES | 8,324,470 | 8,324,470 | 0 | 636,779.29 | 5,014,444.63 | 0.00 | 3,310,025.37 | 60.24 |
| EXPENDITURE SUMMARY | | | | | | | | |
| TECHNOLOGY SERVICES | 165,923 | 165,923 | 0 | 2,394.41 | 114,706.73 | 0.00 | 51,216.27 | 69.13 |
| BILLING | 454,258 | 454,258 | 0 | 44,839.40 | 273,646.73 | 35,368.46 | 145,242.81 | 68.03 |
| MAINTENANCE | 1,584,911 | 1,584,911 | 0 | 116,012.35 | 891,159.66 | 194,863.05 | 498,888.29 | 68.52 |
| WASTEWATER TREATMENT | 988,577 | 988,577 | 0 | 84,235.63 | 603,014.96 | 21,375.77 | 364,186.27 | 63.16 |
| NON-DEPARTMENTAL | 5,347,283 | 5,347,283 | 0 | 404,901.74 | 3,404,423.04 | 0.00 | 1,942,859.96 | 63.67 |
| TOTAL EXPENDITURES | 8,540,952 | 8,540,952 | 0 | 652,383.53 | 5,286,951.12 | 251,607.28 | 3,002,393.60 | 64.85 |
| REVENUES OVER/ (UNDER) EXPENDITURES | (216,482) | (216,482) | 0 (| 15,604.24) | (272,506.49) (| 251,607.28) | 307,631.77 | 242.11 |

PAGE:

Section VII. Item #D.

501-PUBLIC UTILITY FUND REVENUES

| | | ORIGINAL BUDGET | AMENDED BUDGET | BUDGET ADJUSTMENT | CURRENT PERIOD | YEAR TO DATE ACTUAL | TOTAL ENCUMBRANCE | BUDEGT BALANCE | % OF BUDGET |
|------------------|---|--------------------|-------------------|----------------------|--------------------|------------------------|----------------------|------------------------|----------------|
| HORD C | | | | | | | | | |
| 431.11 | SERVICE CHARGES WATER-METERED | 3,286,596 | 3,286,596 | 0 | 047 050 67 | 1 000 470 60 | 0.00 | 1 204 117 20 | |
| 431.12 | WATER-BULK | 3,200,590 | 3,280,590 | 0 | 247,259.67 0.00 | 1,902,478.62 | 0.00 | 1,384,117.38 | 57.89 |
| 431.13 | WATER-METERED COUNTY | 103,836 | 103,836 | 0 | 6,822.50 | 441.55 57,700.27 | 0.00 | (441.55) 46,135.73 | 0.00 |
| 431.21 | SEWER RESIDENTIAL | 1,567,373 | 1,567,373 | ő | 135,757.66 | 1,072,667.49 | 0.00 | 494,705.51 | 55.57 68.44 |
| 431.22 | SEWER COMMERCIAL | 1,079,863 | 1,079,863 | 0 | 69,749.23 | 530,235.32 | 0.00 | 549,627.68 | 49.10 |
| 431.23 | SEWER COUNTY | 67,205 | 67,205 | 0 | 5,350.84 | 42,176.65 | 0.00 | 25,028.35 | 62.76 |
| 431.25 | SEWER-LOW PRESSURE (LF | 10 C | 975 | 0 | 120.00 | 975.00 | 0.00 | 0.00 | 100.00 |
| 431.31 | WASTE-GARBAGE COLLECTI | | 1,019,111 | 0 | 84,763.32 | 675,443.04 | 0.00 | 343,667.96 | 66.28 |
| 431.32 | SPRING CLEANUP | 100,000 | 100,000 | 0 | 2,569.00 | 20,541.70 | 0.00 | 79,458.30 | 20.54 |
| 432.05 | GBRA FEES | 744,907 | 744,907 | 0 | 61,834.50 | 494,494.84 | 0.00 | 250,412.16 | 66.38 |
| 432.11 | WATER TAPS | 20,000 | 20,000 | 0 0 | 2,145.82 | 7,962.95 | 0.00 | 12,037.05 | 39.81 |
| 432.21 | SEWER TAPS | 6,000 | 6,000 | 0 | 805.00 | 1,960.00 | 0.00 | 4,040.00 | 32.67 |
| 432.60 | DAMAGES REIMBURSEMENT | 0,000 | 0,000 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 432.61 | SERVICE CALL FEES | 5,000 | 5,000 | 0 | 430.00 | 8,640.00 | 0.00 | | 172.80 |
| 432.62 | SERVICE TRANSFER FEES | 1,000 | 1,000 | 0 | 0.00 | 0.00 | 0.00 | 1,000.00 | 0.00 |
| 432.63 | SERVICE RECONNECTION F | | 60,000 | 0 | 4,230.00 | 35,910.00 | 0.00 | 24,090.00 | 59.85 |
| 432.64 | SERVICE TEMP WATER | 500 | 500 | 0 | 270.00 | 855.00 | 0.00 | (355.00) | 171.00 |
| TOTAL | USER & SERVICE CHARGES | 8,062,366 | 8,062,366 | 0 | 622,107.54 | 4,852,482.43 | 0.00 | 3,209,883.57 | 60.19 |
| | | | | | | | | | |
| | FORFEITURES | | | | | | | | |
| 442.01 | LATE PAYMENT PENALTIES | 100,000 | 100,000 | 0 | 10,649.56 | 81,499.69 | 0.00 | 18,500.31 | 81.50 |
| 442.02 | CONTRACT REVENUE | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| TOTAL | FINES & FORFEITURES | 100,000 | 100,000 | 0 | 10,649.56 | 81,499.69 | 0.00 | 18,500.31 | 81.50 |
| | | | | | | | | | |
| OTHER R | | | | | | | | | |
| 451.01 | INTEREST INCOME | 38,000 | 38,000 | 0 | 1,891.86 | 15,201.86 | 0.00 | 22,798.14 | 40.00 |
| 459.03 | RETURNED CHECK FEE | 1,000 | 1,000 | 0 | 180.00 | 1,530.00 | 0.00 | | 153.00 |
| 459.04 459.08 | BAD DEBT ACCOUNT COLLE | | 35,000 | 0 (| 1,934.65) | | 0.00 | 39,119.12 | 11.77- |
| | CCRWSS-GBRA TRANSMISSI | | 85,104 | 0 | 0.00 | 52,240.31 | 0.00 | 32,863.69 | 61.38 |
| 459.09 459.11 | CREDIT CARD CONVENIENC | | 0 | 0 | 3,884.33 | 15,608.12 | 0.00 | (15,608.12) | 0.00 |
| 459.11 | AUCTION/SALE PROCEEDS | 2,000 | 2,000 | 0 | 0.00 | 0.00 | 0.00 | 2,000.00 | 0.00 |
| 459.12 | TML REIMBURSEMENTS | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 459.90 | MISCELLANEOUS INCOME | 1,000 | 1,000 | | 0.65 | 1.34 | 0.00 | 998.66 | 0.13 |
| | EQUITY BALANCE FORWARD OTHER REVENUE | 0 162,104 | 162,104 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| IOIAL | OTHER REVENCE | 102,104 | 162,104 | 0 | 4,022.19 | 80,462.51 | 0.00 | 81,641.49 | 49.64 |
| GRANT A | ND CONTRIBUTION R | | | | | | | | |
| 481.00 | CAPITAL CONTRIBUTIONS | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 482.00 | GRANT REVENUE | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| TOTAL | GRANT AND CONTRIBUTION R | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| | | | | | | | | | |
| | VERNMENTAL REVENUE | | | | | | | | |
| 493.01 | XFER IN- VARIOUS FUNDS | | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 493.02 | XFER IN- FUND 136 | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 493.88 | XFER IN-206-FARF RESTR | | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| TOTAL | INTERGOVERNMENTAL REVENUE | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| - | | | | | | | | | |
| TOTAL R | EVENUES | 8,324,470 | 8,324,470 | 0 | 636,779.29 | 5,014,444.63 | 0.00 | 3,310,025.37 | 60.24 |
| | | ========= | =========== | | | | | | |

PAGE :

Section VII. Item #D.

101-HOTEL OCCUPANCY TAX FUND FINANCIAL SUMMARY

| | ORIGINAL BUDGET | AMENDED BUDGET | BUDGET ADJUSTMENT | CURRENT | YEAR TO DATE ACTUAL | TOTAL ENCUMBRANCE | BUDEGT BALANCE | % OF BUDGET |
|---|------------------------|------------------------|----------------------|-------------------------------|---------------------------------|------------------------|----------------------------------|-------------------------|
| REVENUE SUMMARY | | | | | | | | |
| TAXES OTHER REVENUE INTERGOVERNMENTAL REVENUE | 600,000 15,000 0 | 600,000 15,000 0 | 0 0 0 | 29,207.95 1,311.06 0.00 | 372,695.36 43,840.18 0.00 | 0.00 0.00 (0.00 | 227,304.64 28,840.18) 0.00 | 62.12 292.27 0.00 |
| TOTAL REVENUES | 615,000 | 615,000 | 0 | 30,519.01 | 416,535.54 | 0.00 | 198,464.46 | 67.73 |
| EXPENDITURE SUMMARY | | | | | | | | |
| HOTEL OCCUPANCY TAX | 785,214 | 785,214 | 0 | 57,158.70 | 477,128.74 | 30,628.94 | 277,456.32 | 64.66 |
| TOTAL EXPENDITURES | 785,214 | 785,214 | 0 | 57,158.70 | 477,128.74 | 30,628.94 | 277,456.32 | 64.66 |
| REVENUES OVER/ (UNDER) EXPENDITURES | (170,214)(| 170,214) | 0 (| 26,639.69) (| 60,593.20) (| 30,628.94)(| 78,991.86) | 53.59 |

PAGE :

Section VII. Item #D.

101-HOTEL OCCUPANCY TAX FUND REVENUES

| | | ORIGINAL BUDGET | AMENDED BUDGET | BUDGET ADJUSTMENT | CURRENT PERIOD | YEAR TO DATE ACTUAL | TOTAL ENCUMBRANCE | BUDEGT BALANCE | % OF BUDGET |
|----------------|-------------------------|--------------------|-------------------|----------------------|-------------------|------------------------|----------------------|-------------------|----------------|
| | | | | | | | | | |
| TAXES | | | | | | | | | |
| 415.01 | HOTEL/MOTEL TAX | 600,000 | 600,000 | 0 | 29,207.95 | 372,695.36 | 0.00 | 227,304.64 | 62.12 |
| TOTAL TAXES | | 600,000 | 600,000 | 0 | 29,207.95 | 372,695.36 | 0.00 | 227,304.64 | 62.12 |
| OTHER REVENUE | | | | | | | | | |
| 451.01 | INTEREST INCOME | 15,000 | 15,000 | 0 | 1,311.06 | 10,440.18 | 0.00 | 4,559.82 | 69.60 |
| 459.10 | DONATIONS- FESTIVALS | 0 | 0 | 0 | 0.00 | 33,400.00 | 0.00 | | 0.00 |
| 459.90 | MISC INCOME - FESTIVALS | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 459.92 | EQUITY BALANCE FORWARD | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| TOTAL OTHER | REVENUE | 15,000 | 15,000 | 0 | 1,311.06 | 43,840.18 | 0.00 | (28,840.18) | 292.27 |
| INTERGOVERNMEN | TAT. REVENIE | | | | | | | | |
| 493.00.1 | XFER IN - FUND 101 | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| TOTAL INTERG | OVERNMENTAL REVENUE | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| | | | | | | | | | |
| TOTAL REVENUES | | 615,000 | 615,000 | 0 | 30,519.01 | 416,535.54 | 0.00 | 198,464.46 | 67.73 |
| | = | | | | | | | | |

PAGE :

Section VII. Item #D.

503-BEACH OPERATING FUND FINANCIAL SUMMARY

| | ORIGINAL BUDGET | AMENDED BUDGET | BUDGET ADJUSTMENT | CURRENT PERIOD | YEAR TO DATE ACTUAL | TOTAL ENCUMBRANCE | BUDEGT BALANCE | % OF BUDGET |
|--|------------------------|-----------------------------|----------------------|---------------------------------------|--|------------------------------|---|--------------------------------|
| REVENUE SUMMARY | | | | | | | | |
| USER & SERVICE CHARGES OTHER REVENUE GRANT AND CONTRIBUTION R INTERGOVERNMENTAL REVENUE | 235,000 32,500 0 | 235,000 32,500 0 0 | 0 0 0 | 11,572.50 2,222.22 0.00 0.00 | 52,248.57 18,915.46 0.00 0.00 | 0.00 0.00 0.00 0.00 | 182,751.43 13,584.54 0.00 0.00 | 22.23 58.20 0.00 0.00 |
| TOTAL REVENUES | 267,500 | 267,500 | 0 | 13,794.72 | 71,164.03 | 0.00 | 196,335.97 | 26.60 |
| TECHNOLOGY SERVICES OPERATIONS | 0 307,330 | 0 307,330 | 0 | 0.00 41,067.80 | 0.00 | 0.00 17,866.46 | 0.00 163,250.71 | 0.00 |
| TOTAL EXPENDITURES | 307,330 | 307,330 | 0 | 41,067.80 | 126,212.83 | 17,866.46 | 163,250.71 | 46.88 |
| REVENUES OVER/ (UNDER) EXPENDITURES | (39,830)(| 39,830) | 0 (| 27,273.08 <mark>)(</mark> | 55,048.80) (| 17,866.46) | 33,085.26 | 183.07 |

PAGE :

Section VII. Item #D.

503-BEACH OPERATING FUND REVENUES

| | | ORIGINAL BUDGET | AMENDED BUDGET | BUDGET ADJUSTMENT | CURRENT PERIOD | YEAR TO DATE ACTUAL | TOTAL ENCUMBRANCE | BUDEGT BALANCE | % OF BUDGET |
|---------------|--|--------------------|-------------------|----------------------|-------------------|------------------------|----------------------|-------------------|----------------|
| | | | | | | | | | |
| USER & SERVIC | E CHARGES | | | | | | | | |
| 433.01 | BEACH FEES | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 433.10 | R V RENTALS | 230,000 | 230,000 | 0 | 10,552.50 | 49,213.57 | 0.00 | 180,786.43 | 21.40 |
| 433.30 | PAVILLION RENTALS | 3,000 | 3,000 | 0 | 600.00 | 2,000.00 | 0.00 | 1,000.00 | 66.67 |
| 433.50 | TENT RENTALS | 2,000 | 2,000 | 0 | 420.00 | 1,035.00 | 0.00 | 965.00 | 51.75 |
| TOTAL USER | & SERVICE CHARGES | 235,000 | 235,000 | 0 | 11,572.50 | 52,248.57 | 0.00 | 182,751.43 | 22.23 |
| OTHER REVENUE | L | | | | | | | | |
| 451.01 | INTEREST INCOME | 30,000 | 30,000 | 0 | 2,222.22 | 18,299.21 | 0.00 | 11,700.79 | 61.00 |
| 459.11 | AUCTION PROCEEDS | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 459.12 | TML REIMBURSEMENTS | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 459.71 | WASHER-DRYER INCOME | 2,500 | 2,500 | 0 | 0.00 | 616.25 | 0.00 | 1,883.75 | 24.65 |
| 459.90 | MISCELLANEOUS | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 459.92 | EQUITY BALANCE FORWARD | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| TOTAL OTHER | REVENUE | 32,500 | 32,500 | 0 | 2,222.22 | 18,915.46 | 0.00 | 13,584.54 | 58.20 |
| GRANT AND CON | Non-the Contract of the Contra | | | | | | | | |
| 481.00 | CAPITAL CONTRIBUTIONS | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| TOTAL GRANI | AND CONTRIBUTION R | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| INTERGOVERNME | | | | | | | | | |
| 493.00.1 | XFER IN - FUND 001 | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 493.88 | XFER IN - 206 FARF FUN_ | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| TOTAL INTER | GOVERNMENTAL REVENUE | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| | | | | | | | | | |
| TOTAL REVENUE | S | 267,500 | 267,500 | 0 | 13,794.72 | 71,164.03 | 0.00 | 196,335.97 | 26.60 |
| | = | | | | | | | | ====== |

PAGE :

Section VII. Item #D.

504-PORT & HARBORS FUND FINANCIAL SUMMARY

| | ORIGINAL BUDGET | AMENDED BUDGET | BUDGET ADJUSTMENT | CURRENT PERIOD | YEAR TO DATE ACTUAL | TOTAL ENCUMBRANCE | BUDEGT BALANCE | % OF BUDGET |
|-------------------------------------|--------------------|-------------------|----------------------|-------------------|------------------------|----------------------|-------------------|----------------|
| REVENUE SUMMARY | | | | | | | | |
| USER & SERVICE CHARGES | 818,955 | 818,955 | 0 | 85,228.72 | 569,400.02 | 0.00 | 249,554.98 | 69.53 |
| FINES & FORFEITURES | 500 | 500 | 0 | 69.00 | 471.67 | 0.00 | 28.33 | 94.33 |
| OTHER REVENUE | 35,600 | 35,600 | 0 | 2,489.34 | 20,719.92 | 0.00 | 14,880.08 | 58.20 |
| GRANT AND CONTRIBUTION R | 550,000 | 550,000 | 0 | 5,000.00 | 30,200.00 | 0.00 | 519,800.00 | 5.49 |
| INTERGOVERNMENTAL REVENUE | 116,184 | 116,184 | 0 | 0.00 | 116,184.00 | 0.00 | 0.00 | 100.00 |
| TOTAL REVENUES | 1,521,239 | 1,521,239 | 0 | 92,787.06 | 736,975.61 | 0.00 | 784,263.39 | 48.45 |
| EXPENDITURE SUMMARY | | | | | | | | |
| TECHNOLOGY SERVICES | 1,422 | 1,422 | 0 | 0.00 | 3,566.16 | 0.00 (| 2,144.16) | 250.78 |
| CITY HARBOR | 7,000 | 7,000 | 0 | 0.00 | 3,475.00 | 0.00 | 3,525.00 | 49.64 |
| HARBOR OF REFUGE | 200,000 | 200,000 | 0 | 0.00 | 10,000.00 | 0.00 | 190,000.00 | 5.00 |
| SMITH HARBOR | 11,000 | 11,000 | 0 | 0.00 | 4,875.00 | 0.00 | 6,125.00 | 44.32 |
| NAUTICAL LANDINGS MARINA | 35,000 | 35,000 | 0 | 2,655.18 | 11,157.66 | 0.00 | 23,842.34 | 31.88 |
| OPERATIONS | 1,390,148 | 1,390,148 | 0 | 48,072.06 | 376,641.68 | 489,962.00 | 523,544.32 | 62.34 |
| TOTAL EXPENDITURES | 1,644,570 | 1,644,570 | 0 | 50,727.24 | 409,715.50 | 489,962.00 | 744,892.50 | 54.71 |
| REVENUES OVER/ (UNDER) EXPENDITURES | (123,331) | (123,331) | 0 | 42,059.82 | 327,260.11 (| 489,962.00) | 39,370.89 | 131.92 |

PAGE :

Section VII. Item #D.

504-PORT & HARBORS FUND REVENUES

| | ORIGINAL BUDGET | AMENDED BUDGET | BUDGET ADJUSTMENT | CURRENT PERIOD | YEAR TO DATE ACTUAL | TOTAL ENCUMBRANCE | BUDEGT BALANCE | % OF BUDGET |
|---------------------------------|--------------------|-------------------|----------------------|-------------------|------------------------|----------------------|-------------------|----------------|
| | | | | 21 | | | | |
| USER & SERVICE CHARGES | | | | | | | | |
| 436.01 CITY HARBOR-DOCK LEASE | | 115,000 | 0 | 12,797.60 | 96,326.04 | 0.00 | 18,673.96 | 83.76 |
| 436.09 HOR - DAILY DOCK RENTA | | 100,000 | 0 | 19,250.00 | 72,125.00 | 0.00 | 27,875.00 | 72.13 |
| 436.10 HOR - RENTAL | 4,000 | 4,000 | 0 | 0.00 | 0.00 | 0.00 | 4,000.00 | 0.00 |
| 436.11 HOR - DOCK LEASES | 268,497 | 268,497 | 0 | 23,245.70 | 182,649.96 | 0.00 | 85,847.04 | 68.03 |
| 436.12 TARIFFS | 130,000 | 130,000 | 0 | 14,205.72 | 91,940.14 | 0.00 | 38,059.86 | 70.72 |
| 436.20 N L DOCK RENT- TRANSIE | E 500 | 500 | 0 | 0.00 | 488.25 | 0.00 | 11.75 | 97.65 |
| 436.21 N L-DOCK LEASE | 90,950 | 90,950 | 0 | 6,246.70 | 51,093.78 | 0.00 | 39,856.22 | 56.18 |
| 436.22 N L -BLDG LEASE | 90,028 | 90,028 | 0 | 7,998.14 | 62,897.97 | 0.00 | 27,130.03 | 69.86 |
| 436.23 N L - BLDG RENTAL | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 436.24 SMITH HARBOR RENT | 19,980 | 19,980 | 0 | 1,484.86 | 11,878.88 | 0.00 | 8,101.12 | 59.45 |
| TOTAL USER & SERVICE CHARGES | 818,955 | 818,955 | 0 | 85,228.72 | 569,400.02 | 0.00 | 249,554.98 | 69.53 |
| FINES & FORFEITURES | | | | | | | | |
| 442.01 LATE PAYMENT PENALTIES | | 500 | 0 | 69.00 | 471.67 | 0.00 | 28.33 | 94.33 |
| TOTAL FINES & FORFEITURES | 500 | 500 | 0 | 69.00 | 471.67 | 0.00 | 28.33 | 94.33 |
| OTHER REVENUE | | | | | | | | |
| 451.01 INTEREST INCOME | 35,000 | 35,000 | 0 | 2,489.34 | 20,430.42 | 0.00 | 14,569.58 | 58.37 |
| 455.01 OTHER FINANCING SOURCE | C 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 459.11 AUCTION/SALE PROCEEDS | S 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 459.12 TML REIMBURSEMENTS | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 459.71 WASHER-DRYER INCOME | 600 | 600 | 0 | 0.00 | 289.50 | 0.00 | 310.50 | 48.25 |
| 459.90 MISCELLANEOUS | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 459.92 EQUITY BALANCE FORWARD | 0 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| TOTAL OTHER REVENUE | 35,600 | 35,600 | 0 | 2,489.34 | 20,719.92 | 0.00 | 14,880.08 | 58.20 |
| GRANT AND CONTRIBUTION R | | | | | | | | |
| 481.00 CAPITAL CONTRIBUTIONS | 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 481.01 GENERAL LAND OFFICE RE | C 0 | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| 482.02 GRANT REVENUE | 550,000 | 550,000 | 0 | 5,000.00 | 30,200.00 | 0.00 | 519,800.00 | 5.49 |
| TOTAL GRANT AND CONTRIBUTION R | 550,000 | 550,000 | 0 | 5,000.00 | 30,200.00 | 0.00 | 519,800.00 | 5.49 |
| INTERGOVERNMENTAL REVENUE | | | | | | | | |
| 493.00.1 XFER IN- FUND 001 | 116,184 | 116,184 | 0 | 0.00 | 116,184.00 | 0.00 | 0.00 | 100.00 |
| 493.88 XFER IN- 206 FARF FUND | | 0 | 0 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |
| TOTAL INTERGOVERNMENTAL REVENUE | 116,184 | 116,184 | 0 | 0.00 | 116,184.00 | 0.00 | 0.00 | 100.00 |
| TOTAL REVENUES | 1,521,239 | 1 501 000 | 0 | 00 707 00 | 726 075 61 | A 44 | 704 000 00 | 10.15 |
| TOTAL REVENUED | ========= | 1,521,239 | | 92,787.06 | 736,975.61 | 0.00 | 784,263.39 | 48.45 |

COMMUNICATION

SUBJECT: Budget Amendment #GF-006 Donation to Fire Department

INFORMATION:

CITY OF PORT LAVACA

Request For Approval of Budgetary Amendment Fiscal Year 2024-2025

Section VII. Item #E.

| FUND: | | GENERAL -001 | | | | | | Amendment # GF |
|-------|----------------|----------------------|-------------|--|------------------------------|------------|------------------|---------------------------------|
| | | | Unres | Current Surplus/Deficit in Budget 56 t Increase/(Decrease) this Request | 3,345 8,087 - 1,433 | | Required Balance | \$ 3,850,947 |
| te Re | quested: | 5 | /29/2025 | | | | | |
| und | Accou Dept. | Int No. Line-item | DEPT | Description | Original | Increase/ | Amended | |
| | | | | Description | Budget | (Decrease) | Budget | Reason |
| 01 | | 459.10 | | DONATIONS | | | | |
| 01 | 50120 | 531.07 | FIRE | PUBLIC & EMPLOYEE RELATIONS | - 1 000 | (600) | | DONATION FROM L VERNE PENTECOST |
| _ | | | | | 1,000 | 600 | \$ 1,600 | FIREFIGHTER SAFETY MATERIAL |
| | | | | | | | | |
| - | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | NET INCREAS | E/(DECREASE) TO UNRESERVED FUND BALA | | | | |
| ×. | nnrovala | | | - (Jenterserved Fund Bala | NCE | - | | |

| Approvals: COUNCIL: | YES NO _X | |
|------------------------|--------------|--------|
| City Manager | A | |
| Director of Finance | Chilling top | a 9 |
| | | |

Entered:

Initials:

Date:



To Whom It May Concern,

The Port Lavaca Fire Department responded to a fire alarm incident in Point Comfort, Tx. The residence was equipped with Vanguard smoke detectors. A donation of \$600.00 was made to the Port Lavaca Fire Department on behalf of Lewis Verne Pentecost for whatever needs the department may have. The Port Lavaca Fire Department would like these funds placed in our Employee/Public Relations account (50120531.07) to be used to purchase firefighter safety material.

Sincerely,

Joe Reyes Fire Chief

1501 W. Austin Port Lavaca, Texas 77979 Phone: (361) 552-3241 Fax: (361) 552-1165 email: plfd@tisd.net



"0005104122" :043301601: 0009018901"

CITY OF PORT LAVACA

REC#: 01263223 5/22/2025 1:38 PM OPER: CA 15PM 002 REF#: 5104122

| TRAN: 1.591(FIRE DEPT | DONATIONS DONATIONS | |
|---------------------------|---------------------|----------|
| DONATIONS | | 600.00CR |
| TENDERFD: APPLIED: | 600.00 600.00- | CHECK |

- CHANGE: 0.00

COMMUNICATION

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

INFORMATION:



VEDC Update for Port Lavaca MAY RECAP – May 30

<u>VEDC Staff met with the City manager for the scheduled monthly meeting (5/21). Discussed Quality of Life items</u> (schools, crime, housing) and other items.

<u>Residential</u>

- VEDC Staff and Developer sat with the City Manager and identified some prospective properties. VEDC has sent more information to a developer on specific properties. VEDC staff is working with a local realtor on this, as well.
- VEDC staff is meeting with an organization regarding home repairs to offer possible assistance to qualified homeowners. An update will be provided next month.

Marketing

- City Manager provided VEDC staff with 2024 Police stats to post on site.
- VEDC will be having some photos done soon to compliment the web page.
 - Photos will include both an "industrial" look and a retail look.
- VEDC moved to a new provider to pull MLS listings so they should populate. Staff will manually add properties not listed.
- VEDC staff has provided City Manager with a draft of guidelines regarding Port Lavaca becoming a certified "Film Friendly City". These guidelines will be presented to City Council in June. Once approved, Port Lavaca will be officially a Certified Film Friendly City.
 - VEDC staff met with Tania (5/30) to discuss photo locations to submit to the State for the Film Friendly website.

Business

- The VEDC staff has reached out to a combined (breakfast/lunch) concept sit down restaurant to have a discussion with them opening in Port Lavaca. Pending.
- VEDC staff has reached out to a franchise broker, seeking opportunities in the area. This is a newer franchise to the area.
- VEDC staff will be scheduling BRE visits with industrial clients in the next couple of months.
- VEDC staff attended Select USA, a summit for Foreign Direct Investment. This is an event VEDC attends as part of a state mission and is hosted by the US Department of Commerce, through the International Trade Administration. Many connections were made with global companies. Information will be sent to VEDC staff once information is compiled, and staff will reach out to companies who could be prospects in Port Lavaca.

Projects/Other

- VEDC staff hosted the Semiannual meeting at the Port of Calhoun. This was well attended and VEDC staff thank all the council members, the mayor and the City manager for attending.
- VEDC staff assisted ExxonMobil with a meeting in Olivia to discuss the potential project. NO DECISISIONS ARE EXPECTED TO BE MADE BY EXXONMOBIL UNTIL 2027.
- All projects will be updated by VEDC President during quarterly meetings, or if requested earlier. Projects in the area benefit the region.

COMMUNICATION

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

INFORMATION:

- (a) 1216 Tilley
- (b) 500 Blk N. SanAntonio (Property ID 21373)
- (c) 423 N. Guadalupe

Section VIII. Item #1.

| | | | Inspection Checklist | |
|--|------|--------------|---|-----------------------|
| Date: <u>06/03/2025</u> | | | | Inspector: |
| Location: <u>1216 Tilley Rd.</u> | | | | Bradley Shaffer |
| | | <u>Г с ч</u> | Vistation ID fisher av | |
| Roof properly maintained | Pass | Fail | Violation/Deficiency The roof is seriously damaged | Location of violation |
| | | X | | |
| Improper Walls, partitions | | V | The exterior walls are deteriorated. | |
| or other vertical supports | | X | | |
| Fireplaces or chimneys properly maintained | | N/A | | |
| Unsecure building: vacant and open. | | X | Windows broken out | |
| Lack of required rails, stairs, steps and/or balconies | | N/A | | |
| Lack of or improper exterior wall coverings | | Х | Some exterior walls deteriorated | |
| Hazardous wiring | | | Unable to verify | |
| Hazardous plumbing | | | Unable to verify | |
| Hazardous mechanical equipment | | | Unable to verify | |
| Sanitation: | X | | | |
| Lack of or improper connection to required sewage disposal | x | | | |
| Lack of or improper garbage and rubbish storage | | X | No garbage storage containers | |
| Standing or stagnant water | x | | | |
| Improper Drainage | Х | | | |
| Improper Occupancy | Х | | | |
| Inadequate exits | Х | | | |
| Improper Fireplace or Chimney | Х | | | |

| Improper Ceiling or Ceiling supports | X | | | |
|--|---|---|--|--|
| Improper Flooring or floor supports | | Х | Floor supports at rear of house rotten | |
| Improper Foundation | Х | | | |
| Vermin/Insects | | Х | Evidence of vermin inside home | |
| Dampness of habitable space | | Х | Building open to the elements | |
| Lack of electrical lighting | | Х | No electrical | |
| Hot and Cold Water | | Х | No Water | |
| Lack of or Improper Kitchen | | Х | No water or electrical | |
| Lack of or Improper bathroom | | х | No Water | |
| Dead trees, tree limbs, holes, excavations or other conditions reasonably capable of causing injury to a person. | Х | | | |

This inspection was completed in accordance with Sec. 12-287 of the City of Port Lavaca Code of Ordinances. **State Law reference**— Authority to condemn dangerous buildings, V.T.C.A., Local Government Code § 342.012(b).

9.8.23

1216 Tilley



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Section VIII. Item #1.

Inspection Checklist

Date:06/03/2025

Location: Property ID 21373 On N. San Antonio

Inspector: Bradley Shaffer

| Location. Troperty ID 21373 | | | | Diadley Sharler |
|--|------|----------|--|---------------------------------------|
| | | T | | |
| | Pass | Fail | Violation/Deficiency | Location of violation |
| Roof properly maintained | | Х | Roof in poor Condition | |
| | | | Trailer is buckled and walls are | |
| Improper Walls, partitions | | | deteriorated. | |
| or other vertical supports | | X | | |
| Fireplaces or chimneys properly maintained | X | | | |
| Unsecure building: vacant | | | Door partially open held closed by a | |
| and open. | | X | chain | |
| | | | Missing stairs and existing stairs have no | |
| Lack of required rails, stairs, steps and/or balconies | | V | rails | |
| - * | | X | | |
| Lack of or improper exterior | | X | Exterior walls at one end of trailer in | |
| wall coverings | | 1 | extreme disrepair | |
| Hazardous wiring | | | Unable to Verify | |
| Hazardous plumbing | | | Unable to Verify | |
| Hazardous mechanical | | <u> </u> | Unable to Verify | |
| equipment | | 1 | onable to verify | |
| | 1 | | Property unmaintained | |
| Sanitation: | | X | | |
| Lack of or improper | | | Unable to Verify | |
| connection to required | | | | |
| sewage disposal | | | | |
| | | | No rubbish storage | · · · · · · · · · · · · · · · · · · · |
| Lack of or improper garbage | | | No rubbish storage | |
| and rubbish storage | | X | | |
| | | | | |
| Standing or stagnant water | X | | | |
| Improper Drainage | Х | | | |
| | | | | |
| Improper Occupancy | X | | | |
| Inadequate exits | Х | | | |
| | | | | |
| Improper Fireplace or | Х | | | |
| Chimney | | | | |

| | | | | Section VIII. Item #1. |
|--|---|---|---|------------------------|
| Improper Ceiling or Ceiling supports | | Х | Ceiling and ceiling supports in disrepair | |
| Improper Flooring or floor supports | | Х | Floor and flooring supports buckling | |
| Improper Foundation | | Х | Foundation not supporting each end of the trailer | |
| Vermin/Insects | | Х | Insects Evident | |
| Dampness of habitable space | X | | | |
| Lack of electrical lighting | | Х | No electric | |
| Hot and Cold Water | | Х | No water | |
| Lack of or Improper Kitchen | | X | No water or electric | |
| Lack of or Improper bathroom | | X | No water | |
| Dead trees, tree limbs, holes, excavations or other conditions reasonably capable of causing injury to a person. | | X | Property unmaintained | |

This inspection was completed in accordance with Sec. 12-287 of the City of Port Lavaca Code of Ordinances. **State Law reference**— Authority to condemn dangerous buildings, V.T.C.A., Local Government Code § 342.012(b).

9.8.23

N. San Antonio



Section VIII. Item #1.

| | | | Inspection Checklist | |
|--|--------|------|--|-----------------------|
| Date:06/03/2025 | | | | Inspector: |
| Location:423 N. Guadelupe | | | | Bradley Shaffer |
| | L Dava | | | |
| Roof properly maintained | Pass | Fail | Violation/Deficiency | Location of violation |
| | X | | | |
| Improper Walls, partitions or other vertical supports | | X | Porch Supports list due to insect Damage | |
| Fireplaces or chimneys properly maintained | | N/A | | |
| Unsecure building: vacant and open. | | Х | Front Door Open Window broken | |
| Lack of required rails, stairs, steps and/or balconies | | x | Backdoor has no stairs | |
| Lack of or improper exterior wall coverings | Х | | | |
| Hazardous wiring | | | Unable to Verify | |
| Hazardous plumbing | | | Unable to Verify | |
| Hazardous mechanical equipment | | | Unable to Verify | |
| Sanitation: | | х | Property not maintained accumulations of tires as well | |
| Lack of or improper connection to required sewage disposal | x | | | |
| Lack of or improper garbage and rubbish storage | | Х | No trash Receptacle | |
| Standing or stagnant water | х | | | ~ |
| Improper Drainage | Х | | | |
| Improper Occupancy | Х | | | |
| Inadequate exits | Х | | | |
| Improper Fireplace or Chimney | Х | | | |

| Improper Ceiling or Ceiling supports | Х | | | |
|--|---|---|--------------------------------------|--|
| Improper Flooring or floor supports | Х | | | |
| Improper Foundation | X | | | |
| Vermin/Insects | | Х | Insect damage is evidence of insects | |
| Dampness of habitable space | | Х | Home is damp and humid | |
| Lack of electrical lighting | | Х | No electric on property | |
| Hot and Cold Water | | Х | No water connection | |
| Lack of or Improper Kitchen | | Х | No water or electric | |
| Lack of or Improper bathroom | | x | No water or electric | |
| Dead trees, tree limbs, holes, excavations or other conditions reasonably capable of causing injury to a person. | | X | Property is severely overgrown | |

This inspection was completed in accordance with Sec. 12-287 of the City of Port Lavaca Code of Ordinances. **State Law reference**— Authority to condemn dangerous buildings, V.T.C.A., Local Government Code § 342.012(b).

9.8.23

423 N. Guadelupe



COMMUNICATION

SUBJECT: Consider and take action to declare property to be substandard and required action following declaration, following a Public Hearing held on June 09, 2025:

INFORMATION:

- (a) 1216 Tilley
- (b) 500 Blk N. SanAntonio (Property ID 21373)
- (c) 423 N. Guadalupe

Section VIII. Item #2.

| | | | Inspection Checklist | |
|--|------|----------|---|-----------------------|
| Date: <u>06/03/2025</u> | | | | Inspector: |
| Location: <u>1216 Tilley Rd.</u> | | | | Bradley Shaffer |
| | | <u> </u> | | |
| Roof properly maintained | Pass | Fail | Violation/Deficiency The roof is seriously damaged | Location of violation |
| Roof property maintained | | X | The root is seriously damaged | |
| Improper Walls, partitions or other vertical supports | | x | The exterior walls are deteriorated. | |
| Fireplaces or chimneys properly maintained | | N/A | | |
| Unsecure building: vacant and open. | | Х | Windows broken out | |
| Lack of required rails, stairs, steps and/or balconies | | N/A | | |
| Lack of or improper exterior wall coverings | | Х | Some exterior walls deteriorated | |
| Hazardous wiring | | | Unable to verify | |
| Hazardous plumbing | | | Unable to verify | |
| Hazardous mechanical equipment | | | Unable to verify | |
| Sanitation: | Х | | | |
| Lack of or improper connection to required sewage disposal | x | | | |
| Lack of or improper garbage and rubbish storage | | x | No garbage storage containers | |
| Standing or stagnant water | Х | | | |
| Improper Drainage | Х | | | |
| Improper Occupancy | Х | | | |
| Inadequate exits | Х | | | |
| Improper Fireplace or Chimney | Х | | | |

| Improper Ceiling or Ceiling supports | X | | | |
|--|---|---|--|--|
| Improper Flooring or floor supports | | Х | Floor supports at rear of house rotten | |
| Improper Foundation | Х | | | |
| Vermin/Insects | | Х | Evidence of vermin inside home | |
| Dampness of habitable space | | Х | Building open to the elements | |
| Lack of electrical lighting | | Х | No electrical | |
| Hot and Cold Water | | Х | No Water | |
| Lack of or Improper Kitchen | | Х | No water or electrical | |
| Lack of or Improper bathroom | | x | No Water | |
| Dead trees, tree limbs, holes, excavations or other conditions reasonably capable of causing injury to a person. | Х | | | |

This inspection was completed in accordance with Sec. 12-287 of the City of Port Lavaca Code of Ordinances. **State Law reference**— Authority to condemn dangerous buildings, V.T.C.A., Local Government Code § 342.012(b).

9.8.23

1216 Tilley



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Section VIII. Item #2.

Inspection Checklist

Date:06/03/2025

Location: Property ID 21373 On N. San Antonio

Inspector: Bradley Shaffer

| roperty in 21375 | ion. <u>Property id 21375 On N. San Antonio</u> | | Brauley Sharrer | |
|---|---|------|--|--|
| | | 1 = | | |
| | Pass | Fail | Violation/Deficiency | Location of violation |
| Roof properly maintained | | Х | Roof in poor Condition | |
| 147-11 | | | Trailer is buckled and walls are | |
| Improper Walls, partitions | | | deteriorated. | |
| or other vertical supports | { | X | | |
| Fireplaces or chimneys properly maintained | Х | | | |
| Unsecure building: vacant | | | Door partially open held closed by a | |
| and open. | | X | chain | |
| - | | | | |
| Lack of required rails, stairs, | | | Missing stairs and existing stairs have no rails | |
| steps and/or balconies | | X | | |
| Lack of or improper exterior | | | | |
| wall coverings | | X | Exterior walls at one end of trailer in | |
| | | | extreme disrepair | |
| Hazardous wiring | | | Unable to Verify | |
| Hazardous plumbing | | | Unable to Verify | |
| Hazardous mechanical | | 1 | Unable to Verify | |
| equipment | | | | |
| | | | Property unmaintained | |
| Sanitation: | | X | | |
| Lack of or improper | | | Unable to Verify | |
| connection to required | | | | |
| sewage disposal | | | | |
| ананан тараалар тараа Тараалар тараалар тара | | | No rubbish storage | · · · · · · · · · · · · · · · · · · · |
| Lack of or improper garbage | | | The rubbish storage | |
| and rubbish storage | | X | | |
| | | | | |
| Standing or stagnant water | x | | | |
| | ^ | | | |
| Improper Drainage | X | | | |
| Improper Occupancy | ~ | | | |
| | Х | | | |
| Inadequate exits | Х | | | 1997 - The State of the State o |
| Impropor Eiroplace or | | | | |
| Improper Fireplace or | Х | | | |
| Chimney | <u> </u> | | | |

| | | | | Section VIII. Item #2. |
|--|---|---|---|------------------------|
| Improper Ceiling or Ceiling supports | | Х | Ceiling and ceiling supports in disrepair | |
| Improper Flooring or floor supports | | Х | Floor and flooring supports buckling | |
| Improper Foundation | | Х | Foundation not supporting each end of the trailer | |
| Vermin/Insects | | Х | Insects Evident | |
| Dampness of habitable space | X | | | |
| Lack of electrical lighting | | Х | No electric | |
| Hot and Cold Water | | Х | No water | |
| Lack of or Improper Kitchen | | X | No water or electric | |
| Lack of or Improper bathroom | | X | No water | |
| Dead trees, tree limbs, holes, excavations or other conditions reasonably capable of causing injury to a person. | | X | Property unmaintained | |

This inspection was completed in accordance with Sec. 12-287 of the City of Port Lavaca Code of Ordinances. **State Law reference**— Authority to condemn dangerous buildings, V.T.C.A., Local Government Code § 342.012(b).

9.8.23

N. San Antonio



Section VIII. Item #2.

| Inspection Checklist | | | | | | |
|--|-----------------|-------|---------------------------------------|-----------------------|--|--|
| Date:06/03/2025 | Inspector: | | | | | |
| Location:423 N. Guadelupe | Bradley Shaffer | | | | | |
| | Dasa | Fail | Violation /Dofinionary | Location of violation | | |
| Roof properly maintained | Pass | Fall | Violation/Deficiency | Location of Violation | | |
| | Λ | | | | | |
| Improper Walls, partitions or other vertical supports | | | Porch Supports list due to insect | | | |
| | | X | Damage | | | |
| Fireplaces or chimneys | | | | | | |
| properly maintained | | N/A | | | | |
| Unsecure building: vacant | | V | Front Door Open Window broken | | | |
| and open. | | Х | | | | |
| Lack of required rails, stairs, | | | Backdoor has no stairs | | | |
| steps and/or balconies | | X | | | | |
| Lack of or improper exterior | | | | | | |
| wall coverings | X | | | | | |
| Hazardous wiring | | | Unable to Verify | | | |
| Hazardous plumbing | | | Unable to Verify | | | |
| Hazardous mechanical | | | Unable to Verify | | | |
| equipment | | | | | | |
| | | | Property not maintained accumulations | | | |
| Sanitation: | | X | of tires as well | | | |
| Lack of or improper | | | | | | |
| connection to required sewage disposal | x | | | | | |
| | | | | | | |
| Lack of or improper garbage | | | No trash Receptacle | | | |
| and rubbish storage | | Х | | | | |
| | | ····· | | | | |
| Standing or stagnant water | X | | | × | | |
| Improper Drainage | X | | | | | |
| 0 | | | - | | | |
| Improper Occupancy | Х | | | | | |
| Inadequate exits | Х | | | | | |
| Improper Fireplace or | Х | | | | | |
| Chimney | ~ | | | | | |
| Improper Ceiling or Ceiling supports | Х | | | |
|--|---|---|--------------------------------------|--|
| Improper Flooring or floor supports | Х | | | |
| Improper Foundation | X | | | |
| Vermin/Insects | | Х | Insect damage is evidence of insects | |
| Dampness of habitable space | | Х | Home is damp and humid | |
| Lack of electrical lighting | | Х | No electric on property | |
| Hot and Cold Water | | Х | No water connection | |
| Lack of or Improper Kitchen | | X | No water or electric | |
| Lack of or Improper bathroom | | x | No water or electric | |
| Dead trees, tree limbs, holes, excavations or other conditions reasonably capable of causing injury to a person. | | X | Property is severely overgrown | |

This inspection was completed in accordance with Sec. 12-287 of the City of Port Lavaca Code of Ordinances. **State Law reference**— Authority to condemn dangerous buildings, V.T.C.A., Local Government Code § 342.012(b).

9.8.23

423 N. Guadelupe



SUBJECT: Call annual corporate meeting to order for Port Lavaca Channel & Dock Company and consider and take any action deemed necessary for adoption of unanimous written consent. <u>Presenter is Anne Marie Odefey</u>

UNANIMOUS WRITTEN CONSENT (IN LIEU OF ANNUAL MEETING) OF SHAREHOLDERS OF PORT LAVACA CHANNEL AND DOCK COMPANY

The undersigned, the sole shareholder of Port Lavaca Channel and Dock Company (the "Corporation"), in accordance with Section 6.201 of the Texas Business Organizations Code, hereby adopt the following written consent.

WHEREAS, the person signing this consent is the shareholder entitled to vote at the Corporation's 2025 annual shareholder meeting and on the following resolutions; and

WHEREAS, the undersigned desires to take advantage of the provisions of Section 6.201 of the Texas Business Organizations Code, and execute a written consent in lieu of formally holding the annual shareholder's meeting and agree that the adoption of the following resolutions shall be valid and have the same force and effect as though such resolutions had been adopted at a formal annual shareholder's meeting; therefore, be it:

RESOLVED, that all proceedings of the Shareholder and all actions taken by the Board of Directors and officers of this Corporation reported to the undersigned are approved and ratified as being actions taken by this Corporation, on behalf of this Corporation, and for the benefit of this Corporation.

RESOLVED, that the financial, operating and other reports concerning the Corporation presented to the undersigned are approved and ratified.

RESOLVED, that Jim Ward is no longer serving as City Council Member and as such, has resigned his position; and Rose Bland-Stewart is now the Council Member serving for that District.

RESOLVED, that Jack Whitlow, Mandy Grant, Daniel Aguirre, Tim Dent, Allen Tippit, Rosie Padron, Rose Bland-Stewart and Justin Burke are continued as Directors of the Corporation.

RESOLVED, that this written consent shall have the same force and effect as a formal annual meeting for all purposes, including but not limited for the purpose of complying with Section 21.351 of the Texas Business Organizations Code.

The undersigned direct that this written consent may be executed in multiple counterparts, all of which shall be considered originals and that this written consent, including multiple counterparts, be filed with the minutes of the proceedings of the shareholder of the Corporation.

DATED to be effective on June 09, 2025.

CITY OF PORT LAVACA

UNANIMOUS WRITTEN CONSENT (IN LIEU OF ANNUAL MEETING) OF THE BOARD OF DIRECTORS OF PORT LAVACA CHANNEL AND DOCK COMPANY

The undersigned, directors of Port Lavaca Channel and Dock Company, (the "Corporation"), in accordance with Sections 6.201 and 21.415 of the Texas Business Organizations Code, hereby adopt the following unanimous written consent.

WHEREAS, the persons signing this consent are all the directors entitled to vote at the Corporation's 2025 annual Board of Directors' meeting and on the following resolutions; and

WHEREAS, the undersigned desire to take advantage of the provisions of Section 6.201 of the Texas Business Organizations Code, and execute a unanimous written consent in lieu of formally holding the annual Board of Directors' meeting and agree that the adoption of the following resolutions shall be valid and have the same force and effect as though such resolutions had been adopted at a formal annual Board of Directors' meeting; therefore, be it:

RESOLVED, that all actions taken by the officers of the Corporation reported to the undersigned, are approved and ratified as being actions taken by this Corporation, on behalf of this Corporation, and for the benefit of this Corporation

RESOLVED, that the financial, operating and other reports concerning the Corporation presented to the undersigned are approved and ratified.

RESOLVED, that the following persons are elected as officers of the Corporation:

| Office | Name |
|-----------|--------------|
| President | Jack Whitlow |
| Secretary | Mandy Grant |

RESOLVED, that each director shall serve so long as he/she serves on the City Council of the City of Port Lavaca and/or is employed by the City of Port Lavaca. If a director no longer serves as a council member or employee, he/she automatically resigns their position.

RESOLVED, that this unanimous written consent shall have the same force and effect as a formal annual Board of Directors' meeting for all purposes

The undersigned direct that this unanimous written consent may be executed in multiple counterparts, all of which shall be considered originals and that this unanimous written consent, including multiple counterparts, be filed with the minutes of the proceedings of the Board of Directors of the Corporation.

DATED to be effective on June 09, 2025.

Jack Whitlow, Mayor

Mandy Grant

Daniel Aguirre

Tim Dent

Allen Tippit

Rosie Padron

Rose Bland-Stewart

Justin Burke

SUBJECT: Call annual corporate meeting to order for Clement Cove Harbor Company and consider and take any action deemed necessary for adoption of unanimous written consent. <u>Presenter is Anne Marie Odefey</u>

UNANIMOUS WRITTEN CONSENT (IN LIEU OF ANNUAL MEETING) OF SHAREHOLDERS OF CLEMENT COVE HARBOR COMPANY

The undersigned, the sole shareholder of Clement Cove Harbor Company (the "Corporation"), in accordance with Section 6.201 of the Texas Business Organizations Code, hereby adopt the following written consent.

WHEREAS, the person signing this consent is the shareholder entitled to vote at the Corporation's 2025 annual shareholder meeting and on the following resolutions; and

WHEREAS, the undersigned desires to take advantage of the provisions of Section 6.201 of the Texas Business Organizations Code, and execute a written consent in lieu of formally holding the annual shareholder's meeting and agree that the adoption of the following resolutions shall be valid and have the same force and effect as though such resolutions had been adopted at a formal annual shareholder's meeting; therefore, be it:

RESOLVED, that all proceedings of the Shareholder and all actions taken by the Board of Directors and officers of this Corporation reported to the undersigned are approved and ratified as being actions taken by this Corporation, on behalf of this Corporation, and for the benefit of this Corporation.

RESOLVED, that the financial, operating and other reports concerning the Corporation presented to the undersigned are approved and ratified.

RESOLVED, that Jim Ward is no longer serving as City Council Member and as such, has resigned his position; and Rose Bland-Stewart is now the Council Member serving for that District.

RESOLVED, that Jack Whitlow, Mandy Grant, Daniel Aguirre, Tim Dent, Allen Tippit, Rosie Padron, Rose Bland-Stewart and Justin Burke are continued as Directors of the Corporation.

RESOLVED, that this written consent shall have the same force and effect as a formal annual meeting for all purposes, including but not limited for the purpose of complying with Section 21.351 of the Texas Business Organizations Code.

The undersigned direct that this written consent may be executed in multiple counterparts, all of which shall be considered originals and that this written consent, including multiple counterparts, be filed with the minutes of the proceedings of the shareholder of the Corporation.

DATED to be effective on June 09, 2025.

CITY OF PORT LAVACA

Jack Whitlow, Mayor

UNANIMOUS WRITTEN CONSENT (IN LIEU OF ANNUAL MEETING) OF THE BOARD OF DIRECTORS OF CLEMENT COVE HARBOR COMPANY

The undersigned, directors of Clement Cove Harbor Company, (the "Corporation"), in accordance with Sections 6.201 and 21.415 of the Texas Business Organizations Code, hereby adopt the following unanimous written consent.

WHEREAS, the persons signing this consent are all the directors entitled to vote at the Corporation's 2025 annual Board of Directors' meeting and on the following resolutions; and

WHEREAS, the undersigned desire to take advantage of the provisions of Section 6.201 of the Texas Business Organizations Code, and execute a unanimous written consent in lieu of formally holding the annual Board of Directors' meeting and agree that the adoption of the following resolutions shall be valid and have the same force and effect as though such resolutions had been adopted at a formal annual Board of Directors' meeting; therefore, be it:

RESOLVED, that all actions taken by the officers of the Corporation reported to the undersigned, are approved and ratified as being actions taken by this Corporation, on behalf of this Corporation, and for the benefit of this Corporation

RESOLVED, that the financial, operating and other reports concerning the Corporation presented to the undersigned are approved and ratified.

RESOLVED, that the following persons are elected as officers of the Corporation:

| Office | Name |
|-----------|--------------|
| President | Jack Whitlow |
| Secretary | Mandy Grant |

RESOLVED, that each director shall serve so long as he/she serves on the City Council of the City of Port Lavaca and/or is employed by the City of Port Lavaca. If a director no longer serves as a council member or employee, he/she automatically resigns their position.

RESOLVED, that this unanimous written consent shall have the same force and effect as a formal annual Board of Directors' meeting for all purposes

The undersigned direct that this unanimous written consent may be executed in multiple counterparts, all of which shall be considered originals and that this unanimous written consent, including multiple counterparts, be filed with the minutes of the proceedings of the Board of Directors of the Corporation.

DATED to be effective on June 09, 2025.

Jack Whitlow, Mayor

Mandy Grant

Daniel Aguirre

Tim Dent

Allen Tippit

Rosie Padron

Rose Bland-Stewart

Justin Burke

SUBJECT: Receive the 2026 proposed Budget from the Calhoun County Appraisal District (CCAD) as required by Sec. 6.06 (A) of the Texas Property Tax Code to the Governing bodies of the Taxing Units within. <u>Presenter is Chief Appraiser Paul Spaeth</u>

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: <u>www.calhouncad.org</u> Email: <u>info@calhouncad.org</u>



Board of Directors County Judge Vern Lyssy, Charman Kevin Hill, Vice Chairman Jessie Rodriguez, Secretary Benjamin Boone, Member David Pfeil, Member

Chief Appraiser Paul Spaeth

May 21, 2025

To: The Governing Bodies of the Taxing Units within the Calhoun County Appraisal District

RE: 2026 Proposed Budget

I, Paul Spaeth, chief appraiser for the Calhoun County Appraisal District, do hereby submit the 2026 Proposed Budget for the Calhoun County Appraisal District as required by Sec. 6.06 of the Texas Property Tax Code. Please make a copy of this proposed budget available for public inspection.

We will have the budget as an agenda item for each board meeting until the final budget is approved, <u>which is usually in August</u>. We will continue to work on the budget at each board meeting. The appraisal district budget must be approved by the board of directors prior to September 15 of each year.

Before the budget is officially approved by the board of directors, there will be at least a 10-day public notice given of a Public Hearing on the Budget. The appraisal district will post the notice of the Public Hearing in the newspaper (Port Lavaca Wave), at the county courthouse, appraisal district office and on the appraisal district website. Each governing body will also be notified by letter.

Should anyone have any questions regarding the proposed budget please feel free to contact me directly. Your suggestions, questions and comments are always welcomed.

Respectfully.

Paul Spaeth Chief Appraiser

Section VIII. Item #5.

| | | | May 20.20 | 025 | | | Section VIII. Ite |
|--|--------------------|----|---------------|-----|---------------|-------------------|-------------------|
| SUMMARY BUDGET EXPENDITURES BY CATEGORY | 2024 ACTUAL | 1 | 2025 APPROVED | | 2026 PROPOSED | \$Change | %Change |
| TOTAL SALARIES & BENEFITS | \$ 1,023,645.97 | \$ | 1,084,412.74 | \$ | 1,225,606.74 | \$ 141,194.00 | 13.02% |
| TOTAL PURCHASED/CONTRACTED SERVICES | \$ 389,140.68 | \$ | 424,101.00 | \$ | 409,481.00 | \$ (14,620.00) | -3.45% |
| TOTAL SUPPLIES & MATERIALS | \$ 68,436.45 | \$ | 80,198.50 | \$ | 83,648.50 | \$ 3,450.00 | 4.30% |
| TOTAL OTHER OPERATING EXPENSES | \$ 29,285.77 | \$ | 37,035.00 | \$ | 37,200.00 | \$ 165.00 | 0.45% |
| TOTAL CAPITAL OUTLAY | \$ 2,186.08 | \$ | 7,250.00 | \$ | 5,000.00 | \$ (2,250.00) | -31.03% |
| TOTAL EXPENDITURES w/o Fund Reserve | \$ 1,512,694.95 | \$ | 1,632,997.24 | \$ | 1,760,936.24 | \$ 127,939.00 | 7.83% |

FUND RESERVE (Per 2023 Financial Audit)

•

| TOTAL COMMITTED RESERVES | Sector | | | | | | | | |
|--|-----------------------|----------------------------|--------------------------------|------------|------------|---------------------------------|----|--------|---------|
| Board Authorized Expenditures from Fund Reserve | and the second second | 4 Actual Funds Expended | Constant and the second second | S APPROVED | and an and | 026 PROPOSED OLIDATED BUDGET | | _ | |
| Pictometry/ChangeFinder | \$ | 38,226.67 | \$ | - | \$ | - | \$ | - | #DIV/0! |
| Server Upgrade | \$ | 22,370.00 | \$ | | \$ | | \$ | - | #DIV/0! |
| IT Sevices | \$ | 10,895.00 | \$ | - | \$ | | | | |
| ChangeFinder | \$ | 10,724.00 | \$ | | \$ | and the second second | \$ | - | #DIV/0! |
| CoStar Commercial Data | \$ | 10,895.64 | \$ | 11,500.00 | \$ | 11,500.00 | \$ | - | 0.00% |
| CARAHSOFT SALES DATA | \$ | 5,000.00 | \$ | 5,000.00 | \$ | 5,000.00 | \$ | - | 0.00% |
| TRUEROLL | \$ | 11,500.00 | \$ | 11,500.00 | \$ | 11,600.00 | \$ | 100.00 | |
| TOTAL BOARD APPROVED EXPENDITURES FROM FUND RESERVE | \$ | 109,611.31 | \$ | 28,000.00 | \$ | 28,100.00 | s | 100.00 | 0.36% |

REVENUES FROM OPERATIONS

| Copies, tax certificates,earned interest from bank accounts,bpp,other) | \$ 59,260.07 | \$ 36,000.00 | \$ 45,000.00 | \$ 9,000.00 | 25.00% |
|---|--------------------|--------------------|--------------------|------------------|--------|
| ACTUAL FUNDING FROM TAXING UNITS | \$ 1,519,614.37 | \$ 1,596,997.24 | \$ 1,715,936.24 | \$ 118,939.00 | 7.45% |
| REVENUES FROM OPERATIONS | \$ 56,952.79 | \$ 36,000.00 | \$ 45,000.00 | \$ 9,000.00 | 25.00% |
| TOTAL REVENUES | \$ 1,576,567.16 | \$ 1,632,997.24 | \$ 1,760,936.24 | \$ 127,939.00 | 7.83% |
| TOTAL EXPENDITURES Inc Board Approved Fund Reserve Expenditures | \$ 1,622,306.26 | \$ 1,660,997.24 | \$ 1,789,036.24 | \$ 128,039.00 | 7.71% |
| NET REVENUES OVER/(UNDER)EXPENDITURES | \$ (45,739.10) | \$ (28,000.00) | \$ (28,100.00) | | |

PAYROLL EXPENSES

| SALARIES & BENEFITS - | | | ale and the second of the | | | |
|-------------------------------|-----|--------------|---------------------------|--------------------|------------------|---------|
| CONSOLIDATED | | 2024 ACTUAL | 2025 APPROVED | 2026 PROPOSED | \$CHANGE | %CHANGE |
| Administrative Salaries | \$ | 120,346.48 | \$ 112,000.00 | \$ 112,000.00 | \$ - | 0.00% |
| Clerical Salaries | \$ | 368,841.73 | \$ 391,350.00 | \$ 407,000.00 | \$ 15,650.00 | 4.00% |
| Appraisal Salaries | \$ | 210,791.20 | \$ 217,700.00 | \$ 268,500.00 | \$ 50,800.00 | 23.33% |
| TOTAL SALARIES | \$ | 699,979.41 | \$ 721,050.00 | \$ 787,500.00 | \$ 66,450.00 | 9.22% |
| EMPLOYEE BENEFITS | | 2024 ACTUAL | 2025 APPROVED | 2026 PROPOSED | \$CHANGE | %CHANGE |
| Social Security/Medicare | \$ | 10,204.12 | \$ 11,012.05 | \$ 12,079.95 | \$ 1,067.90 | 9.70% |
| Health Insurance(Employee | 100 | | | | | |
| health,dental,ad&d, ltd,life) | \$ | 164,337.07 | \$ 198,832.32 | \$ 265,300.56 | \$ 66,468.24 | 33.43% |
| Workers Compensation | \$ | 3,260.35 | \$ 3,783.00 | \$ 4,074.00 | \$ 291.00 | 7.69% |
| Unemployement Compensation | \$ | | \$ | \$ - | \$ - | 0.00% |
| Retirement | \$ | 107,465.02 | \$ 111,335.37 | \$ 111,052.23 | \$ (283.14) | -0.25% |
| Auto Allowance | \$ | 38,400.00 | \$ 38,400.00 | \$ 45,600.00 | \$ 7,200.00 | 18.75% |
| TOTAL EMPLOYEE BENEFITS | \$ | 323,666.56 | \$ 363,362.74 | \$ 438,106.74 | \$ 74,744.00 | 20.57% |
| TOTAL CONSOLIDATED SALARIES & | | | | | | |
| BENEFITS | \$ | 1,023,645.97 | \$ 1,084,412.74 | \$ 1,225,606.74 | \$ 141,194.00 | 13.02% |

| SALARIES & BENEFITS - APPRAISAL | 2 | 024 ACTUAL | 2025 APPROVED | 2026 PROPOSED | \$CHANGE | %CHANGE |
|---------------------------------|----|--------------------|------------------|------------------|------------------|---------|
| Administrative Salaries | \$ | 120,346.48 | \$ 72,800.00 | \$ 72,800.00 | \$ - | 0.00% |
| Clerical Salaries | \$ | 144,685.00 | \$ 151,900.00 | \$ 158,000.00 | \$ 6,100.00 | 4.02% |
| Appraisal Salaries | \$ | 209,221.60 | \$ 217,700.00 | \$ 268,500.00 | \$ 50,800.00 | 23.33% |
| TOTAL SALARIES | \$ | 474,253.08 | \$ 442,400.00 | \$ 499,300.00 | \$ 56,900.00 | 12.86% |
| EMPLOYEE BENEFITS | 2 | 024 ACTUAL | 2025 APPROVED | 2026 PROPOSED | \$CHANGE | %CHANGE |
| Social Security/Medicare | \$ | 7,052.15 | \$ 6,785.72 | \$ 7,633.96 | \$ 848.24 | 12.50% |
| Health Insurance(Employee | | | | | | |
| health,dental,ad&d, ltd,life) | \$ | 92,191.78 | \$ 126,755.60 | \$ 163,917.85 | \$ 37,162.25 | 29.32% |
| Workers Compensation | \$ | 2,115.80 | \$ 2,226.15 | \$ 2,517.15 | \$ 291.00 | 13.07% |
| Unemployement Compensation | \$ | Contraction of the | \$ | \$ | \$ - | #DIV/0! |
| Retirement | \$ | 74,249.66 | \$ 68,605.87 | \$ 70,179.78 | \$ 1,573.91 | 2.29% |
| Auto Allowance | \$ | 36,000.00 | \$ 36,000.00 | \$ 43,200.00 | \$ 7,200.00 | 20.00% |
| TOTAL EMPLOYEE BENEFITS | \$ | 211,609.39 | \$ 240,373.34 | \$ 287,448.74 | \$ 47,075.40 | 20% |
| TOTAL APPRAISAL SALARIES & | | | | | | |
| BENEFITS | \$ | 685,862.47 | \$ 682,773.34 | \$ 786,748.74 | \$ 103,975.40 | 15% |

Section VIII. Item #5.

| | | | _ | May 20,2 | 025 | 5 | | |
|-----------------------------------|----|------------|----|---------------|-----|--|------------------|---------|
| SALARIES & BENEFITS - COLLECTIONS | 2 | 024 ACTUAL | | 2025 APPROVED | | 2026 PROPOSED | \$CHANGE | %CHANGE |
| Administrative Salaries | \$ | | \$ | 39,200.00 | \$ | 39,200.00 | \$ - | 0.00% |
| Clerical Salaries | \$ | 225,726.33 | \$ | 239,450.00 | \$ | 249,000.00 | \$ 9,550.00 | 3.99% |
| TOTAL SALARIES | \$ | 225,726.33 | \$ | 278,650.00 | \$ | 288,200.00 | \$ 9,550.00 | 3.43% |
| EMPLOYEE BENEFITS | 2 | 024 ACTUAL | | 2025 APPROVED | | 2026 PROPOSED | | |
| Social Security/Medicare | \$ | 3,151.97 | \$ | 4,226.33 | \$ | 4,445.99 | \$ 219.660 | 5.20% |
| Health Insurance(Employee | | | | | | | - | |
| health,dental,ad&d, Itd,life) | \$ | 72,145.29 | \$ | 72,076.72 | \$ | 101,382.71 | \$ 29,305.99 | 40.66% |
| Workers Compensation | \$ | 1,144.55 | \$ | 1,556.85 | \$ | 1,556.85 | \$ - | 0.00% |
| Unemployment Compensation | \$ | | \$ | | \$ | | \$ | 0.00% |
| Retirement | \$ | 33,215.36 | \$ | 42,729.50 | \$ | 40,872.45 | \$ (1,857.05) | -4.35% |
| Auto Allowance | \$ | 2,400.00 | \$ | 2,400.00 | \$ | 2,400.00 | \$ - | 0.00% |
| TOTAL EMPLOYEE BENEFITS | \$ | 112,057.17 | \$ | 122,989.40 | \$ | 150,658.00 | \$ 27,668.60 | 22.50% |
| TOTAL COLLECTIONS SALARIES & | | | | | | and the second states of the | | |
| BENEFITS | \$ | 337,783.50 | \$ | 401,639.40 | \$ | 438,858.00 | \$ 37,218.60 | 9.27% |

2025 APPROVED SALARY & BENEFIT

3

| DETAIL | | 6.1 | | | | | | |
|-------------------------------------|--------------------|-----|-----------|------|---|---|----|------------|
| POSITION | SALARY | | F.I.C.A. | INSU | HEALTH JRANCE(MED,DEN,L TD, AD&D) | WORKMANS COMP | R | ETIREMENT |
| CHIEF APPRAISER | \$ 112,000.00 | \$ | 1,728.40 | \$ | 18,950.04 | \$ 291.00 | \$ | 15,889.36 |
| DEPUTY CHIEF-APPRAISAL | \$ 81,500.00 | \$ | 1,286.15 | \$ | 18,950.04 | \$ 291.00 | \$ | 11,823.71 |
| DEPUTY CHIEF- COLLECTIONS | \$ 80,000.00 | \$ | 1,177.40 | \$ | 18,950.04 | \$ 291.00 | \$ | 10,823.96 |
| EXECUTIVE ASSISTANT | \$ 57,000.00 | \$ | 843.90 | \$ | 18,950.04 | \$ 291.00 | \$ | 7,758.06 |
| TOTAL | \$ 330,500.00 | \$ | 5,035.85 | \$ | 75,800.16 | \$ 1,164.00 | \$ | 46,295.09 |
| APPRAISER A | \$ 40,000.00 | \$ | 684.40 | \$ | 18,950.04 | \$ 291.00 | \$ | 6,291.76 |
| APPRAISER B | \$ 50,000.00 | \$ | 829.40 | \$ | 18,950.04 | \$ 291.00 | \$ | 7,624.76 |
| APPRAISER C | \$ 62,000.00 | \$ | 1,003.40 | \$ | 18,950.04 | \$ 291.00 | \$ | 9,224.36 |
| APPRAISER D | \$ 35,000.00 | \$ | 611.90 | \$ | 18,950.04 | \$ 291.00 | \$ | 5,625.26 |
| TOTAL APPRAISERS | \$ 187,000.00 | \$ | 3,129.10 | \$ | 75,800.16 | \$ 1,164.00 | \$ | 28,766.14 |
| CLERK A | \$ 48,500.00 | \$ | 703.25 | \$ | 18,950.04 | \$ 291.00 | \$ | 6,465.05 |
| CLERK B | \$ 42,000.00 | \$ | 609.00 | \$ | 18,950.04 | \$ 291.00 | \$ | 5,598.60 |
| CLERK C | \$ 35,000.00 | \$ | 507.50 | \$ | 18,950.04 | \$ 291.00 | \$ | 4,665.50 |
| CLERK D | \$ 35,000.00 | \$ | 507.50 | \$ | 18,950.04 | \$ 291.00 | \$ | 4,665.50 |
| TOTAL CLERKS | \$ 160,500.00 | \$ | 2,327.25 | \$ | 75,800.16 | \$ 1,164.00 | \$ | 21,394.65 |
| GIS COORDINATOR | \$ 61,000.00 | \$ | 884.50 | \$ | 18,950.04 | \$ 291.00 | \$ | 8,131.30 |
| MAPPING/DEED ABSTRACTOR | \$ 48,500.00 | \$ | 703.25 | \$ | 18,950.04 | \$ 291.00 | \$ | 6,465.05 |
| TOTAL GIS/MAPPING | \$ 109,500.00 | \$ | 1,587.75 | \$ | 37,900.08 | \$ 582.00 | \$ | 14,596.35 |
| AUTO | | | | | | | | |
| ALLOWANCE(\$600/mo./appraiser)(\$10 | | | | | | | | |
| 0/mo/exec assist. & coll.chief dep) | \$ 45,600.00 | | | 1 | | a service service and the service s | | |
| TOTAL SALARIES | \$ | \$ | 12,079.95 | \$ | 265,300.56 | \$ 4,074.00 | \$ | 111,052.23 |
| TOTAL BENEFITS | \$ 438,106.74 | | | | | | | |
| GRAND TOTAL | \$ 1,225,606.74 | | | | | | | |

| PURCHASED/CONTRACTED SERVICES- | | | 1 | | 1.570 | | | | |
|---------------------------------------|----|---|----|---------------|-------|--------------------------------|------|-------------|---------|
| CONSOLIDATED | 2 | 024 ACTUAL | | 2025 APPROVED | | 2026 PROPOSED | | \$CHANGE | %CHANGE |
| Audit Services | \$ | 11,000.00 | \$ | 12,000.00 | \$ | 12,000.00 | \$ | - | 0% |
| Legal Services | \$ | 1. S. C. S. | \$ | 1,700.00 | \$ | 1,700.00 | \$ | - 3 | 0% |
| ARB Legal Services | \$ | 500.00 | \$ | 750.00 | \$ | 750.00 | \$ | - | 0% |
| Maintenance-Mapping | \$ | 15,415.00 | \$ | 21,374.00 | \$ | 24,096.00 | \$ | 2,722.00 | 13% |
| Contracted Appraisals(MIUP) | \$ | 145,400.00 | \$ | 150,488.00 | \$ | 156,500.00 | \$ | 6,012.00 | 4% |
| Contracted Appraisals(AG) | \$ | 7,580.00 | \$ | 10,000.00 | \$ | 10,100.00 | \$ | 100.00 | 1% |
| Contracted Appraisals (Commercial) | \$ | 42,000.00 | \$ | 42,000.00 | \$ | 1. 1999 - 1877 - 1974 - 1777 - | \$ | (42,000.00) | -100% |
| Appraisal Review Board | \$ | 18,304.38 | \$ | 25,000.00 | \$ | 22,000.00 | \$ | (3,000.00) | -12% |
| Agricultural Appraisal Advisory Board | \$ | 311.20 | \$ | 250.00 | \$ | 350.00 | \$ | 100.00 | 40% |
| Maintenance-Software | \$ | 88,388.00 | \$ | 93,939.00 | \$ | 112,705.00 | \$ | 18,766.00 | 20% |
| Maintenance-Building & Grounds | \$ | | \$ | 1,000.00 | \$ | 680.00 | \$ | (320.00) | -32% |
| Maintenance - Equipment | \$ | 587.96 | \$ | 2,500.00 | \$ | 2,500.00 | \$ | - | 0% |
| Water | \$ | 1,043.63 | \$ | 1,200.00 | \$ | 1,300.00 | \$ | 100.00 | 8% |
| Telephone | \$ | 7,216.46 | \$ | 7,400.00 | \$ | 7,400.00 | \$ | - | 0% |
| Electricity | \$ | 6,207.96 | \$ | 6,500.00 | \$ | 7,000.00 | \$ | 500.00 | 8% |
| Rental-Building | \$ | 25,800.00 | \$ | 25,800.00 | \$ | 25,800.00 | \$ | | 0% |
| Rental-Other | \$ | 7,311.14 | \$ | 6,700.00 | \$ | 8,100.00 | \$ | 1,400.00 | 21% |
| Deed Service | \$ | 4,894.00 | \$ | 5,000.00 | \$ | 5,000.00 | \$ | - | 0% |
| Bookkeeping | \$ | 3,030.56 | \$ | 2,100.00 | \$ | 2,600.00 | \$ | 500.00 | 24% |
| Other Services | \$ | 3,250.39 | \$ | 4,400.00 | \$ | 4,400.00 | \$ | - | 0% |
| Arbitration | \$ | 900.00 | \$ | 4,000.00 | \$ | 4,500.00 | \$ | 500.00 | 13% |
| CoStar Commerical Data | | and the second second | | | \$ | - | \$ | | |
| CARAHSOFT Residential Sales | | | | | \$ | | \$ | - | |
| TOTAL PURCHASED/CONTRACTED | | | | | | | | | |
| SERVICES-CONSOLIDATED | \$ | 389,140.68 | \$ | 424,101.00 | \$ | 409,481.00 | \$. | (14,620.00) | -3.45% |

2

Section VIII. Item #5.

| | | May 20,2 | 025 |) | | |
|---|---------------------------------|-------------------------------|-----|---------------|-------------------|---------|
| PURCHASED/CONTRACTED SERVICES- APPRAISAL | 024 ACTUAL | 2025 APPROVED | | 2026 PROPOSED | \$CHANGE | %CHANGE |
| Audit Services | \$ 5,500.00 | \$ 6,000.00 | \$ | 6,000.00 | \$ - | 0% |
| Legal Services | \$ | \$ 1,200.00 | \$ | 1,200.00 | \$ - | 0% |
| ARB Legal Services | \$ 500.00 | \$ 750.00 | \$ | 750.00 | \$ - | 0% |
| Maintenance-Mapping | \$ 15,415.00 | \$ 21,374.00 | \$ | 24,096.00 | \$ 2,722.00 | 13% |
| Contracted Appraisals (MIUP) | \$ 145,400.00 | \$ 150,488.00 | \$ | 156,500.00 | \$ 6,012.00 | 4% |
| Contracted Appraisals (Ag) | \$ 7,580.00 | \$ 10,000.00 | \$ | 10,100.00 | \$ 100.00 | 1% |
| Contracted Appraisals (Commercial) | \$ 42,000.00 | \$ 42,000.00 | \$ | - | \$ (42,000.00) | -100% |
| Appraisal Review Board | \$ 18,304.38 | \$ 25,000.00 | \$ | 22,000.00 | \$ (3,000.00) | -12% |
| Agricultural Appraisal Advisory Board | \$ 311.20 | \$ 250.00 | \$ | 350.00 | \$ 100.00 | 40% |
| Maintenance-Software | \$ 68,536.52 | \$ 64,955.00 | \$ | 75,337.00 | \$ 10,382.00 | 16% |
| Maintenance-Building & Grounds | \$ | \$ 620.00 | \$ | 300.00 | \$ (320.00) | -52% |
| Maintenance - Equipment | \$ 293.98 | \$ 1,550.00 | \$ | 1,550.00 | \$ - | 0% |
| Water | \$ 521.84 | \$ 744.00 | \$ | 700.00 | \$ (44.00) | -6% |
| Telephone | \$ 4,633.86 | \$ 4,588.00 | \$ | 4,700.00 | \$ 112.00 | 2% |
| Electricity | \$ 3,104.01 | \$ 3,500.00 | \$ | 3,500.00 | \$ - | 0% |
| Rental-Building | \$ 12,900.00 | \$ 12,900.00 | \$ | 12,900.00 | \$ - | 0% |
| Rental-Other | \$ 3,655.60 | \$ 4,154.00 | \$ | 4,100.00 | \$ (54.00) | -1% |
| Deed Service | \$ 4,339.00 | \$ 4,000.00 | \$ | 4,400.00 | \$ 400.00 | 10% |
| Bookkeeping | \$ 1,515.28 | \$ 1,100.00 | \$ | 1,300.00 | \$ 200.00 | 18% |
| Other Services | \$ 1,625.25 | \$ 2,200.00 | \$ | 2,200.00 | \$ - | 0% |
| Arbitration | \$ 900.00 | \$ 4,000.00 | \$ | 4,500.00 | \$ 500.00 | 13% |
| CoStar Commerical Data | Contraction of the | \$ 100 C 100 C 100 C 100 C | | Sector Sector | \$ - | |
| CARAHSOFT Residential Sales | Same and the second | \$ | \$ | | \$ - | |
| TOTAL PURCHASED/CONTRACTED | And the provide static strength | | | | | |
| SERVICES-APPRAISAL | \$ 337,035.92 | \$ 361,373.00 | \$ | 336,483.00 | \$ (24,890.00) | -7% |

| PURCHASED/CONTRACTED SERVICES- | | | | | | | |
|--------------------------------|----|------------|-----------------|----|---------------|-----------------|---------|
| COLLECTIONS | 2 | 024 ACTUAL | 2025 APPROVED | 1 | 2026 PROPOSED | \$CHANGE | %CHANGE |
| Audit Services | \$ | 5,500.00 | \$ 6,000.00 | \$ | 6,000.00 | \$ - | 0% |
| Legal Services | \$ | | \$ 500.00 | \$ | 500.00 | \$ - | 0% |
| Maintenance-Software | \$ | 31,301.48 | \$ 28,984.00 | \$ | 37,368.00 | \$ 8,384.00 | 29% |
| Maintenance-Building & Grounds | \$ | | \$ 380.00 | \$ | 380.00 | \$ - | 0% |
| Maintenance - Equipment | \$ | 293.98 | \$ 950.00 | \$ | 950.00 | \$ - | 0% |
| Water | \$ | 521.79 | \$ 456.00 | \$ | 600.00 | \$ 144.00 | 32% |
| Telephone | \$ | 2,582.60 | \$ 2,812.00 | \$ | 2,700.00 | \$ (112.00) | -4% |
| Electricity | \$ | 3,103.95 | \$ 3,000.00 | \$ | 3,500.00 | \$ 500.00 | 17% |
| Rental-Building | \$ | 12,900.00 | \$ 12,900.00 | \$ | 12,900.00 | \$ - | 0% |
| Rental-Other | \$ | 3,655.54 | \$ 2,546.00 | \$ | 4,000.00 | \$ 1,454.00 | 57% |
| Deed Service | \$ | 555.00 | \$ 1,000.00 | \$ | 600.00 | \$ (400.00) | -40% |
| Bookkeeping | \$ | 1,515.28 | \$ 1,000.00 | \$ | 1,300.00 | \$ 300.00 | 30% |
| Other Services | \$ | 1,625.14 | \$ 2,200.00 | \$ | 2,200.00 | \$ - | 0% |
| TOTAL PURCHASED/CONTRACTED | 15 | | | | | | |
| SERVICES-COLLECTIONS | \$ | 63,554.76 | \$ 62,728.00 | \$ | 72,998.00 | \$ 10,270.00 | 16% |

| SUPPLIES & MATERIALS - CONSOLIDATED | 20 | 24 ACTUAL | 2025 APPROVED | 2026 PROPOSED | ŚCHANGE | %CHANGE |
|--|----|-----------|-----------------|-----------------|----------------|---------|
| Janitorial Supplies | \$ | 14.06 | \$ 500.00 | \$ 500.00 | \$ - | 0% |
| Appraisal Manuals | \$ | 2,327.49 | \$ 3,000.00 | \$ 3,000.00 | \$ - | 0% |
| Publications | \$ | 45.00 | \$ 398.50 | \$ 398.50 | \$ - | 0% |
| Office Supplies | \$ | 4,459.60 | \$ 3,500.00 | \$ 4,600.00 | \$ 1,100.00 | 31% |
| Postage/Forms & Printing | \$ | 54,557.82 | \$ 61,000.00 | \$ 63,000.00 | \$ 2,000.00 | 3% |
| Copier & Computer Supplies | \$ | 4,857.04 | \$ 9,500.00 | \$ 9,500.00 | \$ - | 0% |
| Appraisal Supplies | \$ | 446.23 | \$ 400.00 | \$ 450.00 | \$ 50.00 | 13% |
| Mapping Supplies | \$ | 314.87 | \$ 700.00 | \$ 700.00 | \$ - | 0% |
| Other Supplies | \$ | 1,414.34 | \$ 1,200.00 | \$ 1,500.00 | \$ 300.00 | 25% |
| TOTAL SUPPLIES & MATERIALS | \$ | 68,436.45 | \$ 80,198.50 | \$ 83,648.50 | \$ 3,450.00 | 4% |

\$

Section VIII. Item #5.

| May 20,2025 | | | | | | | | | | | |
|--------------------------------|----|-------------|----|---------------|----|---------------|----|----------|---------|--|--|
| SUPPLIES & MATERIALS-APPRAISAL | | 2024 ACTUAL | | 2025 APPROVED | | 2026 PROPOSED | | \$CHANGE | %CHANGE | | |
| Janitorial Supplies | \$ | 7.03 | \$ | 250.00 | \$ | 250.00 | \$ | | 0% | | |
| Appraisal Manuals | \$ | 2,300.99 | \$ | 3,000.00 | \$ | 3,000.00 | \$ | - | 0% | | |
| Publications | \$ | 22.50 | \$ | 230.00 | \$ | 230.00 | \$ | - | 0% | | |
| Office Supplies | \$ | 2,249.98 | \$ | 2,000.00 | \$ | 2,400.00 | \$ | 400.00 | 20% | | |
| Postage/Forms & Printing | \$ | 27,271.23 | \$ | 30,500.00 | \$ | 31,500.00 | \$ | 1,000.00 | 3% | | |
| Copier & Computer Supplies | \$ | 2,649.65 | \$ | 4,750.00 | \$ | 4,750.00 | \$ | | 0% | | |
| Appraisal Supplies | \$ | 446.23 | \$ | 400.00 | \$ | 450.00 | \$ | 50.00 | 13% | | |
| Mapping Supplies | \$ | 314.87 | \$ | 700.00 | \$ | 700.00 | \$ | - | 0% | | |
| Other Supplies | \$ | 707.20 | \$ | 600.00 | \$ | 750.00 | \$ | 150.00 | 25% | | |
| TOTAL SUPPLIES & MATERIALS | \$ | 35,969.68 | \$ | 42,430.00 | \$ | 44,030.00 | \$ | 1,600.00 | 4% | | |

| SUPPLIES & MATERIALS - | a day of | | | | | |
|------------------------------|----------|------------|-----------------|-----------------|----------------|---------|
| COLLECTIONS | 2 | 024 ACTUAL | 2025 APPROVED | 2026 PROPOSED | \$CHANGE | %CHANGE |
| Janitorial Supplies | \$ | 7.03 | \$ 250.00 | \$ 250.00 | \$ - | 0% |
| Publications | \$ | 22.50 | \$ 168.50 | \$ 168.50 | \$ - | 0% |
| Office Supplies | \$ | 2,209.62 | \$ 1,500.00 | \$ 2,200.00 | \$ 700.00 | 47% |
| Postage/Forms & Printing | \$ | 27,286.59 | \$ 30,500.00 | \$ 31,500.00 | \$ 1,000.00 | 3% |
| Copier & Computer Supplies | \$ | 2,207.39 | \$ 4,750.00 | \$ 4,750.00 | \$ - | 0% |
| Other Supplies | \$ | 707.14 | \$ 600.00 | \$ 750.00 | \$ 150.00 | 25% |
| TOTAL SUPPLIES & MATERIALS - | | | | 1 | | |
| COLLECTIONS | \$ | 32,440.27 | \$ 37,768.50 | \$ 39,618.50 | \$ 1,850.00 | 5% |

| OTHER OPERATING EXPENSES - | | | | | | | | | | |
|-------------------------------------|-------------|------------|---------------|-----------|---------------|-----------|----------|------------|---------|--|
| CONSOLIDATED | 2024 ACTUAL | | 2025 APPROVED | | 2026 PROPOSED | | \$CHANGE | | %CHANGE | |
| Mileage-Out of District | \$ | 1,029.79 | \$ | 2,000.00 | \$ | - | \$ | (2,000.00) | -100% | |
| Education(Subsistence,Certification | | | | | | | | | | |
| Registration, Dues & Fees, Mileage) | \$ | 14,576.39 | \$ | 19,000.00 | \$ | 20,000.00 | \$ | 1,000.00 | 5% | |
| Insurance-Private Autos | \$ | 243.04 | \$ | 110.00 | \$ | 275.00 | \$ | 165.00 | 150% | |
| Insurance-Officials' Liability | \$ | 3,289.54 | \$ | 3,950.00 | \$ | 3,950.00 | \$ | - | 0% | |
| Insurance-Property/Liability | \$ | 4,296.69 | \$ | 3,600.00 | \$ | 4,600.00 | \$ | 1,000.00 | 28% | |
| Insurance-Bonds/Employees | \$ | 1,775.95 | \$ | 2,330.00 | \$ | 2,330.00 | \$ | - | 0% | |
| Mandated Legal Notices | \$ | 2,675.00 | \$ | 3,770.00 | \$ | 3,770.00 | \$ | - | 0% | |
| Directors Expense | \$ | 1,172.11 | \$ | 1,300.00 | \$ | 1,300.00 | \$ | - | 0% | |
| Bank Fees | \$ | 2204-220-2 | \$ | 500.00 | \$ | 500.00 | \$ | - | 0% | |
| Miscellaneous | \$ | 227.26 | \$ | 475.00 | \$ | 475.00 | \$ | - | 0% | |
| TOTAL | \$ | 29,285.77 | \$ | 37,035.00 | \$ | 37,200.00 | \$ | 165.00 | 0% | |

| OTHER OPERATING EXPENSES - APPRAISAL | 2024 ACTUAL | | 2025 APPROVED | | 2026 PROPOSED | | \$CHANGE | %CHANGE |
|---|-------------|---------------------------|-----------------|----|-----------------------|----|----------|---------|
| Mileage-Out of District | \$ | 834.82 | \$ 500.00 | \$ | and the second second | \$ | (500.00) | -100% |
| Education(Subsistence,Certification | | | | | | | | |
| Registration, Dues & Fees, Mileage) | \$ | 10,662.13 | \$ 12,000.00 | \$ | 12,500.00 | \$ | 500.00 | 4% |
| Insurance-Private Autos | \$ | 156.25 | \$ 70.00 | \$ | 175.00 | \$ | 105.00 | 150% |
| Insurance-Officials' Liability | \$ | 2,763.21 | \$ 3,366.00 | \$ | 3,366.00 | \$ | - | 0% |
| Insurance-Property/Liability | \$ | 2,148.35 | \$ 1,800.00 | \$ | 2,300.00 | \$ | 500.00 | 28% |
| Insurance-Bonds/Employees | \$ | 217.00 | \$ 630.00 | \$ | 630.00 | \$ | - | 0% |
| Legal Notices | \$ | 1,337.50 | \$ 1,900.00 | \$ | 1,900.00 | \$ | - | 0% |
| Directors Expense | \$ | 586.09 | \$ 700.00 | \$ | 700.00 | \$ | - | 0% |
| Bank Fees | \$ | ale and the second second | \$ 250.00 | \$ | 250.00 | \$ | - | 0% |
| Miscellaneous | \$ | 113.63 | \$ 225.00 | \$ | 225.00 | \$ | - | 0% |
| TOTAL | \$ | 18,818.98 | \$ 21,441.00 | \$ | 22,046.00 | \$ | 605.00 | 3% |

| OTHER OPERATING EXPENSES - COLLECTIONS | 2024 ACTUAL | | 2 | 2025 APPROVED | | 2025 APPORVED | | \$CHANGE | %CHANGE | |
|---|-------------|-----------|----|---------------|----|-----------------------|----|------------|---------|--|
| Mileage-Out of District | \$ | 194.97 | \$ | 1,500.00 | \$ | And the second second | \$ | (1,500.00) | -100% | |
| Education(Subsistence, Certification | | | | | | | | | | |
| Registration, Dues & Fees, Mileage) | \$ | 3,914.26 | \$ | 7,000.00 | \$ | 7,500.00 | \$ | 500.00 | 7% | |
| Insurance-Private Autos | \$ | 86.79 | \$ | 40.00 | \$ | 100.00 | \$ | 60.00 | 150% | |
| Insurance-Officials' Liability | \$ | 526.33 | \$ | 584.00 | \$ | 584.00 | \$ | - | 0% | |
| Insurance-Property/Liability | \$ | 2,148.34 | \$ | 1,800.00 | \$ | 2,300.00 | \$ | 500.00 | 28% | |
| Insurance-Bonds/Employees | \$ | 1,558.95 | \$ | 1,700.00 | \$ | 1,700.00 | \$ | | 0% | |
| Legal Notices | \$ | 1,337.50 | \$ | 1,870.00 | \$ | 1,870.00 | \$ | | 0% | |
| Directors Expense | \$ | 586.02 | \$ | 600.00 | \$ | 600.00 | \$ | | 0% | |
| Bank Fees | \$ | | \$ | 250.00 | \$ | 250.00 | \$ | - | 0% | |
| Miscellaneous | \$ | 113.63 | \$ | 250.00 | \$ | 250.00 | \$ | | 0% | |
| TOTAL | \$ | 10,466.79 | \$ | 15,594.00 | \$ | 15,154.00 | \$ | (440.00) | -3% | |

| CAPITAL OUTLAY-CONSOLIDATED | UTLAY-CONSOLIDATED 2024 ACTUAL 2025 APPROVED | | 2026 PROPOSED | \$CHANGE | %CHANGE | |
|------------------------------|--|----------|----------------|----------------|------------------|------|
| Furniture, Equipment , Other | \$ | 2,186.08 | \$ 7,250.00 | \$ 5,000.00 | \$ (2,250.00) | -31% |
| TOTAL | \$ | 2,186.08 | \$ 7,250.00 | \$ 5,000.00 | \$ (2,250.00) | -31% |

| CAPITAL OUTLAY-APPRAISAL | 202 | 24 ACTUAL | 2025 APPROVED | 2026 PROPOSED | \$CHANGE | %CHANGE |
|------------------------------|-----|-----------|----------------|----------------|------------------|---------|
| Furniture, Equipment , Other | \$ | 1,989.43 | \$ 5,000.00 | \$ 4,000.00 | \$ (1,000.00) | -20% |
| TOTAL | \$ | 1,989.43 | \$ 5,000.00 | \$ 4,000.00 | \$ (1,000.00) | -20% |

| CAPITAL OUTLAY-COLLECTIONS | 202 | 4 ACTUAL | 2025 | APPROVED | 2026 PR | OPOSED | \$CHANGE | %CHANGE |
|-----------------------------|-----|----------|------|----------|---------|----------|------------------|---------|
| Furniture, Equipment, Other | \$ | 196.65 | \$ | 2,250.00 | \$ | 1,000.00 | \$ (1,250.00) | -56% |
| TOTAL | \$ | 196.65 | \$ | 2,250.00 | \$ | 1,000.00 | \$ (1,250.00) | -56% |

•

#1

Dist.

Calhoun County Groundwater Cons.

TOTAL COUNTYWIDE LEVY

Section VIII. Item #5.

1,756.13 \$ 1,173,507.74

6,634.93 \$ 1,173,507.74 1,173,507.76 \$ 1,173,507.74

| 2026 PROPOSED CONSOLIDATED | | May 20,20 | 025 | | |
|---|---------------|--------------------------|---|--|--|
| BUDGET COST ALLOCATION | | | | | |
| TAXING UNIT | 2024 TAX LEVY | Percentage of Total Levy | 2025 ALLOCATED COS FOR CONSOLIDATED BUDGET | | 2026 PROPOSED CONSOLIDATED REVENUE FROM ALL TAXING UNITS |
| CALHOUN COUNTY | 31,289,004,82 | 38.948% | the second se | | |
| CALHOUN ISD | 36,260,410.93 | | , | | 1 |
| CITY OF SEADRIFT | 791,159.13 | | | | |
| CITY OF POINT COMFORT | 913,877.75 | | | | |
| CITY OF PORT LAVACA | 6,090,417.01 | 7.581% | | | |
| CALHOUN CO PORT AUTHORITY | 18,058.27 | 0.022% | | | 1 1 - 1 |
| WATER CONTROL & IMP DIST #1 | 309,997.29 | | | | |
| DRAINAGE DIST #6 | 6,135.01 | 0.008% | | | |
| DRAINAGE DIST #8 | 23,268.31 | 0.029% | | | |
| DRAINAGE DIST #10 | 30,892.64 | 0.038% | \$ 634.2 | | |
| DRAINAGE DIST #11 | 275,702.64 | 0.343% | \$ 5,711.9 | | |
| PORT O'CONNOR IMP DISTRICT | 3,751,998.00 | 4.670% | \$ 71,071.5 | | |
| POC-IMP DIST DEFINED AREA #1 | 120,219.94 | 0.150% | | | and the state of t |
| CC GROUNDWATER CONSV. DIST | 454,210.43 | 0.565% | \$ 9,163.8 | | |
| TOTAL COUNTYWIDE LEVY | 80,335,352 | 100.000% | | | the second se |
| 2026 PROPOSED APPRAISAL BUDGET COST ALLOCATION | | | | | |
| TAXING UNIT | 2024 TAX LEVY | Percentage of Total Levy | 2025 ALLOCATED COS FOR APPRAISAL BUDG | | 2026 PROPOSED APPRAISAL REVENUE FROM ALL TAXING UNITS |
| Calhoun County | 31,289,005 | 38.948% | \$ 385,314.0 | | \$ 1,173,507.74 |
| Calhoun County ISD | 36,260,411 | 45.136% | | | |
| City of Seadrift | 791,159 | | | | |
| City of Point Comfort | 913,878 | | | | \$ 1,173,507.74 |
| City of Port Lavaca | 6,090,417 | 7.581% | \$ 83,556.9 | | - |
| Calhoun Port Authority | 18,058 | 0.022% | \$ 272.5 | 5 \$ 263.79 | \$ 1,173,507.74 |
| Water Control & Improvement District | | | | | |
| #1 | 309,997 | | \$ 4,424.3 | | |
| Drainage District #6 | 6,135 | | and the second se | the state of the second s | 1 |
| Drainage District #8 | 23,268 | 0.029% | \$ 340.4 | | \$ 1,173,507.74 |
| Drainage District #10 | 30,893 | 0.038% | \$ 436.6 | and the second | |
| Drainage District #11 | 275,703 | 0.343% | \$ 3,931.9 | | \$ 1,173,507.74 |
| Port OConnor Imp. District | 3,751,998 | 4.670% | \$ 48,923.2 | 54,807.74 | \$ 1,173,507.74 |
| Port OConnor Imp. Dist. Defined Area | | | | | |

0.150%

0.565% \$

100.000% \$

Ś

1,378.22 \$

6,308.05 \$ 1,099,317.34 \$

120,220

454,210 80,335,352

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Section VIII. Item #5.

| 2026 PROPOSED COLLECTIONS BUDGET COST ALLOCATION | | | | | |
|---|---------------|--------------------------|---|-------------------------|--|
| TAXING UNIT | 2024 TAX LEVY | Percentage of Total Levy | 2025 ALLOCATED COST FOR COLLECTION BUDGET | 2026 PROPOSED ALLOCATED | 2026 PROPOSED COLLECTION REVENUE FROM ALL TAXING UNITS |
| Calhoun County | 31,289,005 | | | | |
| Calhoun County ISD | 36,260,411 | | | | |
| City of Seadrift | 791,159 | | | | |
| City of Point Comfort | 913,878 | 1.138% | | \$ 6,170.55 | |
| City of Port Lavaca | 6,090,417 | 7.581% | \$ 37,827.65 | \$ 41,122.81 | |
| Calhoun Port Authority | 18,058 | 0.022% | \$ 123.39 | | \$ 542,428.50 |
| Water Control & Improvement District #1 | 309,997 | 0.386% | \$ 2,002.96 | \$ 2,093.12 | |
| Drainage District #6 | 6,135 | 0.008% | \$ 39.05 | \$ 41.42 | \$ 542,428.50 |
| Drainage District #8 | 23,268 | 0.029% | \$ 154.11 | \$ 157.11 | \$ 542,428.50 |
| Drainage District #10 | 30,893 | 0.038% | \$ 197.66 | \$ 208.59 | \$ 542,428.50 |
| Drainage District #11 | 275,703 | 0.343% | \$ 1,780.04 | \$ 1,861.56 | \$ 542,428.50 |
| Port OConnor Imp. District | 3,751,998 | 4.670% | \$ 22,148.38 | \$ 25,333.69 | \$ 542,428.50 |
| Port OConnor Imp. Dist. Defined Area #1 | 120,220 | 0.150% | \$ 623.94 | \$ 811.73 | \$ 542,428.50 |
| Calhoun County Groundwater Cons. Dist. | 454,210 | 0.565% | \$ 2,855.76 | \$ 3,066.85 | \$ 542,428.50 |
| TOTAL COUNTYWIDE LEVY | 80,335,352 | 100.000% | \$ 497,679.90 | \$ 542,428.51 | \$ 542,428.50 |

| 2026 PROPOSED QUARTERLY CONSOLIDATED COST ALLOCATION | | | | | |
|---|--|---|---|--|--|
| TAXING UNIT | 2026 PROPOSED TOTAL CONSOLIDATED ALLOCATION AMOUNT | 2026 PROPOSED 1ST QUARTER ALLOCATION AMOUNT | 2026 PROPOSED 2ND QUARTER ALLOCATION AMOUNT | 2026 PROPOSED 3RD QUARTER ALLOCATION AMOUNT | 2026 PROPOSED 4TH QUARTER ALLOCATION AMOUNT |
| CALHOUN COUNTY | \$668,322.68 | \$ 167,080.67 | \$ 167,080.67 | \$ 167,080.67 | \$ 167,080.67 |
| CALHOUN ISD | \$774,510.24 | \$ 193,627.56 | \$ 193,627.56 | \$ 193,627.56 | \$ 193,627.56 |
| CITY OF SEADRIFT | \$16,898.89 | \$ 4,224.72 | \$ 4,224.72 | \$ 4,224.72 | \$ 4,224.72 |
| CITY OF POINT COMFORT | \$19,520.12 | \$ 4,880.03 | \$ 4,880.03 | \$ 4,880.03 | \$ 4,880.03 |
| CITY OF PORT LAVACA | \$130,089.27 | \$ 32,522.32 | \$ 32,522.32 | \$ 32,522.32 | \$ 32,522.32 |
| CALHOUN CO PORT AUTHORITY | \$385.72 | \$ 96.43 | \$ 96.43 | \$ 96.43 | \$ 96.43 |
| WATER CONTROL & IMP DIST #1 | \$6,621.44 | \$ 1,655.36 | \$ 1,655.36 | \$ 1,655.36 | \$ 1,655.36 |
| DRAINAGE DIST #6 | \$131.04 | \$ 32.76 | \$ 32.76 | \$ 32.76 | \$ 32.76 |
| DRAINAGE DIST #8 | \$497.00 | \$ 124.25 | \$ 124.25 | \$ 124.25 | \$ 124.25 |
| DRAINAGE DIST #10 | \$659.86 | \$ 164.97 | \$ 164.97 | \$ 164.97 | \$ 164.97 |
| DRAINAGE DIST #11 | \$5,888.92 | \$ 1,472.23 | \$ 1,472.23 | \$ 1,472.23 | \$ 1,472.23 |
| PORT O'CONNOR IMP DIST | \$80,141.42 | \$ 20,035.36 | \$ 20,035.36 | \$ 20,035.36 | \$ 20,035.36 |
| POC-PID DEFINED AREA #1 | \$2,567.86 | \$ 641.97 | \$ 641.97 | \$ 641.97 | \$ 641.97 |
| CALHOUN CO GROUNDWATER CONDERVATION DIST | \$9,701.78 | \$ 2,425.45 | \$ 2,425.45 | \$ 2,425.45 | \$ 2,425.45 |
| TOTAL CONSOLIDATED ALLOCATION AMT | \$1,715,936.24 | \$ 428,984.06 | \$ 428,984.06 | \$ 428,984.06 | \$ 428,984.06 |

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Section VIII. Item #5.

| | | May 20,2025 | | | | | | | | ection VIII. Ite |
|--|----|--|----------|---|----|---|----|--|----|---|
| 2026 PROPOSED QUARTERLY APPRAISAL COST ALLOCATION | | | | may Loji | | | | | | |
| TAXING UNIT | то | 026 PROPOSED DTAL APPRAISAL ALLOCATION AMOUNT | 1.111.11 | 26 PROPOSED 1ST ARTER ALLOCATION AMOUNT | | 026 PROPOSED 2ND JARTER ALLOCATION AMOUNT | 20 | 26 PROPOSED 3RD QUARTER ALLOCATION AMOUNT | 4 | 26 PROPOSED TH QUARTER ALLOCATION AMOUNT |
| CALHOUN COUNTY | \$ | 457,057.68 | | 114,264.42 | \$ | 114,264.42 | \$ | 114,264.42 | \$ | 114,264.42 |
| CALHOUN ISD | \$ | 529,678.05 | \$ | 132,419.51 | \$ | 132,419.51 | \$ | 132,419.51 | \$ | 132,419.51 |
| CITY OF SEADRIFT | \$ | 11,556.95 | \$ | 2,889.24 | \$ | 2,889.24 | \$ | 2,889.24 | \$ | 2,889.24 |
| CITY OF POINT COMFORT | \$ | 13,349.57 | \$ | 3,337.39 | \$ | 3,337.39 | \$ | 3,337.39 | \$ | 3,337.39 |
| CITY OF PORT LAVACA | \$ | 88,966.46 | \$ | 22,241.62 | \$ | 22,241.62 | \$ | 22,241.62 | \$ | 22,241.62 |
| CALHOUN CO PORT AUTHORITY | \$ | 263.79 | \$ | 65.95 | \$ | 65.95 | \$ | 65.95 | \$ | 65.95 |
| WATER CONTROL & IMP DIST #1 | \$ | 4,528.32 | \$ | 1,132.08 | \$ | 1,132.08 | \$ | 1,132.08 | \$ | 1,132.08 |
| DRAINAGE DIST #6 | \$ | 89.62 | \$ | 22.41 | \$ | 22.41 | \$ | 22.41 | \$ | 22.41 |
| DRAINAGE DIST #8 | \$ | 339.89 | \$ | 84.97 | \$ | 84.97 | \$ | 84.97 | \$ | 84.97 |
| DRAINAGE DIST #10 | \$ | 451.27 | \$ | 112.82 | \$ | 112.82 | \$ | 112.82 | \$ | 112.82 |
| DRAINAGE DIST #11 | \$ | 4,027.36 | \$ | 1,006.84 | \$ | 1,006.84 | \$ | 1,006.84 | \$ | 1,006.84 |
| PORT O'CONNOR PID | \$ | 54,807.74 | \$ | 13,701.94 | \$ | 13,701.94 | \$ | 13,701.94 | \$ | 13,701.94 |
| POC-PID DEFINED AREA #1 | \$ | 1,756.13 | \$ | 439.03 | \$ | 439.03 | \$ | 439.03 | \$ | 439.03 |
| CALHOUN CO GROUNDWATER CONDERVATION DIST | \$ | 6,634.93 | \$ | 1,658.73 | \$ | 1,658.73 | \$ | 1,658.73 | \$ | 1,658.73 |
| TOTAL CONSOLIDATED ALLOCATION AMT | \$ | 1,173,507.76 | \$ | 293,376.94 | \$ | 293,376.94 | \$ | 293,376.94 | | 293,376.94 |

| 2026 PROPOSED QUARTERLY | | | | | | | | | - | |
|-------------------------------|----|---|----|--|----|--|----|--------------------------------|----|---|
| COLLECTION COST ALLOCATION | | | | | | | | | | |
| TAXING UNIT | | 026 PORPOSED ITAL COLLECTION ALLOCATION AMOUNT | | 026 PROPOSED 1ST ARTER ALLOCATION AMOUNT | | 2026 PROPOSED 2ND UARTER ALLOCATION AMOUNT | 20 | 26 PROPOSED 3RD QUARTER | 4 | 26 PROPOSED TH QUARTER ALLOCATION |
| CALHOUN COUNTY | 5 | 211,265.01 | Ś | 52,816.25 | Ś | 52,816.25 | ć | ALLOCATION AMOUNT 52,816.25 | ć | AMOUNT 52,816.25 |
| CALHOUN ISD | Ś | 244,832.19 | Ś | 61,208.05 | Ś | 61,208.05 | Ś | 61,208.05 | \$ | 61,208.05 |
| CITY OF SEADRIFT | \$ | 5,341.95 | \$ | 1,335.49 | \$ | | Ś | 1,335.49 | Ś | 1,335.49 |
| CITY OF POINT COMFORT | \$ | 6,170.55 | \$ | 1,542.64 | \$ | 1,542.64 | \$ | 1,542.64 | \$ | 1,542.64 |
| CITY OF PORT LAVACA | \$ | 41,122.81 | \$ | 10,280.70 | \$ | 10,280.70 | \$ | 10,280.70 | \$ | 10,280.70 |
| CALHOUN CO PORT AUTHORITY | \$ | 121.93 | \$ | 30.48 | \$ | 30.48 | \$ | 30.48 | \$ | 30.48 |
| WATER CONTROL & IMP DIST #1 | \$ | 2,093.12 | \$ | 523.28 | \$ | 523.28 | \$ | 523.28 | \$ | 523.28 |
| DRAINAGE DIST #6 | \$ | 41.42 | \$ | 10.36 | \$ | 10.36 | \$ | 10.36 | \$ | 10.36 |
| DRAINAGE DIST #8 | \$ | 157.11 | \$ | 39.28 | \$ | 39.28 | \$ | 39.28 | \$ | 39.28 |
| DRAINAGE DIST #10 | \$ | 208.59 | \$ | 52.15 | \$ | 52.15 | \$ | 52.15 | \$ | 52.15 |
| DRAINAGE DIST #11 | \$ | 1,861.56 | \$ | 465.39 | \$ | 465.39 | \$ | 465.39 | \$ | 465.39 |
| PORT O'CONNOR PID | \$ | 25,333.69 | \$ | 6,333.42 | \$ | 6,333.42 | \$ | 6,333.42 | \$ | 6,333.42 |
| POC-PID DEFINED AREA #1 | \$ | 811.73 | \$ | 202.93 | \$ | 202.93 | \$ | 202.93 | \$ | 202.93 |
| CALHOUN CO GROUNDWATER | | | | | | | | | | |
| CONDERVATION DIST | \$ | 3,066.85 | \$ | 766.71 | \$ | 766.71 | \$ | 766.71 | \$ | 766.71 |
| TOTAL CONSOLIDATED ALLOCATION | | | | - | | | | | | |
| AMT | \$ | 542,428.51 | \$ | 135,607.13 | \$ | 135,607.13 | \$ | 135,607.13 | \$ | 135,607.13 |

SUBJECT: Consider appointment of member(s) to the Port Commission to fill a vacancy and/or start a new term of two (2) years. <u>Presenter is Jody Weaver</u>

CITY OF PORT LAVACA

COUNCIL MEETING: JUNE 9, 2025

DATE: 05.04.2025
TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS
FROM: JODY WEAVER, INTERIM CITY MANAGER

SUBJECT: PORT COMMISSION MEMBER APPOINTMENT

Background:

The term of Port Commissioner Robert Knox is up in July and he has indicated that he is unable to serve another term. In the May 28 issue of the Port Lavaca Wave, I published an advertisement with the following text:

Are YOU Ready to Serve?

The City of Port Lavaca is looking for passionate and dedicated individuals to join our Boards and Commissions. We have openings on the Parks Boards and an upcoming opening on the Port Commission that Council will consider for new appointments at the June 9 Council meeting.

If you are interested in serving, please email <u>mgrant@portlavaca.org</u> with the following information and a brief statement about why you would like to serve: Name, address, phone, email and which Board or Commission you are interested in. Applications will be received until 5 pm on June 5.

As of this writing, we have received one response from former councilman Jim Ward. On Friday, Mandy will add any other letters of interest that we receive by 5 pm on Thursday.

As you recall, the City Attorney has indicated that Jim Ward would be **eligible** to serve since the office of Port Commissioner was not 1) created by nor 2) was any compensation for the office set by Council while Jim Ward was a member of the Council. Below is a copy of the text from the charter.

• Sec. 3.12. - Ineligibility to appointment or election to office.

No member of the Council shall be eligible to be elected or appointed to any <u>office</u> <u>created by</u>, <u>or</u> the <u>compensation of which was increased or fixed by</u> the Council while he/she was a member thereof, until after the expiration of at least one year after he/she has ceased to be a member of the Council.

June 4, 2026

City of Port Lavaca Mandy Grant, City Secretary

For the Council Meeting on June 9, 2025

I would like to again be considered for appointment to the Port Lavaca Port Commission to serve a two year term. While on the City Council, I attended many meetings of the Port Commission and remained informed about issues of concern for our Ports and Harbors. If the Council will accept, I would like to serve this community in capacity as a Port Commissioner and work with the other commissioners to provide informed common sense recommendations to the City Council.

Jim ward

SUBJECT: Consider appointment and/or re-appointment of representative(s) to the Golden Crescent Regional Planning Commission (GCRPC) General Assembly and Board of Directors. <u>Presenter is Jody Weaver</u>

CITY OF PORT LAVACA

COUNCIL MEETING: JUNE 9, 2025

DATE: 05.04.2025

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: JODY WEAVER, INTERIM CITY MANAGER

SUBJECT: GCRPC NOMINATIONS FOR FY2026

Background:

The City's current representation on the Golden Crescent Regional Planning Commission is as follows:

General Assembly – meets 1x per year; Board of Directors meets approximately monthly

General Assembly Seat #1: Allen Tippit (serves also as Cities of Calhoun County Board of Directors rep)

General Assembly Seat #2: Rosie Padron

Options for Action:

- 1. Approve Yes or No to continue Allen Tippit as the Cities of Calhoun County BOD representative
- 2. Vote for no change to our representation OR select new representation for GA Seats #1 and #2. Note that Allen could remain on the BOD and two different council persons could sit on the GA. In other words these 3 seats (1 Board of Directors and 2 General Assembly) could be three separate individuals.

The Board of Director position is a 1 year term beginning 9/1/2025 The General Assembly positions are 2 -years terms beginning 9/1/2025



GOLDEN CRESCENT REGIONAL PLANNING COM

Golden Crescent Economic Development District

1908 N. Laurent, Suite 600A Victoria, Texas 77901

361.578.1587 🌜 361.578.8865 ႃ

info@gcrpc.org 💟

FY 2025 EXECUTIVE COMMITTEE

President Alice Jo Summers Mayor, City of Hallettsville

1st Vice-President Clinton Tegeler Mayor, City of Ganado

2nd Vice-President Robin Alaniz Alderwoman, City of Goliad

3rd Vice-President Chris Jackson Councilman, City of Edna

Secretary-Treasurer Josephine E. Soliz

Directors-at-Large Julio Espinosa Municipal Judge, Edna

Raymond B. Perez Municipal Judge, Port Lavaca

Executive Director Michael Ada May 5, 2025

RE: Nominations for FY2026 General Assembly Delegates & Board of Directors Representatives

Dear Mayor Jack Whitlow,

The Nominatons Committee, a standing committee of the GCRPC Board of Directors, humbly requests your jurisdiction's nominations for the following:

- General Assembly Voting Delegates (2-year Term beginning 9/1/2025)
- Board of Directors Representative (1-year Term beginning 9/1/2025)

The General Assembly is the policy body of the association that meets at least once annually to adopt the association's annual budget and program of work and establishes policy guidelines to direct the Board of Directors.

The Board of Directors is the governing body of the association that generally meets on a monthly basis and provides oversight for all of the association's programs and projects.

A general brochure and nomination form are included for your benefit and use. All nominations should be received no later than the close of business, Friday, June 13, 2025, and may be submitted using the attached form to Natasha Armstrong, Member Services Coordinator, at <u>natashaa@gcrpc.org</u>, or by mail to:

> Attn: Natasha Armstrong, Member Services Coordinator Board of Directors, Nominations Committee Golden Crescent Regional Planning Commission 1908 N. Laurent, Suite 600 Victoria, Texas 77901

We look forward to receiving your nominations and the work we will do together in FY 2026. Please contact Ms. Armstrong if you have any questions or concerns.

Sincerely,

Mayor Mice Jo Summers President

Michael Ada

Executive Director

DUE: FRIDAY, JUNE 13. 2025

Section VIII. Item #7.

City of Port Lavaca Representatives

Please review your current representatives, listed at left. If you wish to **continue with the same representatives**, you may indicate with a check mark beside "No Change." **If no response is received, we will assume your approval of the current slate.**

Write changes or corrections to current rep information in the spaces provided at right.

Your Current Cities of Calhoun County Board of Directors Representative: Allen Tippit

Approve BOD Representative?:YESorNOPlease note: Cities of each county share one board seat.

General Assembly Seat #1

Only one GA member may be voting. Only one GA member may be placed on the Board of Directors. You may elect the same individual to serve both functions.

| Mr. Allen Tippit Councilmember City of Port Lavaca atippit@portlavaca.org 3616483348 | Name Workplace Title Mailing Address | |
|---|--------------------------------------|--|
| Voting (only one rep may be listed) | Email | |
| No Change | Phone | |

General Assembly Seat #2

Only one GA member may be voting. Only one GA member may be placed on the Board of Directors. You may elect the same individual to serve both functions.

| | Name | |
|-------------------------------------|-----------------|--|
| Ms. Rosie Padron Councilmember | Workplace | |
| City of Port Lavaca | Title | |
| rpadron@portlavaca.org 3616766576 | Mailing Address | |
| Voting (only one rep may be listed) | Email | |
| No Change | Phone | |

Please sign below and provide the date on which these nominations were approved by your Commissioners' Court or City Council.

Name Jack Whitlow, Mayor

Date of Approval June 09, 2025

Signature

Submit all nominations or approval of current seats to Natasha Armstrong Member Services Coordinator, by emailing <u>natashaa@gcrpc.org</u>, mailing to her attention at 1908 N. Laurent St., Suite 600, Victoria, TX 77901 by **June 13, 2025.**

GOLDEN CRESCENTREGIONAL PLANNING COMMISSION (GCRPC) 58thGeneral Assembly Annual Awards Nomination Form

DUE DATE: FRIDAY, JUNE 13, 2025

About the Awards:

Judge Robert A. Kubena Regionalism Award – This award was named for the late Robert A. Kubena, a member of the GCRPC Board of Directors for over 30 years, where he served several terms as President. In addition, he served as Chairman of the Regional Public Protection Committee for 11 years. This award is granted annually to an eligible candidate who has displayed a commitment to regionalism and the mission and objectives of GCRPC.

Eligible candidates: GCRPC General Assembly, Board of Directors, or Advisory Committee members; GCRPC Staff members

Kenneth A. Rosenquest Regional Public Protection Award – Kenneth "Rosie" Rosenquest, former Victoria Police Chief, long-time member of the Regional Public Protection Committee, and supporter of the Golden Crescent Regional Planning Commission. The award is meant to recognize a peace officer or officers who have performed an act of heroism above and beyond their call of duty.

George W. Trowell Person of the Year Award – Awarded to an individual who has done the most to forward the cause of the Golden Crescent Regional Planning Commission.

Harry O. Gibson Statesmanship Award – Awarded for efforts of elected official(s) to better lives of citizens in the region.

Eligible candidates: Any local government elected official, appointee, or employee serving a community within the Golden Crescent Region.

Criteria: Demonstrated skill and vision in the leadership and management of public affairs/policy in the golden crescent region. Well versed in and a vocal advocate for the principles of regionalism and its benefits to local governance.

| Nominee | |
|----------------------|-------|
| Name | |
| Workplace | Title |
| Mailing Address | |
| Email | Phone |
| Nomination Reason | |
| Supervisor | |
| Supervisor Email | |
| Supervisor Phone | |

Signature

99

Submit all nominations to Natasha Armstrong, Member Services Coordinator, by emailing natashaa@gcrpc.org, or by mailing to her attention at 1908 N. Laurent St., Suite 600, Victoria, TX 77901 by **June 13, 2025**.

SUBJECT: Consider approval for a Snow Cone Stand to be located on the corner of Seadrift Street and West Austin, Property ID 22087. The legal description is Lot 18 & PT of 19 of Block 7 of the South Park Subdivision (1111 W. Austin St.). <u>Presenter is Derrick Smith</u>

CITY OF PORT LAVACA

MEETING: June 09, 2025

AGENDA ITEM _____

DATE: 06.03.2025

TO: HONORABLE MAYOR AND CITY COUNCIL

FROM: DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR

SUBJECT: Consider and discuss approval for a Snow Cone Stand to be located on the corner of Seadrift Street and West Austin, Property ID 22087. The legal description is Lot 18 & PT of 19 of Block 7 of the South Park Subdivision (1111 W. Austin St.).

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

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

The applicant is proposing a new snow cone stand to be located at 1111 W. Austin St.

Future land Use Map

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

The Future Land Use Map designates this area as Mixed Use.



| Property ID: 220 | 87 For Year 2025- | | | | | | |
|-----------------------|--|------------------------------------|--|--|--|--|--|
| Property Details | | | | | | | |
| Account | | | | | | | |
| Property ID: | 22087 | Geographic ID: S0265-00070-0017-00 | | | | | |
| Туре: | R | Zoning: NULL | | | | | |
| Property Use: | | Condo: | | | | | |
| Location | | | | | | | |
| Situs Address: | 1111 W AUSTIN ST PORT LAVACA, TX | < 77979 | | | | | |
| Map ID: | S0265-00070-0018-00 | Mapsco: | | | | | |
| Legal Description: | SOUTH PARK (PORT LAVACA), BLOCK 7, LOT 18 & PT OF 19 | | | | | | |
| Abstract/Subdivision: | S0265 | | | | | | |
| Neighborhood: | (1550) PORT LAVACA COMMERCIAL | | | | | | |
| Owner 🕄 | | | | | | | |
| Owner ID: | 122605 | | | | | | |
| Name: | MADERA LEOBARDO | | | | | | |
| Agent: | | | | | | | |
| Mailing Address: | OLACHIA MANUELA 272 E MAXWELL DITCH RD PORT LAVACA, TX 77979 | | | | | | |
| % Ownership: | 100.0% | | | | | | |
| Exemptions: | For privacy reasons not all exemptions are shown online. | | | | | | |

100 000075

PLANNING BOARD RECOMMENDATION: Did not have quorum for discussion.

Staff Recommendation: APPROVAL. The request for a snow cone stand to be located at 1111 W. Austin St. complies with the Future Land Use Plan.

Attachments:

- Application •
- Conceptual site plan ٠

Section VIII. Item #8.

TENAS

City of Port Lavaca

Request for Non-Residential

Planning Board Review

Date:5/29/2025

Time: 5:30 PM

Location: 202 N Virginia St. Port Lavaca, TX 77979

ZOOM link: TBD

Date: 5.5.2025 Applicant Name: Leobardo Madera Property ID or Address for variance: _______

Reason for request: to Place or /Le K 40 For a antine 40 building and Business Wi Show cone st Wartin abl Insid ter ho options at th dine. e moine food no only. Bhe IF mainh drive fried.

Signature: With Phone No. 3121-64 4089



SUBJECT: Consider award for the Micro Surfacing Pavement Treatment for Mariemont and Hillside Terrace Subdivisions. <u>Presenter is Jody Weaver</u>

CITY OF PORT LAVACA

| COUNCIL N | AEETING: | JUNE 09, 2025 |
|-----------|------------|--|
| DATE: | 06-03-2025 | |
| TO: | HONORABL | E MAYOR AND CITY COUNCIL MEMBERS |
| FROM: | WAYNE SHA | AFFER, DIRECTOR OF PUBLIC WORKS |
| SUBJECT: | CONSTRUC | TION AWARD – Micro surfacing of Mariemont and Hillside Terrace |
| | | |

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Background:

In continuation of the planned street remediation we recently advertised for the proposed 2025 micro surfacing of Mariemont and Hillside Terrace Subdivisions.

We received two bids on June 3, 2025 from Intermountain Slurry Seal and Viking Construction. The apparent Low Bidder is Intermountain Slurry Seal with a total base bid of \$163,800.00 and add alternate of \$62,480.00, for a grand total of \$226,280.00. A bid tabulation is attached.

Recommendation:

Staff recommends a construction contract for this project be awarded to Intermountain Slurry Seal in the amount of \$226,280.00. We have \$200,000.00 budgeted in sealcoat and the remaining balance can come out of materials which will have approximately \$80,000.00 at the time of completion. The work is to be completed within 30 days of the time that the contract begins.

City of Port Lavaca

2025 Microsurfacing Pavement Treatment for Mariemont and Hillside Terrace subdivisions

| CONTRACTOR | BASE BID | | ALTERNAT | TE . | TOTAL | BID | DAYS TO COMPLETE | BID BOND |
|---------------------------------|----------|------------|----------|-----------|-------|------------|------------------|----------|
| Intermountain Slurry Seal, Inc. | \$ | 163,800.00 | \$ | 62,480.00 | \$ | 226,280.00 | 30 | YES |
| Viking Construction, LLC | \$ | 168,861.00 | \$ | 63,929.25 | \$ | 232,790.25 | 160 | YES |

.

MICROSURFACING PAVEMENT TREATMENT FOR MARIEMONT AND HILLSIDE TERRACE SUBDIVISIONS

CITY OF PORT LAVACA



MAY 14, 2025



TABLE OF CONTENTS

- 00020 Advertisement for Bids
- 00100 Instructions to Bidders
- 00300 Bid Form
- Statement of Qualifications
- 00500 Agreement between Owner and Contractor
- 00820 Bond and Insurance Requirements
- 01010 Summary of Work
- PLANS: SITE PLAN
INVITATION TO BID

PROJECT: MICROSURFACING PAVEMENT TREATMENT FOR MARIEMONT AND HILLSIDE TERRACE SUBDIVISIONS

BID DATE AND TIME: TUESDAY, JUNE 3, 2025, AT 2:00 pm

Sealed bids for the above-mentioned Public Works project will be received by the City Secretary, 202 N. Virginia Street, Port Lavaca, Texas 77979, until the above stated date and time, when they will be publicly opened and read aloud. All bids must be submitted on the Bid Form provided in the bid documents and shall be sealed in an envelope and clearly marked "Sealed Bid for MICROSURFACING PAVEMENT TREATMENT FOR MARIEMONT AND HILLSIDE TERRACE SUBDIVISIONS" - Bid Opening at 2:00 P.M., JUNE 3, 2025". Bids received after this time shall be returned unopened.

To request a complete bid package and schedule a site visit, contact Public Works Director Wayne Shaffer at 361-552-3347 or <u>wshaffer@portlavaca.org</u>. The complete Bid Package may also be downloaded at the City's website <u>www.portlavaca.org/city-departments/finance-department/bids-and-rfps/</u>.

A bid bond in the amount of 5% of the bid issued by an acceptable surety shall be submitted with each bid. A certified check or bank draft payable to the City of Port Lavaca may be submitted in lieu of the Bid Bond.

Statutory Bonds for performance of the contract and for payments of mechanics and materials will be required in accordance with Article 5160, Vernon's Texas Civil Statutes, in an amount equal to 100% of the accepted bid amount.

The Award of the Construction Contract, which is anticipated to be within thirty (30) calendar days of the Bid Date specified above, shall be made to the responsible Bidder submitting the lowest, qualified, acceptable Bid who, in the opinion of the CITY OF PORT LAVACA, offers the Bid in the best interests of the City.

The CITY OF PORT LAVACA reserves the right to reject any and all bids and to waive informalities in the bidding. Small and minority businesses, women-owned business enterprises, and labor surplus area firms are encouraged to submit bids.

The **CITY OF PORT LAVACA** is an equal opportunity employer without regard to race, color, religion, sex, sexual orientation, gender identity, age, national origin, handicap, or limited English proficiency.

City of Port Lavaca Microsurfacing Pavement Treatment for Mariemont and Hillside Terrace Subdivisions SECTION 00100

INSTRUCTIONS TO BIDDERS

- 1.0 <u>LOCATION OF THE PROJECT</u>: The project is located in the city of Port Lavaca, Texas, in the areas indicated on the plans.
- 2.0 <u>GENERAL DESCRIPTION OF THE PROJECT</u>: The work to be accomplished under the provisions of these Contract Documents consists of providing a microsurfacing pavement treatment for those streets designated on the plans: <u>Base Bid</u>: Larry Drive, McPherson Drive, Vall Drive and Purple Sage from south end to Jackson Street and Oleander Drive from the south end to Jackson Street. <u>Additive Alt #1</u>: Jackson Street, Leon Street, Purple Sage from Larry Drive to north end and Oleander from Jackson St. to north end. The project shall be constructed in general accordance with the Texas Department of Transportation Standard Specifications for Construction and Maintenance of Highways, Streets, and Bridges (2014) and these specifications.

3.0 DELIVERY OF BID:

- 3.1 Facsimile transmittal of bids will <u>not</u> be accepted under any circumstances. Bid proposals must be mailed, hand delivered, or delivered by courier and received by the City Secretary's office before the stated date and time.
- 3.2 All bids received by the City of Port Lavaca after the stated date and time will not be opened, read, or recorded and will be returned unopened.
- 3.3 Bids shall be submitted on the Bid Form provided in Section 0300, sealed in an envelope and clearly marked "SEALED BID MICROSURFACING PAVEMENT TREATMENT FOR MARIEMONT AND HILLSIDE TERRACE SUBDIVISIONS Bid Opening at 2:00 pm, June 3, 2025"
- 3.4 A Bid Bond issued by an acceptable surety in the amount of 5% of the maximum bid submitted must accompany each bid. A certified check or cashiers check payable to the City of Port Lavaca may be submitted in lieu of the Bid Bond.
- 3.5 The successful bidder, upon his failure or refusal to execute and deliver the contract, insurance and bonds required within 10 days after he has received Notice of Acceptance of his bid, shall forfeit to the Owner, as liquidated damages for such failure or refusal, the security deposited with his bid.
- 4.0 <u>ESTIMATED QUANTITIES</u>: The quantities listed in the Bid Documents are the City's best estimate of the scope of the work to be performed and do not oblige the City to order or accept more than its actual requirements during the period of agreement, as determined by actual needs and availability of appropriated funds.
- 5.0 <u>SUBSTITUTIONS</u>: The Contractor shall not substitute items specified in the contract documents without the expressed written consent of the Public Works Director. Requests for substitution must be received by the Public Works Director a minimum of ten (10) days in advance of the bid opening date. Substitutions will not be allowed after the bids have been received.

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City of Port Lavaca Microsurfacing Pavement Treatment for Mariemont and Hillside Terrace Subdivisions SECTION 00100

6.0 <u>OBLIGATION OF BIDDER</u>: At the time of the opening of the bids each bidder will be presumed to have inspected the site and to have read and to be thoroughly familiar with the Contract Documents (including all addenda). The failure or omission of any bidder to examine any form, instrument or document shall in no way relieve the bidder from any obligation in respect to this bid.

7.0 TIME OF COMPLETION:

7.1 Time of completion of this Contract is of importance to the City and may be considered in the award of the Contract. Payments on the Contract will be made as provided by the Contract. No payment will be made on the Contract after 30 days prior to the completion date set by the Contractor, until final completion and acceptance by the Public Works Director. If there is an extended unforeseen delay, over which the Contractor has no control, such as severe or unseasonable weather, it shall be the Contractor's responsibility to request any extensions of time within the same month as the delay occurs. His failure to make such request within the above time limit may void the possible extension of the Contract time of completion. The Public Works Director will be the judge as to whether a time extension is to be granted and so notify the Contractor.

Time of Completion shall be set by the Contractor in the Bid Form.

7.2 Liquidated Damages:

Contractor shall pay Liquidated Damages in the amount of Two Hundred Dollars (\$200) per each calendar day that the date of substantial completion exceeds the contract completion date.

8.0 RIGHTS OF THE CITY OF PORT LAVACA:

- 8.1 The City of Port Lavaca reserves the right to separate and accept, or eliminate any item(s) listed under this proposal that it deems necessary to accommodate budgetary and/or operational requirements.
- 8.2 The City of Port Lavaca reserves the right to reject any or all bids submitted, to waive any formalities or irregularities and to make whatever award is in the best interest of the City of Port Lavaca.
- 8.3 The Bidder is hereby notified that although the City of Port Lavaca is required to submit purchases of all contracts of \$50,000 or more to competitive bidding, it is not required to accept the lowest bid. In such purchasing, the lowest bid may be rejected if the City Council, in the exercise of its best judgment, feels that a bid, other than the low bid, will best serve the interests of the City of Port Lavaca.
- 9.0 <u>BONDS:</u> Statutory Bonds for performance of the contract and for payments of mechanics and materials will be required in accordance with Article 5160, Vernon's Texas Civil Statutes, in an amount equal to 100% of the accepted bid amount.

City of Port Lavaca Microsurfacing Pavement Treatment for Mariemont and Hillside Terrace Subdivisions SECTION 00100

- 10.0 <u>TAX EXEMPTIONS:</u> The City of Port Lavaca is exempt from State Tax and Local Tax. DO NOT include tax in your bid. Tax exemption certificates will be furnished upon request.
- 11.0 <u>PRICE QUOTATIONS</u>: Bid a unit price on the estimated quantity specified, extend and show totals as indicated on the Bid Form. The unit price quotation shall always govern over the multiplied totals.
- 12.0 <u>TRANSPORTATION OF ROAD MATERIALS</u>: The transporter of all road materials must be approved for travel on Texas highways by holding a valid driver's license, that is of the class and/or type required for hauling and commercial use; valid liability insurance; a valid Railroad Commission License and any other requirements mandated by the State of Texas for this particular transport.
- 13.0 <u>PAYMENT PROCEDURES:</u> The City of Port Lavaca will accept requests for partial payment on a monthly basis for 90% of the Work completed (with the balance being retainage.) Retainage shall be held until 100% of all the authorized work is completed and the contractor has submitted an "Affidavit of all Bills Paid" to the City.

END OF SECTION

City of Port Lavaca Microsurfacing Pavement Treatment for Mariemont and Hillside Terrace Subdivisions SECTION 00300

BID FORM

| Bidding Firm: | Intermountain Slurry Seal, Inc. | | |
|-------------------|---|----------|------------------------|
| Address: | 1000 North Warm Springs Road | 1 | |
| City, State, Zip: | Salt Lake City, UT 84116 | | |
| Phone: | (972)353-6253 | _ Email: | landon.moore@gcinc.com |
| Project: | MICROSURFACING PAVEMENT TREA AND HILLSIDE TERRACE SUBDIVISOI CITY OF PORT LAVACA BIDS DUE : TUESDAY, JUNE 3, 2025 at | NS | OR MARIEMONT |

This Bid is being submitted to the CITY OF PORT LAVACA, 202 N. Virginia, Port Lavaca, TX 77979 on or before Tuesday, JUNE 3, 2025 at 2:00 pm.

 Pursuant to and in compliance with the Advertisement for Bid and the proposed Contract Documents dated May 14, 2025 relating to the above referenced project, the undersigned hereby proposes and agrees to fully perform all Work as specified or indicated in, and instrict accordance with, the proposed Contract Documents, and addenda thereto, within the time stated herein for the following unit price:

All labor, materials, services, equipment and all other things necessary to provide a <u>matche Success</u> on all designated areas in full compliance with the contract documents:

 BASE BID AMOUNT: Larry, McPherson, Vail, Purple Sage (south end to Jackson) and Oleander (south end to Jackson) [22 lbs/SY]

312 TONS @ \$ 525.00 per SY equals \$ 163,800.00 TN

 ADDITIVE ALTERNATE NO. 1: Jackson, Leon, Purple Sage (Jackson to north end) and Oleander (Jackson to north end) [22lbs/SY]

142 TONS @ \$ 440.00 per \$9 equals \$ 62, 480.00

· GREATEST AMOUNT BID on which the 5% Bid Bond is based (Sum of Base Bid

+ Additive Alternate No. 1): \$ 226, 280.00

City of Port Lavaca Micro-surfacing Pavement Treatment for Mariemont and Hillside Terrace Subdivisions SECTION 00300

- 2. If awarded this contract, the undersigned will provide proof of insurance coverage, a 100% Performance and Payment Bond, as applicable, and execute a satisfactory Construction Contract with the City of Port Lavaca within 15 days after the Notice of Award. It is agreed that this bid shall remain subject to acceptance by the City of Port Lavaca for a period of thirty (30) days from the bid opening date.
- 3. Enclosed is a Certified Check or Bid Bond in the amount of 5% of the Greatest amount bid, in compliance with the specifications.
- 4. The undersigned BIDDER agrees to the following:
 - A. To perform all Work with skilled craftsmen experienced in the applicable trades and inconformance with the plans and specifications.
 - 9. To complete the Work within <u>30</u> calendar days from the Notice to Proceed.
- 5. In submitting this Bid, BIDDER represents, as more fully set forth in the Agreement, that:
 - C. BIDDER has examined copies of all Contract Documents and the following Addenda, receipt of which is hereby acknowledged.

Addendum No.

- B. BIDDER has examined the site and locality where the Work is to be performed, the legal requirements (federal, state and local laws, ordinances, rules and regulations) and the conditions affecting cost, progress or performance of the Work and has made such independent investigations as BIDDER deems necessary.
- C. This Bid is genuine and not made in the interest of or on behalf of any undisclosed person, firm or corporation and is not submitted in conformity with any agreement or rules of any group, association or corporation. BIDDER has not directly or indirectly solicited or induced any person, firm, or corporation to refrain from bidding; and BIDDER has not sought by collusion to obtain for himself any advantage over any other Bidder or over the City of Port Lavaca.
- 6. A completed Bidder's qualification statement is attached (required only from bidders who have never performed a similar scope of work for the City of Port Lavaca withing the last 5 years.)
- 7. Communication about this BID shall be directed to the BIDDER'S address indicated above.

SUBMITTED this 3rd day of June , 2025

Wilco /Ken Walschlager Bv

Signature

Area Manager Title

Seal if Bidder is Corporation

00300 - 2 OF 2

STATEMENT OF BIDDER'S QUALIFICATION

(Required ONLY if Bidder has not performed a similar scope of work for the City of Port Lavaca within the past 5 years.)

The undersigned certifies under oath that the information provided herein is true and sufficiently complete so as not to be misleading. (attach additional sheets as necessary)

Date: June 3, 2025

Bidder: (Legal Name of Firm) Intermountain Slurry Seal, Inc.

Address: 1000 North Warm Springs Rd website (if applicable): www.intermountainslurryseal.com Salt Lake City, UT 84116 Check which applies: Ø Corporation () Partnership () Individual () Joint Venture () Other

- Number of years has your organization been in business as a Contractor? 43+
- Number of years your organization been in business under its present name? <u>43+*</u>
- List all other names under which your business has operated in the last 10 years.

List the categories of work that your organization normally performs with its own forces. Slurry Seal, Chip Seal, Microsurfacing

Total Staff employed by firm (break down by managers and trades)

| Salaried Field/Trades 30 17 | speople Total As of 12/31/24 |
|--------------------------------|------------------------------|
|--------------------------------|------------------------------|

Has your organization ever failed to complete any work awarded to it? (If yes, provide details) No

Are there any judgments, claims, arbitration proceedings or suits pending or outstanding against your organization or its officers? (if yes, provide details)

Has your organization filed any law suits or requested arbitration with regard to construction contracts within the last 5 years? (If yes, provide details)

On a separate sheet, list work your organization currently has under contract and a recently completed project, including valid contact information for owners and/or architect/engineer and dollar amount of contract. See Attached List of Major Incomplete Contracts

On a separate sheet, list at least 3 projects completed in the past 3 years, comparable in size or greater to the project being bid. Provide name of project, architect/engineer and/or owner with valid contact information, and date of completion. See Attached Completed Jobs List

June 3, 2025

Bidder Ken Walschlager, Area Manager Date

*Bear River Constructors and Intermountain Slurry Seal, Inc. merged 12/21/1999 and were then named ISS, Inc. then changed their name on 05/24/2000 (21 years) to their current name of Intermountain Slurry Seal, Inc. because of name duplication.

AGREEMENT BETWEEN OWNER AND CONTRACTOR

THIS CONTRACT is made, and entered into this the _____, by and between the CITY OF PORT LAVACA, a political subdivision of the State of Texas, (hereinafter referred to as "CITY") and ______, a corporation duly authorized to do business in the State of Texas, (hereinafter referred to as

"CONTRACTOR").

For and in consideration of mutual promises to each as herein after setting forth, the parties hereto do mutually agree as follows:

- SCOPE OF SERVICES. CONTRACTOR hereby agrees to provide the services and/or materials under this Contract pursuant to the Bid Scope and Specifications (MICROSURFACING PAVEMENT TREATMENT FOR MARIEMONT AND HILLSIDE TERRACE SUBDIVISIONS) identified herein as "Exhibit A" and the PROPOSAL dated _______ identified herein as "Exhibit B". The Contract Amount is hereby established at <u>\$______</u>. Any and all fully executed Work Authorization documents or Addenda are hereby incorporated herein and made a part of this Contract.
- 2. CONTRACT TIMES: The work will be substantially complete within ______ calendar days after the date when the Contract Times commence to run, plus any approved time extension requests.
- 3. LIQUIDATED DAMAGES: CITY and CONTRACTOR recognize that time is of the essence in this Agreement and that the CITY will suffer financial loss if the Work is no substantially complete within the agreed upon time, plus any approved extensions. Instead of requiring any proof of actual loss, CITY and CONTRACTOR agree that as liquidated damages for delay (but not as a penalty), CONTRACTOR will pay CITY \$200 for each day that expires after time specified in Section 2 above.
- 4. PAYMENT TO CONTRACTOR. CONTRACTOR shall submit a schedule of values and the CITY will accept requests for partial payment based upon this schedule, on a monthly basis, for 90% of the Work completed (with the balance being retainage). Retainage shall be held until 100% of all the authorized work is completed and accepted and CONTRACTOR has submitted a One-Year Warranty and Affidavit of all bills Paid to the City.
- 5. INDEPENDENT CONTRACTOR. CITY and CONTRACTOR agree that CONTRACTOR is an independent contractor and shall not represent itself as an agent or employee of CITY for any purpose in the performance of CONTRACTOR's duties under this Contract. Accordingly, CONTRACTOR shall be responsible for payment of all federal, state and local taxes as well as business license and any and all other fees arising out of CONTRACTOR's activities in accordance with this Contract. For purposes of this Contract taxes shall include, but not be limited to, Federal and State Income, Social Security and Unemployment Insurance taxes. CONTRACTOR, as an independent contractor, shall perform the Services required hereunder in a professional manner and in accordance with the standards of applicable professional organizations and licensing agencies.
- 6. INSURANCE AND INDEMNITY. To the fullest extent permitted by laws and regulations, CONTRACTOR shall indemnify and hold harmless the CITY and its officials, agents, and employees from and against all claims, damages, losses, and expenses, direct, indirect, or consequential (including but not limited to fees and charges of engineers or architects, attorneys, and other professionals and costs related to court action or arbitration) arising out of or resulting from CONTRACTOR's performance of this Contract or the actions of the CONTRACTOR or its officials, employees, or contractors under this Contract or under contracts entered into by the CONTRACTOR in connection with this Contract.

In addition, CONTRACTOR shall comply with the Texas Workers' Compensation Act and shall provide for the payment of workers' compensation to its employees in the manner and to the extent required by such Act. CONTRACTOR shall also maintain Employers' Liability insurance limits of not less than \$1,000,000 per accident and \$1,000,000 each employee for injury by disease.

Additionally, CONTRACTOR shall maintain, at its expense, the minimum insurance coverage REQUIRED IN Section 00820 of the contract documents and <u>include a waiver of subrogation</u>:

CONTRACTOR, upon execution of this Agreement, shall furnish to the CITY a Certificate of Insurance reflecting the minimum limits stated above. The Certificate shall provide for thirty (30) days advance written notice in the event of a decrease, termination or cancellation of coverage and shall show the CITY OF PORT LAVACA as <u>Additional Insured</u>. Providing and maintaining adequate insurance coverage is a material obligation of the CONTRACTOR. All such insurance shall meet all laws of the State of Texas. Such insurance coverage shall be obtained from companies that are authorized to provide such coverage and that are authorized by the Texas Department of Insurance to do business in Texas. The CONTRACTOR shall at all times comply with the terms of such insurance policies, and all requirements of the insurer under any such insurance policies, except as they may conflict with existing Texas laws or this Contract. The limits of coverage under each insurance policy maintained by the CONTRACTOR shall not be interpreted as limiting the CONTRACTOR's liability and obligations under the Contract.

- 7. HEALTH AND SAFETY. CONTRACTOR shall be responsible for initiating, maintaining and supervising all safety precautions and programs required by OSHA and all other regulatory agencies while providing Services under this Contract. Contractor shall assign a safety officer to the project for the duration of the contract.
- 8. GOVERNING LAW. This Contract shall be governed by and in accordance with the laws of the State of Texas. All actions relating in any way to this Contract shall be brought in the State Courts in Calhoun County in the State of Texas.
- 9. TERMINATION OF CONTRACT. This Contract may be terminated, without cause, by either party upon thirty (30) days written notice to the other party. This termination notice period shall be beginning upon receipt of the notice of termination. Such a termination does not bar either party from pursuing a claim for damages for breach of the contract.

This Contract may be terminated, for cause, by the non-breaching party notifying the breaching party of a substantial failure to perform in accordance with the provisions of this Contract and if the failure is not corrected within ten (10) days of the receipt of the notification. Upon such termination, the parties shall be entitled to such additional rights and remedies as may be allowed by relevant law.

Termination of this Contract, either with or without cause, shall not form the basis of any claim for loss of anticipated profits by either party.

The CITY may terminate this Agreement for any reason at any time by written notice. The notice shall specify the date upon which such termination becomes effective and the CITY shall pay the Contractor for Services rendered prior to the effective date of termination.

- 10. SUCCESSORS AND ASSIGNS. CONTRACTOR shall not assign its interest in this Contract without the written consent of CITY. CONTRACTOR has no authority to enter into contracts on behalf of CITY.
- 11. COMPLIANCE WITH LAWS. CONTRACTOR represents that it is in compliance with all federal, state, and local laws, regulations or orders, as amended or supplemented, including but not limited to HB 89, requiring the contractor to state that it does not and will not boycott Israel for the term of the contract. The implementation of this Contract shall be carried out in strict compliance with all federal, state, or local laws.
- 12. NOTICES. All notices which may be required by this contract or any rule of law shall be effective when received by certified mail sent to the following addresses:
- 13. E-VERIFY. As a condition of payment for services rendered under this agreement, CONTRACTOR shall comply with the requirements of Article 2 of Chapter 64 of the General Statutes. Further, if CONTRACTOR provides the services to the County utilizing a subcontractor, CONTRACTOR shall require the subcontractor to comply with the requirements of Article 2 of Chapter 64 of the General Statutes as well. CONTRACTOR shall verify, by affidavit, compliance of the terms of this section upon request by the County.
- 14. CITY NOT RESPONSIBLE FOR EXPENSES. CITY shall not be liable to CONTRACTOR for any expenses paid or incurred by CONTRACTOR, unless otherwise agreed in writing.
- 15. EQUIPMENT. CONTRACTOR shall supply, at its sole expense, all equipment, tools, materials, and/or supplies required to provide Services hereunder, unless otherwise agreed in writing.
- 16. ENTIRE CONTRACT. This Contract, including Exhibit A and B, shall constitute the entire understanding between CITY and CONTRACTOR and shall supersede all prior understandings and agreements relating to the subject matter hereof and may be amended only by written mutual agreement of the parties.

- 17. HEADINGS. The subject headings of the sections are included for purposes of convenience only and shall not affect the construction or interpretation of any of its provisions. This Contract shall be deemed to have been drafted by both parties and no interpretation shall be made to the contrary.
- 18. EXISTENCE. CONTRACTOR warrants that it is a corporation duly organized, validly existing, and in good standing under the laws of the State of Texas and is duly qualified to do business in the State of Texas and has full power and authority to enter into and fulfill all the terms and conditions of this contract.
- 19. CORPORATE AUTHORITY. By execution hereof, the person signing for CONTRACTOR below certifies that he/she has read this Contract and that he/she is duly authorized to execute this Contract on behalf of the CONTRACTOR.
- 20. WRITTEN NOTICE TO PROCEED. The CITY shall issue an official written Notice to Proceed for the services referenced in this contract. The notice shall be sent via email followed by regular mail. Under no circumstances shall the CITY be liable for any services rendered unless the written Notice to Proceed has been sent and received by the CONTRACTOR. CONTRACTOR must acknowledge receipt of the written Notice to Proceed.
- 21. AMENDMENTS. This Agreement shall not be modified or otherwise amended except in writing signed by authorized personnel on behalf of both parties. All change orders shall be in writing. Oral changes are expressly prohibited and will not be recognized.

IN TESTIMONY WHEREOF, the parties have expressed their agreement to these terms by causing this Agreement to be executed by their duly authorized officer or agent.

| CITY OF PORT LAVACA 202 N. Virginia St. Port Lavaca, Texas 77979 361-552-9793 | CONTRACTOR |
|--|---------------|
| Ву: | Ву: |
| Printed Name:Jack Whitlow | Printed Name: |
| Title: <u>Mayor</u> | Title: |
| | ů. |

of Port Lavaca Sealcoat of Select Original Townsite Streets SECTION 00820

BOND AND INSURANCE REQUIREMENTS

- 1.0 Prior to commencement of the Work, CONTRACTOR shall comply with the following Insurance requirements:
 - 1.1 Furnish the CITY OF PORT LAVACA with a Certificate of Insurance, containing a <u>THIRTY-DAY CANCELLATION CLAUSE</u>, showing CONTRACTOR as the named insured, naming <u>"CITY OF PORT LAVACA" AS ADDITIONAL INSURED</u> and showing at least the following coverages:
 - 1.1.1 <u>Workman's Compensation and Employers' Liability</u>: State and Federal Statutory Limits
 - 1.1.2 <u>Bodily Injury and Property Damage</u>: \$1,000,000.00 Combined Single Limit Each Occurrence/Policy Aggregate
 - 1.1.3 <u>Comprehensive General Liability</u>: Shall include, but not be limited to, Independent Contractor's Liability; Contractual Liability; Completed Operations and Products Liability, all on an occurrence basis, with Personal Injury Coverage and broad form Property Damage, with XCU exclusions eliminated. Completed Operations Liability shall be kept in force for at least one (1) year after the date of final completion.

\$1,000,000.00 each occurrence; \$2,000,000.00 Aggregate

1.1.4 <u>Automobile Liability</u>: CONTRACTOR shall have (or purchase) and shall maintain in force during the duration of the Work, coverage for cars and trucks owned, rented, hired, or leased, and others of non-ownership nature used by employees in and around or in connection with the particular contract. Coverage shall have at least the following limit:

Combined Single Limit: \$1,000,000.00

- 1.1.5 No deductible on any coverage in excess of \$500.00 per occurrence is acceptable.
- 1.2 In the event that the CITY OF PORT LAVACA is notified of cancellation of all or any part, the CITY OF PORT LAVACA may stop all Work on the Contract or secure insurance at its will and charge CONTRACTOR the cost thereof, deducting the cost from CONTRACTOR's Contract Amount.
- 2.0 Contractor shall, prior to commencement of the Work, provide statutory Performance and Payment Bonds in the amount of100% of the Contract Amount in accordance with Article 5160 of Vernon's Texas Civil Statutes.

END OF SECTION

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City of Port Lavaca Micro-surfacing Pavement Treatment for Mariemont and Hillside Terrace Subdivisions

SUMMARY OF WORK

SECTION 01010

1.0 GENERAL

- 1.1 Work under this contract consists of providing a Microsurfacing pavement system to those city streets identified on the plans.
- 1.2 Contractor's use of premises:
 - A. Contractor shall not unreasonably encumber the jobsite with materials and equipment.
 - B. Contractor shall assume full responsibility for the protection and safekeeping of the materials, equipment, tools, and other products stored on the premises.
 - C. Contractor shall limit his operations to within the designated City rights-of-way. Contractor shall obtain and pay for the use of any additional storage or work areas needed for operations.
 - D. Contractor shall take all precautions as necessary to protect the construction and the public during the construction period.
 - E. Contractor shall be responsible for traffic control and traffic control devices around the work areas. All traffic control measures shall be in accordance with the recommendations and standards of the Texas Highway Department.
 - F. It is the Contractor's responsibility to protect the City's right-of-way and all private property against damage by the construction process. If the site and/or adjacent structures, trees, shrubs, etc. are damaged by the construction, it shall berepaired by the Contractor at no cost to the City to the satisfaction of the Public Works Director. If the Contractor has any concerns over the existing condition of any area, he shall meet with the City Engineer to record this concern via photographs and field notes prior to the beginning of construction.
- 1.3 Safety: All work shall be performed in strict accordance with all local, state, and federal laws governing occupational safety and health.
- 1.4 Submittals: Submit product literature, as applicable, on all material incorporated into the project.

2.0 PRODUCTS

- 2.1All products and materials shall meet the requirements of the Texas Highway Department's Standard Specifications for Highways, Streets, and Bridges (2014 edition).
- 2,2 The Microsurfacing pavement system shall meet the requirements of the Texas Highway Department Standard Specifications for Highways, Streets, and Bridges Item 350 Microsurfacing.
 - a. Aggregate to be TY II per gradation below:

| | SIEVE SIZE | TYPE II PERCENT PASSING | TYPE III PERCENT PASSING | STOCKPILE TOLERANCE |
|------|---------------|-------------------------------|--------------------------------|------------------------|
| 3/8 | (9.5 mm) | 100 | 100 | |
| #4 | (4.75 mm) | 90 - 100 | 70 - 90 | ± 5% |
| #8 | (2.36 mm) | 65 - 90 | 45 - 70 | ± 5% |
| # 16 | (1.18 mm) | 45 - 70 | 28 - 50 | ± 5% |
| # 30 | (600 um) | 30 - 50 | 19 - 34 | ± 5% |
| # 50 | (330 um) | 18 - 30 | 12 - 25 | ± 4% |
| #100 | (150 um) | 10 - 21 | 7 - 18 | ± 3% |
| #200 | (75 um) | 5 - 15 | 5 - 15 | ± 2% |

- b. Application rate to be 22 LB/SY (composite)
- c. SAC-A or SAC-B aggregate is acceptable
- d. Truck Mounted Pavers are acceptable
- e. Vegetation in pavement/joints needs to be treated with herbicide 2-3 weeks prior to microsurfacing. This work is subsidiary to the Microsurfacing bid item.

3.0 EXECUTION

- 3.1 The execution of all work shall meet the requirements of the Texas Highway Department's Standard Specifications for Highways, Streets, and Bridges (2014 edition).
- 3.2 Contractor shall install kraft paper weighted with sand over all manholes and valve lids prior to application of the microsurfacing. The kraft paper shall be removed following the work.



YELLOW: BASE BID 312 TONS (28,380SF)

LT. GREE: ADDITIVE ALTERNATE 142 TONS (12,915 SF)

122



Appendix A1

The table below provides information regarding pending arbitration litigation against Intermountain Slurry Seal for a construction project with in the last five (5) years. No outstanding Judgments.

| Start Date | Short Matter Name | Description | Form of Resolution |
|------------|--|--|-----------------------|
| 8/28/2023 | Relmco, Inc. v. Intermountain Slurry Seal, Inc. | Allegations of breach of contract | Pending |
| | CCC v. Intermountain Slurry Seal (07-LA-170-R14.5/R20.8; DIR | Allegations of violation of apprenticeship | |
| 12/20/2024 | ID 473905) | requirements | Pending |



Appendix B1

The table below provides information concerning arbitration/litigation by Intermountain Slurry Seal, Inc within the past five (5) years.

| Date | Case Name | Description | Resolution | Date of Resolution |
|-----------|---|-----------------------------------|------------|--------------------|
| 6/28/2023 | Intermountain Slurry Seal, Inc. v. Relmco, Inc. | Allegations of breach of contract | Pending | |



Intermountain Slurry Seal Completed Job Schedule Greater Than \$500K

| El Job Number | Client Name and Address | Project Details | Work Type | Prime/ Subcontractor | Client Primary Contact | | Actual Project End Date |
|---------------|---|---|----------------|-------------------------|------------------------|--------------|----------------------------|
| 1000200 | Federal Highway Administration Federal Highway Administration 610 East Fifth Street Vancouver, WA 98661-3801 | Fhwa Pavement Pres Project Multiple, Slurry Seal, Chip Seal, Striping | Transportation | Prime Contractor | Steve Bailor | \$3,756,009 | 7/1/2024 |
| 1270354 | CALTRANS Attn Office Engineer Ms 43 1727 30Th Street | Int Ca Caltrans Camarillo Camarillo, California Slurry Seal | Transportation | Prime Contractor | | \$9,110,594 | 5/31/2024 |
| 1290017 | Sacramento CA 95816 Utah, State Of 4501 South 2700 West Salt Lake City, UT 84114 | Int Ut Udot Us 40 Clegg Canyon Heber, Utah Crack Seal, Guardrail, Micro surfacing | Transportation | Prime Contractor | Jeremy Bown | \$2,293,659 | 12/31/2024 |
| 1314458 | Nevada Department of Transportation Headquarters 1263 South Stewart Street Carson City, NV 89712 | Int Nv Ndot 3989 Elko Wells, Nevada Chip Seal and Striping | Transportation | Prime Contractor | Regina Pierce | \$5,784,037 | 8/31/2024 |
| 1338075 | Austin, City Of 625 E 10Th St Austin, TX 78701 | Int Tx Austin E Fog Austin, Texas Fog Seal | Transportation | Prime Contractor | Jose Ibarra | \$2,154,246 | 12/31/2024 |
| 1375621 | Colorado Department Of Trans Headquarters Office 4201 East Arkansas Avenue Denver, CO 80222-3406 | Int Co Cdot Sh 47a Pueblo Pueblo, Colorado Microsuffacing | Transportation | Prime Contractor | Patrick Vigil | \$1,604,890 | 8/1/2024 |
| 1378467 | Colorado Department Of Trans Headquarters Office 4201 East Arkansas Avenue Denver, CO 80222-3406 | Int Co Cdot Us 160 Chip Seal Durango, Colorado Chip Seal | Transportation | Prime Contractor | Tracie Benton | \$4,425,005. | 9/1/2024 |
| 1378935 | Utah, State Of 4501 South 2700 West Salt Lake City, UT 84114 | Int Ut Udot Sr-7 Airport Pkwy Hurricane, Utah Microsurfacing | Transportation | Prime Contractor | Riley Champneys | \$1,462,501 | 12/31/2024 |
| 1388811 | Nielson Construction 825 North Loop Road Huntington, UT 84528-5500 | Int Ut Us 191 Passing Lanes Moab, Utah | Transportation | Prime Contractor | | \$506,361 | 6/26/2024 |
| 1412543 | Utah, State Of 4501 South 2700 West Salt Lake City, UT 84114 | Int Ut Udot Sr 18 Santa Clara, Utah Microsurfacing | Transportation | Prime Contractor | Riley Champneys | \$2,371,615 | 12/31/2024 |
| 1429816 | Utah, State Of 4501 South 2700 West Salt Lake City, UT 84114 | Int Ut Udot I70 Salina Salina, Utah Microsuffacing | Transportation | Prime Contractor | Michael Naser | \$2,205,449 | 12/31/2024 |
| 1437061 | FNH CONSTRUCTION LLC 500 North Central Expy Suite 105 Plano, TX 75074-6772 | Int Tx Txdot Odessa Micro Plano, Texas Microsufacing | Transportation | Subcontractor | Candace Gillespe | \$651,259 | 7/1/2024 |
| 1445527 | Richland, City Of P.O. Box 190 Ms-11 Richland, WA 99352-0190 | Int Wa Richland Micro 4 Richland, Washington Microsurfacing | Transportation | Prime Contractor | Andrey Avetisyan | \$1,129,418 | 8/16/2024 |
| 1506693 | Lubbock, County Of 904 Broadway Lubbock, TX 79401-3407 | Int Tx Lubbock Co Cape Seal Lubbock, Texas Cape Seal | Transportation | Prime Contractor | Jennifer Davidson | \$1,935,532 | 11/1/2024 |



INTERMOUNTAIN SLURRY SEAL, INC.

INCOMPLETE MAJOR CONTRACTS*

(in Thousands)

| Company | Job Type | dob | Projected Final Revenue Adjusted | Percent Complete | Backlog Amount | Owner/Receivable Address |
|-------------------------------------|--|--|-------------------------------------|------------------|--|--|
| 0011 | LJ | 1000200 - FHWA PAVEMENT PRES PROJECT | 3,756 | 98.51 | 56 | THE UNITED STATES OF AMERICA |
| 011 | LJ | 1140917 - C FHWA PAVEMENT PRES BIG BEND | 9,815 | 99.80 | 19 | THE UNITED STATES OF AMERICA |
| 011 | LJ | 1177330 - INT ID BINGHAM CO PVMT PRES | 5,196 | 99.16 | 43 | IDAHO TRANSPORTATION DEPARTMENT |
| 011 | LJ | 1180622 - INT OR ODOT I-84 BAKER | 3,474 | 98.83 | 41 | STATE OF OREGON |
| 011 | LJ | 1200025 - INT CA CALTRANS 07-0W1204 | 3,342 | 99.13 | 29 | CALTRANS |
| 0011 | LJ | 1202580 - INT UT UDOT I-70 CISCO | 5,923 | 99.34 | 39 | STATE OF UTAH |
| 0011 | LJ | 1218969 - INT ND NDDOT GRANT CO MILL | 2,185 | 97.67 | 51 | STATE OF NORTH DAKOTA |
| 0011 | LJ | 1230747 - INT UT BLUFFDALE ROADWAY MAINT | 1,163 | 95.36 | 54 | BLUFFDALE CITY CORP |
| 0011 | LJ | 1232217 - INT TX CANYON MICRO | 498 | 97.26 | | CITY OF CANYON |
| 0011 | LJ | 1235137 - INT WA STEVENS DRIVE PVMT PRES | 1,286 | 95.19 | | 253 CITY OF RICHLAND |
| 0011 | LJ | 1235722 - INT TX LUBBOCK CO SCRUB MICRO | 3,384 | 98.87 | | COUNTY OF LUBBOCK |
| 0011 | LJ | 1235775 - INT WA RICHLAND MICRO | 1,242 | 96.01 | AND DESCRIPTION OF TAXABLE PARTY AND ADDRESS OF TAXABLE | 253 CITY OF RICHLAND |
| 0011 | IJ | 1260405 - INT TX FAIR OAKS RANCH MICRO 3 | 564 | 95.26 | | CITY OF FAIR OAKS RANCH |
| 0011 | LJ | 1267822 - INT AR ARDOT FORSGREN SUB CHIP | 693 | 96.12 | the second se | FORSGREN INCORPORATED |
| 0011 | LJ | 1270340 - INT CA CALTRANS HOLLYWOOD | 5,258 | 98.75 | | CALTRANS |
| 0011 | LJ | 1270354 - INT CA CALTRANS CAMARILLO | 9,111 | 95.81 | | CALTRANS |
| 0011 | LJ | 1274221 - INT NV NDOT 3986 SR 400 | 1,774 | 86.18 | | STATE OF NEVADA DEPT OF TRANSPORTATION |
| 0011 | IJ | 1274222 - INT NV NDOT 3985 US 95 | 1,932 | 87.07 | and the second se | STATE OF NEVADA DEPT OF TRANSPORTATION |
| 0011 | IJ | 1274223 - INT NV NDOT 3984 US 93 | 2,477 | 95.26 | | STATE OF NEVADA DEPT OF TRANSPORTATION |
| 0011 | LJ | 1278130 - INT WY TETON COUNTY CHIP SEAL | 688 | 97.82 | | TETON COUNTY |
| 0011 | LJ | 1282584 - INT NV NDOT 3990 ALAMO | 2,938 | 95.88 | AT & S AT THE R. P. LEWIS CO., LANSING MICH. & LANSING MICH. & LANSING MICH. | NV DEPARTMENT OF TRANS |
| 0011 | LJ | 1290017 - INT UT UDOT US 40 CLEGG CANYON | 2,294 | 97.60 | sectors and a sector will be book to be been and the | STATE OF UTAH |
| 0011 | IJ | 1314458 - INT NV NDOT 3989 ELKO | 5,784 | 97.98 | the second s | NV DEPARTMENT OF TRANS |
| 0011 | LJ | 1369806 - INT ID ITD SH 19 OR TO US 95 | 580 | 87.25 | The summarian management with a local of the first of the summarian sector | IDAHO TRANSPORTATION DEPARTMENT |
| 0011 | LJ | 1375621 - INT CO CDOT SH 47A PUEBLO | 1,605 | 96.69 | the second se | COLORADO DEPARTMENT OF TRANS-GRANDTOTA |
| 0011 | LJ | 1378467 - INT CO CDOT US 160 CHIP SEAL | 4,425 | 99.55 | | COLORADO DEPARTMENT OF TRANS-GRANDTOTA |
| 0011 | IJ | 1378935 - INT UT UDOT SR-7 AIRPORT PKWY | 1,463 | 96.99 | | STATE OF UTAH |
| 0011 | IJ | 1379736 - INT WY WYDOT I 25 MICRO | 3,244 | 87.71 | and the second | STATE OF WYOMING |
| 0011 | LJ | 1389883 - INT CO FHWA PVMT PRES PH 2 | 7,345 | 77.15 | to the stand of the second state of the second | THE UNITED STATES OF AMERICA |
| 0011 | LJ LJ | 1395624 - INT WY WYDOT DISTRICT 1 CHIP | 2,990 | 90.67 | | STATE OF WYOMING |
| 0011 | LJ | 1410443 - INT WY CARBON CO CR 401 CHIP 1412543 - INT UT UDOT SR 18 | 1,908 | 80.83 | and the second se | CARBON COUNTY ROAD AND BRIDGE |
| 0011 | LJ LJ | The second s | 2,372 | 95.55 | | STATE OF UTAH |
| 0011 | LJ | 1429816 - INT UT UDOT 170 SALINA | 2,205 | 96.13 | | STATE OF UTAH |
| 0011 | frame and the second second | 1430058 - INT TX COSA PACKAGE 2 MICRO 1437061 - INT TX TXDOT ODESSA MICRO | 4,097 | 31.45 | ad an owned to see the second s | CITY OF SAN ANTONIO |
| | LU LU | 1435061 - INT TX TXDOT ODESSA MICRO | 651 | 96.51 | and the second se | FNH CONSTRUCTION LLC |
| | | 1438522 - INT WY SWEETWATER COUNTY CHIP 1445527 - INT WA RICHLAND MICRO 4 | 1,314 | 94.41 | | SWEETWATER COUNTY 253 CITY OF RICHLAND |
| 0011 | | And the second | 783 | | | |
| 0011 | IJ | 1451407 - INT TX GALVESTON MICRO | | 62.06 | | CITY OF GALVESTON |
| | | 1460340 - INT UT BLUFFDALE ROAD MAINT 4 1484542 - INT TX AMARILLO MICRO 4 | 609 | 85.92 | And in the owner of the state o | BLUFFDALE CITY CORP |
| 0011 | FJ | 14934542 - INT TX AMARILLO MICRO 4 | 7,603 | 75.31 | The Rent of Concession of Street Property of Street | CITY OF AMARILLO STATE OF NEW MEXICO |
| 0011 | | 1493265 - INT NMDOT D5 US 265 | | 93.66 | the second | Construction of the second |
| 0011 | the second secon | 1493370 - INT NV FNAS 4 | 1,104 | 89.80 | | STATE OF NEW MEXICO |
| 0011 | | 1493370 - INT NV FNAS 4 1503866 - INT NE DISTRICT 8 MICRO | 5,919 | 76.55 | THE R. O. LEWIS CO., NAME AND ADDRESS OF | DBSI DEFENSE BASE SERVICES NEBRASKA DEPARTMENT OF TRANSPORTATION |
| 0011 | | 1506693 - INT TX LUBBOCK CO CAPE SEAL | 1.936 | 95.93 | and the second se | COUNTY OF LUBBOCK |
| | FJ | 1515972 - INT TX SPRINGTOWN MICRO | 669 | 88.08 | | COUNTY OF LUBBOCK |
| 0011 | FJ | 1532072 - INT NM CURRY COUNTY | 521 | 85.16 | | CURRY COUNTY ROAD DEPARTMENT |
| 0011 | | 1546769 - INT UT UDOT I-15 BAKER CANYON | 3.113 | 17.73 | Charles in a second s | STATE OF UTAH |
| 0011 | LJ | 1546781 - INT UT UDOT SR-21 CHIP | 1,245 | 0.26 | | STATE OF UTAH |
| 0011 | LJ | 1547697 - INT UT UDOT I-15 AZ ST LINE | 4,639 | 1.44 | An and the second se | STATE OF UTAH |
| | LJ | 1549852 - INT TX CITY OF WACO MICRO | 2,749 | 13.43 | | CITY OF WACO |
| | | 1550234 - INT TX SCHERTZ MICRO | 823 | 8.21 | | RL JONES LP |
| and the second second second second | | 1562179 - INT UT WOODLAND HILLS MICRO | 525 | 0.29 | | CITY OF WOODLAND HILLS |
| | | 1563823 - INT TX AUSTIN E FOG 2 | 1,856 | 9.87 | sector and the sector of the s | CITY OF AUSTIN |
| | FJ | 1565168 - INT NV CARSON CITY DIST 2 & 4 | 963 | -7,19 | | CITY OF AUSTIN |
| | 1 | 1565175 - INT NM HOBBS MICRO | 3,591 | 8.75 | | CITY OF HOBBS |
| 0011 | | 1577470 - INT TX LUBBOCK MICRO 5 | 9,352 | 0.75 | | CITY OF HUBBOCK |
| | | 1577620 - INT WY WYDOT DISTRICT 5 CHIP | 3,242 | 0.75 | the state of the second s | STATE OF WYOMING |
| | | | 163,005 | 0.27 | 47,232 | |

* Intermountain Slurry Seal Contracts with Forecasted Revenue >= \$400K and Revenue Backlog >= \$10K

BID BOND TRAVELERS CASUALTY AND SURETY COMPANY Hartford, Connecticut 06183

KNOWN ALL BY THESE PRESENTS, That we, Intermountain Slurry Seal, Inc., as Principal, and Travelers Casualty and Surety Company, as Surety, are held and firmly bound unto City of Port Lavaca, as Obligee, in the sum of Five Percent (5%) of Bid Amount Dollars (\$5% of Bid Amount) for the payment of which we bind ourselves, and our successors and assigns, jointly and severally, as provided herein.

WHEREAS, Principal has submitted or is about to submit a bid to the Obligee on a contract for Microsurfacing Pavement Treatment For Mariemont and Hillside Terrace Subdivisions ("Project").

NOW, THEREFORE, the condition of this bond is that if Obligee accepts Principal's bid, and Principal enters into a contract with Obligee in conformance with the terms of the bid and provides such bond or bonds as may be specified in the bidding or contract documents, then this obligation shall be void; otherwise Principal and Surety will pay to Obligee the difference between the amount of Principal's bid and the amount for which Obligee shall in good faith contract with another person or entity to perform the work covered by Principal's bid, but in no event shall Surety's and Principal's liability exceed the penal sum of this bond.

Signed this 28th day of May, 2025.



IntermountainSlurry Seal, Inc. (Principal)

By:

Ken Walschlager, Area Manager

Travelers Casualty and Surety Company

Isabel Barron, Attorney-in-Fact



| A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document. | ACKNOWLEDGMENT |
|--|--|
| State of California County of <u>Santa Cruz</u> |) |
| On <u>May 28, 2025</u> | before me, <u>Maria Gomez, Notary Public</u> (insert name and title of the officer) |
| subscribed to the within instrur his/her/their authorized capaci person(s), or the entity upon b | Isabel Barron s of satisfactory evidence to be the person(s) whose name(s) is/are ment and acknowledged to me that he/she/they executed the same in ty(ies), and that by his/her/their signature(s) on the instrument the ehalf of which the person(s) acted, executed the instrument. PERJURY under the laws of the State of California that the foregoing |
| SignatureMaria Gomez, Nota | Santa Cruz County My Comm. Expires Sep. 24, 2026 (Seal) |



Travelers Casualty and Surety Company of America Travelers Casualty and Surety Company St. Paul Fire and Marine Insurance Company

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS: That Travelers Casualty and Surety Company of America, Travelers Casualty and Surety Company, and St. Paul Fire and Marine Insurance Company are corporations duly organized under the laws of the State of Connecticut (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint **Isabel Barron** of WATSONVILLE , <u>California</u>, their true and lawful Attorney(s)-in-Fact to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed, and their corporate seals to be hereto affixed, this 21st day of April, 2021.



State of Connecticut

City of Hartford ss.

Robert L. Ranev Senior Vice President

On this the 21st day of April, 2021, before me personally appeared Robert L. Raney, who acknowledged himself to be the Senior Vice President of each of the Companies, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of said Companies by himself as a duly authorized officer.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

My Commission expires the 30th day of June, 2026



This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of each of the Companies, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her, and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Senior Vice President, any Assistant Vice President, any Assistant Vice President, any Assistant Vice President, any Secretary, and Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and extified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kevin E. Hughes, the undersigned, Assistant Secretary of each of the Companies, do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which remains in full force and effect.





Kevin E. Hughes, Assistant Secretary

To verify the authenticity of this Power of Attorney, please call us at 1-800-421-3880. Please refer to the above-named Attorney(s)-in-Fact and the details of the bond to which this Power of Attorney is attached.

STATEMENT OF BIDDER'S QUALIFICATION

(Required ONLY if Bidder has not performed a similar scope of work for the City of Port Lavaca within the past 5 years.)

The undersigned certifies under oath that the information provided herein is true and sufficiently complete so as not to be misleading. (attach additional sheets as necessary)

Date: June 3, 2025

Bidder: (Legal Name of Firm) Intermountain Slurry Seal, Inc.

Address: 1000 North Warm Springs Rd website (if applicable): www.intermountainslurryseal.com Salt Lake City, UT 84116 Check which applies: & Corporation () Partnership () Individual () Joint Venture () Other

Number of years has your organization been in business as a Contractor? 43+

Number of years your organization been in business under its present name? 43+*

List all other names under which your business has operated in the last 10 years.

List the categories of work that your organization normally performs with its own forces. Slurry Seal, Chip Seal, Microsurfacing

Total Staff employed by firm (break down by managers and trades)

Salaried Field/Tradespeople Total As of 12/31/24 30 17 47

Has your organization ever failed to complete any work awarded to it? (If yes, provide details) No

Are there any judgments, claims, arbitration proceedings or suits pending or outstanding against your organization or its officers? (if yes, provide details)

See Appendix A1

Has your organization filed any law suits or requested arbitration with regard to construction contracts within the last 5 years? (If yes, provide details)

See Appendix B1

On a separate sheet, list work your organization currently has under contract and a recently completed project, including valid contact information for owners and/or architect/engineer and dollar amount of contract. See Attached List of Major Incomplete Contracts

On a separate sheet, list at least 3 projects completed in the past 3 years, comparable in size or greater to the project being bid. Provide name of project, architect/engineer and/or owner with valid contact information, and date of completion. See Attached Completed Jobs List

June 3, 2025

Bidder Ken Walschlager, Area Manager Date

*Bear River Constructors and Intermountain Slurry Seal, Inc. merged 12/21/1999 and were then named ISS, Inc. then changed their name on 05/24/2000 (21 years) to their current name of Intermountain Slurry Seal, Inc. because of name duplication.

COMMUNICATION

SUBJECT: Consider awarding a contract with NewGen Strategies and Solutions to conduct a Water and Wastewater Rate Study, for a fee not to exceed \$45,000. <u>Presenter is Jody Weaver</u>

INFORMATION:

COUNCIL MEETING: JUNE 9, 2025

DATE: 06.02.2025

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: JODY WEAVER, INTERIM CITY MANAGER

SUBJECT: PROPOSAL FROM NEW GEN STRATEGIES & SOLUTIONS TO CONDUCT A WATER AND WASTEWATER RATE STUDY

BACKGROUND:

The last time the City conducted a Comprehensive Water and Sewer Rate Study by a paid consultant was in 2013. This study included recommended rate adjustments through 2023. In late 2021, the City did undergo a <u>basic one-year</u> rate study conducted through the Public Utilities Commission Financial Assistance program. The recommendation of the study was for FY 22-23 and included converting to

- a "Fair Share" rate structure with 0 gallons included in the base rate
- a structure where the charging rates are based on the meter size and not land use (i.e. commercial or residential)
- there should be NO difference between the cost of In City or Out of City without a "cost-based" justification.

Because we were just then embarking on the meter swap-out project and it was anticipated that customers would see an increase in their bill simply due to more accurate metering, it was decided at the time to not implement these recommendations to redesign our entire rate structure until the new meters had been in the ground at least a couple of years. (The current in-city residential base rates at that time for water and sewer were \$17.00 and \$16.00 respectively. The recommended new base rates for a ³/₄" meter were \$25.94 for water and \$28.45 for sewer. This was not adopted at that time).

Then, effective January 2023, the utility base rates were increased to account for the Public Utility Funds share of debt service for the Water and Wastewater Improvement projects being funded in part by ARPA as well as to pay the general fund back for the cost of the preliminary WWTP Expansion engineering. Residential Water base rate went from \$17.00/mo to \$24.84/mo and the Residential Sewer Base rate from \$16.00 to \$25.27.

Effective May 2024, the water rates were increased to reflect the additional amount of bond funds needed for the Water System improvement project, which increased the Residential Water Base Rate to what it still is now at \$26.65.

As you recall, last year we absorbed the increased expenses from Undine and ended the year with an Operating Income of the Public Utility Fund of -\$259,000, so clearly we will need to pass through any increase from Undine this year. But in addition to that we need the rate study to consider capital improvement costs and others operation expenses and how to <u>fairly</u> redesign our rate structure to generate adequate revenue. With the real possibility of having to finance an expansion to the Wastewater Treatment Plant, this debt service will be considered as well.

I met Chris Ekrut at the TML Conference last year. He was invited to present a session on rate studies. I was extremely impressed with what I heard and their comprehensive approach. Some of the key elements that we can expect with a contract with NewGen that is not available with a PUC basic study include:

- a MULTI-year rate forecast
- MULTIPLE rate design scenarios (this will be critical for us)
- Comparison of monthly customer bills with other communities
- Assistance in conducting public meetings and explaining to the public the changes in the rate structure
- Complete testing of the utility's billing data system ... to make sure existing and proposed rates are correctly being calculated in the financial system.

NewGen is a team of experts that have testified throughout the state and the nation on the development of water and wastewater rates, so we know that the proposed rates will be defensible if challenged.

New Gen completed a rate study for Bay City not too long ago and was pleased to discover that Bay City's new rate structure does take into account Multifamily accounts as I was suggesting at the last Council meeting.

FINANCIAL IMPACT:

The FYE 2025 budget includes \$30,000 for a Water/Sewer Rate Study. This proposal is an hourly contract with a Not To Exceed dollar amount of \$45,000 based upon the anticipated scope. We would not anticipate spending more than the budgeted \$30,000 before October, so the balance will be included in the FYE26 budget. The proposed completion date is November 2025. Procurement of NewGen Strategies is with the Cooperative Purchasing Program HGACBuy, which the City of Port Lavaca is a member.

<u>RECOMMENDATION</u>:

Accept the proposal of NewGen Strategies and Solutions, LLC dated May 27, 2025, not to exceed \$45,000 and authorize the mayor to sign the proposal as submitted.

Section VIII. Item #10.

275 W. Campl.... Suite 440 Richardson, TX 75080 Phone: (972) 680-2000



May 27, 2025

Ms. JoAnna P. "Jody" Weaver, P.E. Interim City Manager City of Port Lavaca, TX 202 N. Virginia Street Port Lavaca, TX 77979

Subject: Proposal to Conduct a Water and Wastewater Rate Study

Dear Ms. Weaver:

Based on our conversations, NewGen Strategies and Solutions, LLC (NewGen) appreciates this opportunity to propose our assistance to the City of Port Lavaca, Texas (City). It is our understanding that, at this time, the City is seeking a qualified consultant to conduct a Water and Wastewater Rate Study (Study). Our understanding is that the City's goals and objectives for this Study include, but are not necessarily limited to, the following.

- Perform a comprehensive evaluation of the ongoing performance and sustainability of the City's Water and Wastewater fund. In performing said evaluation, the Project Team will carefully consider the City's future capital funding requirements and assess the rate action needed to ensure adequate resources are available to fund ongoing operations, fund capital investment, and meet the City's contractual requirements, all while ensuring the City's target financial metrics are met.
- Prepare a five (5)-year forecast of revenue requirements (i.e., the revenue that must be generated through user rates and fees) and prepare rate scenarios for City staff and/or Council Consideration which will meet these revenue requirements.
- Assist the City Staff and City Council in developing a rate structure which will meet the City's pricing goals and objectives and assess the impact of said rate design on varying customers to which service is provided. Such goals and objectives may include, but not be limited to, the overall stability of the revenue stream, the encouragement of water conservation, the impact on economic development, and the overall affordability of service to customers.
- Prepare a benchmarking of customers charges by other comparable providers to assess the City's overall competitive position and to ensure alignment with largest industry trends, and
- Prepare and present necessary materials to the City Council and other Stakeholders to explain the analysis performed and discuss the recommended rate action necessary to meet the City's defined goals and objectives.

The remainder of this letter presents our Firm, proposed Project Team, proposed scope of services, and anticipated pricing and schedule for the proposed engagement. We appreciate the City's consideration of our proposal and stand ready to answer any questions the City staff or City Council may have.

Firm Background

NewGen is a management and financial consulting firm specializing in providing assistance and advice to the public sector and its utilities. NewGen provides nationally recognized expertise in utility cost of service and rate design studies, depreciation studies, appraisals, organizational and performance management studies, litigation support for legal and regulatory proceedings, utility business and financial planning, and stakeholder engagement for water, wastewater, reuse, stormwater, solid waste, electric, and natural gas utilities.

NewGen was created by consultants who are dedicated to our client's mission and recognized as experts in our respective fields of service. Our assistance to the public sector is provided with a keen insight to navigate the uncertain market and the growing role of stakeholders, resource availability, cost of providing utility services, and economic conditions. This ensures an integrated approach to delivering our products and services. "Thoughtful Decision Making for Uncertain Times" succinctly describes our capability to provide our clients the solutions and recommendations tempered by our keen insight into the growing role of stakeholders, resource availability (including renewables), environmental concerns, cost of providing utility services, and economic conditions.

Our experience has been acquired, in part, while members worked at recognized national consulting groups such as Touche Ross & Co. (now *Deloitte Touche*), R.W. Beck, Inc. (now *SAIC and Leidos*), Economists.com (now *Willdan*), Navigant Consulting, Inc., and CH2M Hill. The Firm's experience also includes the regional practices founded by Mr. Jack Stowe, Jr. which were Reed-Stowe & Co., Inc. and

Reed Stowe & Yanke, LLC founded by Mr. Jack Stowe, Jr. and Mr. Dave Yanke. Experience was also gained July 1, 2019 when Municipal & Financial Services Group (MFSG) merged with NewGen. Additionally, NewGen professionals come from the nationally recognized engineering firms of CDM Smith, Inc., Black & Veatch, and HDR, Inc. Individuals from NewGen provide the expertise gained from more than 125 expert witness cases and filings supporting utility customers, regulatory staff, and utilities.

It is NewGen's mission to become a trusted advisor to our clients. Many of NewGen's current employees worked together for many years at R. W. Beck prior to joining NewGen—some for as long as 25 years. As such, we have a long, successful work history and a demonstrated ability to complete projects on time and with deliverables that withstand public, stakeholder, and regulatory scrutiny.



Nationally Recognized Rate Expertise and Market Leading Models

NewGen's Project Team includes nationally recognized experts in cost of service (COS) and rate making in the public utility market, along with leading edge developers and data analytics professionals. Combining our nationally recognized rate expertise with this additional expertise in data analytics allows us to create comprehensive, innovative, and easy-to-use interactive financial models and tools which are essential in producing a comprehensive analysis and ensuring our recommendations are accurate and defensible.

Recognizing the importance of user-experience, our financial models and methodologies have been refined and enhanced to allow for easy user entry, allocation factor selections, and scenario ("what-if') evaluation. All our models and tools are also tailored specifically to each client we serve and are routinely used to facilitate presentations and demonstrations with Boards, Councils, and Commissions.

NewGen's Core Competencies

NewGen's core business is providing financial and management advice related to water, wastewater, stormwater, street maintenance utility, and solid waste infrastructure and operations. The specialized services we offer to our clients include:

- Cost of Service/Rate Studies
- System Development Charges/Capacity Fee Studies
- Operational Reviews/Management Audits
- Comparative Analyses/Benchmarking

In summary, NewGen is well versed and experienced in providing management and financial advice related to every aspect of municipal utility services.

HGACBuy Program

NewGen has been selected through a competitive procurement process by HGACBuy. This contract award allows government entities nationwide to contract our services directly, without the issuance of a request for

proposal (RFP). H-GAC's Cooperative Purchasing Program, known as HGACBuy, is a nationwide procurement service that was established pursuant to Texas' "Interlocal Cooperation Act." The "Act" allows local governments and certain non-profits to use contracts appropriately established by another government entity. Use of the Program for a particular purchase by any government entity is strictly at the discretion of that entity.

Proposed Project Team

Our proposed Project Team for this engagement specializes in the development of water and wastewater rates, with the majority of this experience specific to water and wastewater utilities in Texas. We ensure the staffing resources assigned to the project are truly committed to your project by considering overall workload of staff when determining project team members. Team members have been chosen due to their experience in performing the tasks identified in the scope, as well as their availability and capacity to complete the tasks in a timely manner.

HGACBuy

Financial Feasibility Studies

Conservation Studies

Infrastructure Management/GASB 34

Chris Ekrut, Chief Financial Officer PROJECT ROLE: Project Manager | LOCATION: Richardson, TX | PHONE: (972) 232-2234 | EMAIL: cekrut@newgenstrategies.net



Mr. Chris Ekrut is a founding Partner and Chief Financial Officer for NewGen. Mr. Ekrut has been providing consulting services since 2004, with the majority of his client-related projects focused on pricing services and developing rates and fees for utility systems, as well as supporting clients before regulatory agencies.

Mr. Ekrut is a recognized expert witness, having filed testimony regarding COS and rate design and providing litigation support and regulatory filing assistance before rate

regulatory agencies. He has conducted numerous wholesale and retail water and wastewater rate studies, developed utility rate and fee models, and assisted in negotiations and litigation involving several wholesale service contracts. He also serves as an instructor for the national "Fundamentals of Water Cost of Service and Rate Design" class sponsored by EUCI and serves on the Faculty of the National Association of Regulatory Commissioner's (NARUC) Rate School. Mr. Ekrut is also accredited as a Certified Rate of Return Analyst by the Society of Utility and Regulatory Financial Analysts (SURFA).

Erik Felthous, Senior Manager

PROJECT ROLE: Assistant Project Manager | LOCATION: Richardson, TX | PHONE: (972) 704-1655 | EMAIL: efelthous@newgenstrategies.net



Mr. Erik Felthous joined NewGen as a Senior Manager in November 2023 with over 18 years of public finance experience. During his tenure with NTMWD, he worked with their Financial Advisor and rating agencies to upgrade credit ratings where possible, applied numerous methods of budget allocations, revised procedures, and cost projections to comply with contract amendments in several systems, and prepared the annual budgets. He also worked closely with NewGen on numerous studies, including

multiple cost allocation studies and assistance with many strategic cost projections.

Megan Kirkland, Manager

PROJECT ROLE: Senior Analyst | LOCATION: Richardson, TX | PHONE: (972) 432-6218 | EMAIL: mkirkland@newgenstrategies.net



Ms. Megan Kirkland is a Manager with NewGen, providing financial and strategic advisory for utility clients. She leads analytical efforts for COS and rate design, indirect, and impact fee studies, including developing new and enhancing existing models. In addition, Megan assists in litigation support relative to COS and rate design proceedings before regulatory agencies. Megan holds a bachelor's degree in Petroleum Engineering (minor in Business Administration) from Texas A&M.

Madison Moore, Consultant PROJECT ROLE: Analyst | LOCATION: Richardson, TX | PHONE: (972) 680-2000 | EMAIL: mmoore@newgenstrategies.net



Ms. Madison Moore joined NewGen in September 2023 as a Consultant, providing financial analysis supporting water and wastewater COS, rate design projects. In addition, Madison assists in litigation support relative to COS and rate design proceedings before regulatory agencies. Ms. Moore graduated in 2020 with a B.S. in Civil Engineering from Purdue University and is pursuing an M.S. in Data Science from Eastern University.

Caroline Swanson, Consultant PROJECT ROLE: Analyst | LOCATION: Richardson, TX | PHONE: (469) 501-5891 | EMAIL: cswanson@newgenstrategies.net



Ms. Caroline Swanson joined NewGen as a full-time Consultant in February 2025. She assists on COS and rate design projects, performing data evaluations and applying her financial modeling skills. Ms. Swanson's experience includes economic analysis and rate studies.

Full resumes for all Project Team members are available on request.

Proposed Work Plan

To perform the requested Study, the Project Team proposes the following work plan. Our proposed work plan closely follows the approaches and methodologies utilized by NewGen's Project Team members in all of their rate studies. Therefore, the City can be assured that the work plan proposed by NewGen has been tested and proven in numerous studies across the state and nation. It is understood that, if selected, the Project Team will refine, customize, and finalize the work plan with the City upon award of the project.

NewGen maintains a strong and active presence before the State of Texas' rate regulatory authorities and is routinely requested to provide expert opinions on rate matters by legal counsels representing clients throughout the State of Texas. For NewGen to maintain its reputation and presence within the regulatory environment, our product must be of such quality to withstand intense scrutiny. The product(s) developed by NewGen for this engagement will withstand such scrutiny.

Task 1 – Overview

Initiation of Initial Data Request

The Project Team will develop an initial data request that will be needed to adequately begin the review and evaluation of the City's water and wastewater rates. This data will include, but is not limited to, operating, financial, management, policy, and ordinance data. The purpose of the initial data request is to become more familiar with the City's operations and policies in order to maximize the effectiveness of our time with City representatives in the Project Kickoff Meeting. The Project Team will issue the initial data request within five (5) days after receiving notice to proceed with the project.

Initial Data and Information Assessment

Once the City has submitted the initially requested data, the data will be reviewed for discussion during the Project Kickoff Meeting. Throughout the course of the project, data received by the Project Team will be sampled and tested for accuracy. The sampling and testing of data is imperative in regard to the billing data used to set rates and is essential in the development of proper cost allocations and reliable revenue projections that the billing data be as accurate as possible. The Project Team will work closely with the City's billing staff and software provider to extract the appropriate billing data. In addition, as necessary, the Project Team will conduct informal interviews with City staff during our review of the historical data to ensure that the Project Team understands the information provided.

Project Kickoff Meeting

After receiving the initially requested data, the Project Team will work with the City to schedule a virtual, Microsoft Teams-based kickoff meeting. The primary reason for the Kickoff Meeting is to allow the key Project Team consultants and participants from the City to be introduced and lay the general framework for how the Study will be conducted. This meeting will also allow for the finalization of the proposed work approach, as well as discussion and clarification of the information previously analyzed.

In addition, the Project Kickoff Meeting will allow for the Project Team to gain a better understanding of the goals and objectives, as well as the expectations the City desires to achieve from the Study. As part of the Kickoff Meeting, the Project Team members will also discuss:

- Political and customer views/opinions of current rates,
- Capital/operational demand changes anticipated over the Study's forecasted period,
- Initial rate design pricing objectives, and
- Initial strategies for implementing/communicating possible rate changes.

Task 1 Deliverables:

- Initial Request for Information
- Email recap of Project Kickoff Meeting (to include discussion of any issues discovered during initial information assessment)

Task 2 — Analyze Utility Fund Finances

Determination of Test-Year Revenue Requirements

Revenue requirements will be developed for the water and wastewater utilities using the American Water Works Association (AWWA) accepted cash needs approach. The cash needs approach closely follows municipal budgeting practices and incorporates a utility's operation and maintenance costs, debt service and bond coverage requirements, cash funded capital outlays, reserve requirements, and transfers. In developing the revenue requirements, the Project Team will assess and project each utility's cost of service by analyzing each utility's historical costs, the current budget year, and any forecasts made for future fiscal years. The Project Team will develop a test-year cost of service for each utility. A test year is a common term in rate studies that refers to an adjusted fiscal year cost that will be used as a basis for setting rates. The test year cost of service will be adjusted by non-rate revenue sources to develop the test year revenue required from utility rates.

Forecast of Revenue Requirements

Using the test year information developed, the Project Team will begin the development of a revenue requirement forecast through Fiscal Year 2029. As necessary, interviews with City staff may be conducted to gather additional data to complete this task. During this task, it is crucial to thoroughly analyze the assumptions used in projecting the revenue requirements. These assumptions may include, but may not be limited to, growth rate, inflation rates, increase in contractual obligations and contractor costs, and capital improvements. The Project Team will work closely with City staff to examine the City's planned method of financing (e.g. cash, debt, grants) future capital improvements and the financing methods'

impact on rates, operating and capital reserve targets, and debt coverage requirements, as well as examine anticipated operational and/or staffing changes over the forecast period.

Determination of Realizable Revenue at Current Rates

The results of this task will provide the data to properly evaluate the cost of service, the magnitude of overall increases, if any, and the probability of redistribution of revenue responsibility between customer classes, as well as providing the Project Team the ability to compare the actual cost to provide utility service with the anticipated billed revenues of the utility. In the revenue determination, adjustments will be made to the historical billing data to reflect normalized weather conditions and usage. This task will also provide a "check" of the data provided by City staff.

Task 2 Deliverables:

- Preliminary results of revenue sufficiency analysis
- One (1) Microsoft Teams-based Project Update and Status Meeting

Task 3 – Develop Rate Schedule

Development of Rate Design

In the formulation of a rate and fee design plan, a clear and distinct understanding of the City's overall goals and objectives, such as water conservation, should serve as the foundation for the development of options since rate and fee design enables the utility to meet its service pricing objectives and financial policies. Pricing objectives could include, but would not be limited to:

- Cost of Service Recovery
 Affordability
 Billing System Compatibility
- Demand Side Management
 Transparency
- Water Conservation
- Revenue Stability
 Ease of Administration
- Economic Development

Prior to Task 3 commencing, members of the Project Team will discuss with City staff the potential rate design alternatives that meet the City's pricing goals and objectives. Please note that pricing for this task includes the development of alternative water and wastewater rate structures, within reason, as directed by City staff and/or the City's Council's defined policy objectives. Should extensive work be required on additional structural alternatives, the Project Team will discuss these structures with City staff to determine the anticipated level of effort, and potential incremental compensation, which may be needed to meet the defined goals and objectives.

Determination of Realizable Revenue with Alternative Rate Structures

The Project Team will analyze and compare the revenues forecasted to be generated under alternative rate structures to the forecasted cost of service to determine the adequacy of the alternative rate structures to meet the City's financial goals, including bond coverage requirements and operating and capital reserves. In the revenue determination, adjustments will be made to the historical billing data to reflect normalized weather conditions and usage. Also, the monthly impact on customer bills under the alternative rate structures will be examined.

Task 3 Deliverables:

Preliminary Recommendations on recommended rate adjustments and rate design

One (1) Microsoft Teams-Based Project Update and Status Meeting

Task 4 – Comparison of Water and Wastewater Rates / Reuse Rate Benchmarking

Rate Comparison Review

The Project Team will compare the City's current and proposed water and wastewater utility rates to utility rates of municipal utilities of similar size, demographics, geographic location, and operational characteristics to provide an estimation of the City's comparable and competitive position.

Task 4 Deliverables:

Regional comparison of water and wastewater rates

Task 5 – Discuss Findings and Present Final Report

Draft Report Preparation

The Project Team will develop a draft report summarizing findings, conclusions, and recommendations of the water and wastewater rate Study. The Project Team is committed to ensuring that the City thoroughly understands the recommendations in the draft report and will ensure that City staff has sufficient time to address their concerns and/or questions prior to finalizing the report.

Final Report Preparation and Presentation

Upon receipt of the City staff comments, the Project Team will make appropriate changes and provide the City with the final report. After completion of the final report, the Project Team will make a presentation of its recommendations to the City Council in a work session. Following the conduct of the work session, Project Team members will also participate in a public hearing on the proposed rates and fees.

Task 5 Deliverables:

- Draft Report
 - Presented within 120 days of notification of award, given the timely receipt of the required financial and operational data, the draft report of the Study will be provided for the City's review and comment that summarizes the Project Team's findings, conclusions, and recommendations.
- Final Report
 - The final report will be provided to the City within two (2) weeks after delivery of the draft report, given the timely receipt of the City's comments.
- One (1) Microsoft Teams Meeting to discuss draft report.
- Public Meetings and/or presentations as follows:
 - One (1) in-person work session with the City Council to discuss the proposed rates.

Project Timing/Schedule

Based on an assumed start date of mid-July 2025, the Project Team anticipates that the draft results of the Study will be available in approximately November 2025, depending upon the availability of

information requested from the City. The Project Team understands that this schedule may be amended via discussions with the City prior to commencement of the Study.

Proposed Project Cost

NewGen proposes a not-to-exceed fee of \$45,000, inclusive of out-of-pocket expenses, to perform the services detailed in this proposal.

Assistance provided to the City will be performed at the direction of the City Council and/or City Staff. NewGen will invoice the City monthly based on the percentage completion of the project, with payment due within thirty (30) days upon receipt of invoice.

Additional fees for services not included in the above scope will be billed at our hourly rates for services rendered. NewGen's current hourly billing rates, which will remain in effect through December 31, 2025, are as follows.

| Position Hourly Billing Rate | | | | |
|------------------------------|---------------|--|--|--|
| Partner | \$280 – \$440 | | | |
| Principal | \$275 – \$440 | | | |
| Senior Manager | \$240 – \$295 | | | |
| Manager | \$200 – \$240 | | | |
| Senior Consultant | \$185 – \$200 | | | |
| Consultant | \$175 – \$185 | | | |
| Administrative Services | \$135 | | | |

NewGen Strategies and Solutions

Note: Billing rates are subject to change based on annual reviews and salary increases.

Terms of Engagement

This agreement is subject to cancellation by the City with thirty (30) days prior written notice provided to NewGen. In the event of cancellation, all labor and expense charges incurred by NewGen through the date of cancellation will be considered due at the time notice of cancellation is delivered, regardless of work product and/or engagement status.

By executing this letter, you agree that the services rendered by NewGen will be performed in accordance with instructions or specifications received by the City and will be provided with the degree of skill and judgment exercised by recognized professionals performing services of a similar nature and consistent with the applicable industry best practices.

Additionally, the City and NewGen mutually agree that during the term of this Agreement and for a period of one (1) year after any termination, the parties agree not to solicit the other entities' employees related to this Agreement. This clause does not apply where an employee seeks employment in response to an advertisement placed into the public domain for a specific position or other general recruitment activities.

All payments made under this engagement should be remitted to:

NewGen Strategies and Solutions, LLC 275 W Campbell Road, Suite 440 Richardson, Texas 75080

If this letter and its terms and conditions are acceptable, please execute and return one (1) copy to our Richardson, Texas office. If you should have any questions regarding this letter and/or require additional information, please contact me at (972) 232-2234 or via email at <u>cekrut@newgenstrategies.net</u>.

If the pricing exceeds the City's available resources, or the scope does not meet the City's stated goals and objectives, please feel free to give me a call to discuss how best to amend the proposal to properly reflect the City's desired scope of work.

Again, we greatly appreciate the City's consideration of NewGen for this important engagement, and we look forward to working with you.

Very truly yours,

NewGen Strategies and Solutions, LLC

— signed by: (Luris D. Elevut Chris D. Ekrut

Chris D. Ekrut Chief Financial Officer

Project Authorization Water and Wastewater Rate Study (\$45,000)

| Signed | Printed | |
|--------|---------|--|
| Title | Date | |

COMMUNICATION

SUBJECT: Consider approval of new plan options for the 2025-26 Fiscal Year with Texas Municipal League (TML) Intergovernmental Employee Benefits Pool related to the City's Group Health Insurance Coverage. <u>Presenter is Brittney Hogan</u>

INFORMATION:
CITY OF PORT LAVACA

COUNCIL MEETING: JUNE 9, 2025

DATE: 06.05.2025

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: JODY WEAVER, INTERIM CITY MANAGER

SUBJECT: HEALTH INSURANCE PLAN RECOMMENDATIONS FOR FYE 2026

Background:

We have received and reviewed the medical insurance plan options available to the City for the fiscal year beginning Oct 1, 2025, as offered by BCBS through TX Health Benefits Pool. (*see Attachment*). (There are no changes in the vision or dental policies offered).

As you recall last year, we made one change to the benefits package to keep the premium cost increase below 10%, which was to increase the Out of Pocket (OOP) from \$6,000/year to \$9,000/year.

This year we have great news that we can maintain the exact same benefits package without any change in premiums at all! TML is able to maintain our coverage at the same rate primarily for 2 reasons: 1) our continued high participation in our annual wellness program and 2) getting utilization ratio back down below 85%.

There are two options offered which would reduce the deductible, but at an increased cost.

Recall also last year, because of the 9.34% increase in premiums, we did make adjustments to the % of the premiums that the employees pay.

RECOMMENDATION:

Staff's recommendation this year is to stay with our CURRENT PLAN at NO CHANGE in cost and NO CHANGE in the % participation from the employees.

Attachment: Medical Cost Project Member Options for 2025-2026



MEDICAL COST PROJECTION

Port Lavaca - PPORTLA1 06/05/25 MEMBER OPTION

Section VIII. Item #11.

6

| | 0% | Increase | | |
|---------------------------------|--|--|--|--|
| Current Plan | 2024-2025 | 2025-2026 | | |
| Current Plan | | | | |
| | Current Rates | New Rates | | |
| | Copay-2500-9K ER | Copay-2500-9K ER | | |
| | 80% / 50% | 80% / 50% | | |
| | PPO (copay) | PPO (copay) | | |
| | \$2,500 In Ded | \$2,500 In Ded | | |
| | \$5,000 Out Ded | \$5,000 Out Ded | | |
| | \$9,000 In OOP | \$9,000 In OOP | | |
| | \$0 Tela Health Copay | \$0 Tela Health Copay | | |
| | \$30 OV/\$60 SP/\$75 UC/\$500 ER Copay | \$30 OV/\$60 SP/\$75 UC/\$500 ER Copay | | |
| | DAW1&2 Rx Plan | DAW1&2 Rx Plan | | |
| EE | \$728.60 | \$728.60 | | |
| EE + Spouse | \$1,479.12 | \$1,479.12 | | |
| EE + Child(ren) | \$1,282.40 | \$1,282.40 | | |
| EE + Family | \$2,149.42 | \$2,149.42 | | |
| New Plan Options | | | Option 1 | Option 2 |
| 2025-2026 | | | 2.09% Increase | 7.52% Increase |
| | | | Copay-2K-9K ER | Copay-1500-5K ER |
| | | | 80% / 50% | 80% / 50% |
| | | | PPO (copay) | PPO (copay) |
| | | | \$2,000 In Ded | \$1,500 In Ded |
| | | | \$4,000 Out Ded | \$3,000 Out Ded |
| | | | \$9,000 In OOP | \$5,000 In OOP |
| | | | \$0 Tela Health Copay | \$0 Tela Health Copay |
| | | | \$30 OV/\$60 SP/\$75 UC/\$500 ER Copay | \$30 OV/\$60 SP/\$75 UC/\$500 ER Copay |
| | | | DAW1&2 Rx Plan | DAW1&2 Rx Plan |
| EE | | | \$743.80 | \$783.36 |
| EE + Spouse | | | \$1,509.98 | \$1,590.28 |
| EE + Child(ren) | | | \$1,309.16 | \$1,378.78 |
| EE + Family | | | \$2,194.26 | \$2,310.96 |
| | | | Option 1 | Option 2 |
| Please sign & date option chose | en: | | | |
| | | | Signature / Date | Signature / Date |

THIS DOES NOT COMPLETE THE RERATE PROCESS. YOU WILL NEED TO SIGN THE MEMBER OPTION AND RETURN TO YOUR MARKETING CONTACT BY 06/18/2025.

THEN A NEW RERATE NOTICE WILL BE GENERATED AND MAILED TO YOU. THE RERATE SHEET MUST BE SIGNED AND RECEIVED IN AUSTIN BY 07/01/2025 FOR THE NEW BENEFITS AND RATES TO BE EFFECTIVE FOR 10/01/2025.

The information contained in this option includes proprietary information that should not be shared with other competitors or used to circumvent the requirements of Texas Competitive Bidding laws.

COMMUNICATION

SUBJECT: Consider Resolution No. R-060925-1 of the City of Port Lavaca Supporting an application to the Texas Department of Transportation's (TxDOT) 2025 Transportation Alternative set-aside (TA) Call for Projects. <u>Presenter is Jody Weaver</u>

INFORMATION:

COUNCIL MEETING: JUNE 9, 2025

DATE: 06.05.2025
TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS
FROM: JODY WEAVER, INTERIM CITY MANAGER
SUBJECT: RESOLUTION SUPPORTING APPLICATION TO TXDOT 2025 TRANSPORTATION ALTERNATIVES SET ASIDE CALL FOR PROJECTS

Background:

As you recall in February we submitted two Phase I applications in response to TxDOT's call for Alternative Transportation projects. In March we were invited to combine the two projects into one and submit a formal application, which is due on June 20. CivilCorp is assisting us with this application. With our available transportation credits, we are not required to provide matching dollars. The Yoakum District has told us that if we are successful, they will design and management the project on our behalf.

Attached are two project site drawings depicting the connectivity of the sidewalks proposed in this project:

- 1) FM 1090 (North Virginia) TO HEB 6 ft sidewalk
 - Oakglen to Independence on east side of FM 1090 with LED streetlights added to AEP poles
 - Crosswalk
 - Independence to HEB on the west side of Independence with added lights as needed
- 2) SEAGREENS TO TRAVIS MIDDLE SCHOOL 5' sidewalk
 - San Antonio from South to Chestnut
 - Chestnut from San Antonio to Benavides
 - Benavides from Chestnut to Leona
 - Leona from Benavides to San Antonio
 - San Antonio from Leona to Tilley

We are publicizing a survey on Facebook and are working with the management of Seagreens to get a survey filled out by their residents. With the help of several people, we have been collecting photos of people walking in the road along these routes. We will be soliciting letters of support this next week with an article in the Wave. To date we have had 32 responses, with about 2/3rd stating that they consider construction of the proposed sidewalks as "Very Important" and would feel much safer walking these routes with a sidewalk. About 2/3rd of the respondents also stated they walk primarily for exercise, but there a few that walk to or from school or work.. Over 50% say that they would utilize these sidewalks at least once a week if constructed.

<u>RECOMMENDATION</u>: Approve Resolution #R-060925-1 supporting the application to submit a 2025 TxDOT Transportation Alternatives Set-Aside project.





RESOLUTION NO. R-060925-1

A RESOLUTION OF THE CITY OF PORT LAVACA, TEXAS SUPPORTING CITY OF PORT LAVACA'S APPLICATIONS TO THE TEXAS DEPARTMENT OF TRANSPORTATION'S 2025 TRANSPORTATION ALTERNATIVES SET-ASIDE (TA) CALL FOR PROJECTS

WHEREAS, the Texas Department of Transportation issued a call for projects in January 2025 for communities to apply for funding assistance through the Transportation Alternatives Set-Aside (TA) Program; and

WHEREAS, the TA funds may be used for development of preliminary engineering (plans, specifications, and estimates and environmental documentation) and construction of pedestrian and/or bicycle infrastructure. The TA funds require a local match, comprised of cash or Transportation Development Credits (TDCs), if eligible. The City of Port Lavaca would be responsible for all non-reimbursable costs and 100% of overruns, if any, for TA funds; and

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

THAT, The City of Port Lavaca supports funding this project as described in the 2025 TA Detailed Application (including the preliminary engineering budget, if any, construction budget, the department's direct state cost for oversight, and the required local match, if any) and is willing to commit to the project's development, implementation, construction, maintenance, management, and financing. The City of Port Lavaca is willing and able to enter into an agreement with the department by resolution or ordinance, should the project be selected for funding.

PASSED AND APPROVED this 9th day of June, 2025.

Jack Whitlow, Mayor

ATTEST:

Mandy Grant, City Secretary

COMMUNICATION

SUBJECT: Consider Resolution No. R-060925-2 of the City of Port Lavaca to renew the application with the Texas Department of Housing and Community Affairs (TDHCA) to continue participation in the HOME Investment Partnerships Program, Homeowner Reconstruction <u>Presenter is Kateryna Thomas</u>

INFORMATION:

RESOLUTION NO. R-060925-2 CITY OF PORT LAVACA CALHOUN COUNTY, TEXAS

WHEREAS, the Texas Department of Housing and Community Affairs (TDHCA) has notified the public of a funding availability to benefit low-income residents of the State of Texas communities through the Texas HOME Investment Partnerships Program; and

WHEREAS, the City of Port Lavaca has identified significant housing needs, particularly for the reconstruction of owner-occupied housing; and

WHEREAS, the City of Port Lavaca wishes to assist low-income homeowners with safe, decent, sanitary and affordable housing, and at the same time enhance the health, economic, and aesthetic quality of the community:

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

ONE, the City of Port Lavaca, acknowledges and approves that an application be completed and submitted to the TDHCA to participate in the HOME Investment Partnerships Program, Homeowner Reconstruction Assistance Program.

TWO, the City of Port Lavaca will utilize general funds in the amount of \$80,000 as cash reserve to utilize during the agreement term for eligible program costs before reimbursements are received from the State of Texas HOME Program.

THREE, HOME Program Match, if applicable, will be provided in accordance to 10 TAC 23 in the amount of <u>Eleven Percent (11%)</u> of project hard costs per household assisted through the Texas HOME Program, in the form of waived fees, cash, leverage, and other forms of eligible match.

FOUR, the City of Port Lavaca designates JoAnna P. "Jody" Weaver, Interim City Manager, as the person authorized to represent the City of Port Lavaca in all matters related to the HOME Program and, with signature authority to sign all forms and documents related to the administration of the HOME Program, including loan documents, grant agreements and the Reservation System Participation Agreement and/or Contract, unless otherwise stated.

PASSED AND APPROVED this 9th day of June, 2025.

Jack Whitlow, Mayor

ATTEST:

Mandy Grant, City Secretary

COMMUNICATION

SUBJECT: Consider Resolution No. R-060925-3 of the City of Port Lavaca for Award of Administrator for the HOME Program. <u>Presenter is Kateryna Thomas</u>

INFORMATION:

CITY OF PORT LAVACA

COUNCIL MEETING: JUNE 9, 2025

| DATE: | 06.05.2025 |
|----------|--|
| TO: | HONORABLE MAYOR AND CITY COUNCIL MEMBERS |
| FROM: | JODY WEAVER, INTERIM CITY MANAGER |
| SUBJECT: | Recommendation to renew the administrative contract agreement with Grantworks, Inc., for the 2025 HOME Investment Partnership Program grant cycle. |

The City currently has a HOME Investment Partnership Program grant agreement with the Texas Department of Housing and Community Affairs. The City has been working to qualify applicants under this HOME Investment Partnership Program grant, and there are current applicants who are ready to be assisted. The City used the existing administrative contract with Grantworks Inc. for this current grant cycle of the HOME Investment Partnership Program grant. The Grantworks Inc. administrative contract agreement is for four (4) years, and it is time to renew this administrative contract with Grantworks Inc. to continue the positive work under the HOME Investment Partnership Program.

The Grantworks, Inc., fee is capped by the program at 5% of administrative services and \$15,000 for the soft cost. All of these fees are paid using grant funds. The City has an 11% match requirement per house. This has historically been met by the City through a combination of waived fees, title, appraisal, survey costs, and donations or in-kind.

The HOME Investment Partnership Program assists residents who own and occupy their homes, and their homes are in substandard condition. This provides safe, decent, affordable housing to the applicant and improves the housing stock in your community as well as increasing the tax base.

Resolution that Grantworks, Inc., be awarded a new administrative contract to provide the city of Port Lavaca with the opportunity to serve its community with the benefits of the HOME Investment Partnership Program. Grantworks Inc. provides administrative services and soft cost project management services for the HOME Investment Partnership Program. The resolution is enclosed.

RESOLUTION R-06092025-3

A RESOLUTION OF THE CITY OF PORT LAVACA, TEXAS, AUTHORIZING THE AWARD OF PROFESSIONAL SERVICE PROVIDER CONTRACTS FOR THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) HOME INVESTMENT PARTNERSHIPS PROGRAM.

WHEREAS, the Texas Department of Housing and Community Affairs (TDHCA) for Homeowner Reconstruction Assistance through the HOME Investment Partnerships Program. HOME contract requires implementation by professionals experienced in completion of federally-funded HOME services;

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

WHEREAS, the proposals received by the due date have been reviewed to determine the most qualified and responsive providers for the professional service;

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

Section 1. That GRANTWORKS, INC. is selected to provide project-related administration/project delivery services/construction management for TDHCA HRA grant program(s).

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).

department by resolution or ordinance, should the project be selected for funding.

PASSED AND APPROVED this 9th day of June, 2025.

Jack Whitlow, Mayor

ATTEST:

Mandy Grant, City Secretary

COMMUNICATION

SUBJECT: Consider Resolution No. R-060925-4 of the City of Port Lavaca authorizing Professional Administration/Project Delivery Services Provider Selection for Community Development Block Grant Mitigation (CDBG-MIT) Program Resilient Communities Program through the Texas General Land Office (GLO) Contract No.23-160-104-F112. <u>Presenter is Kateryna Thomas</u>

INFORMATION:

RESOLUTION NO. R-060925-4

A RESOLUTION OF THE CITY OF PORT LAVACA, TEXAS, AUTHORIZING PROFESSIONAL ADMINISTRATION/ PROJECT DELIVERY SERVICES PROVIDER SELECTION FOR COMMUNITY DEVELOPMENT BLOCK GRANT MITIGATION (CDBG-MIT) PROGRAM RESILIENT COMMUNITIES PROGRAM THROUGH THE TEXAS GENERAL LAND OFFICE (GLO) CONTRACT NO.23-160-104-F112.

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

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

WHEREAS, the proposals received by 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, TEXAS:

Section 1. That KSBR, LLC. is selected to provide application and project-related administration/project delivery services for the CDBG-MIT Resilient Communities Program.

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

PASSED AND APPROVED on this 9th day of June, 2025.

Jack Whitlow, Mayor

ATTEST:

Mandy Grant, City Secretary

| 5/27/202 | 25 RFP 10-092024 | | | | | |
|---------------|----------------------------------|----------------------|----------------------|------------------------|-----------------|------------|
| | SCORE SHEET SUMMARY | | | | | |
| | GLO RESILIENT COMMUN | TIES PROGRAM RFP 10- | 092024 | | | |
| | | Experience/40 | Work Performance/ 30 | Canacity to Perform/25 | Proposed Cost/5 | TOTAL/ 100 |
| | Public Management | 23 | | 13 | | 62 |
| Wayne Shaffer | Traylor & Associates | 27 | | | | 73 |
| | KSBR | 33 | | 22 | 4 | 86 |
| | Grant Works | 36 | | | 4 | 86 |
| | Public Management | 27 | 6 | 14 | 5 | 52 |
| Tim Dent | Traylor & Associates | 12 | | | | |
| IIII Dent | KSBR | 28 | | | | |
| | Grant Works | 25 | | | | 62 |
| | | | | | | |
| | Public Management | 20 | 30 | 18 | 5 | 73 |
| Derrick Smith | Traylor & Associates | 22 | 30 | 16 | 3 | 71 |
| | KSBR | 32 | 30 | 20 | 4 | 90 |
| | Grant Works | 35 | 28 | 19 | 4 | 86 |
| | Public Management | 14 | 17 | 13 | 5 | 49 |
| Justin Burke | Traylor & Associates | 24 | | | | 60 |
| | KSBR | 30 | 21 | 14 | 4 | 69 |
| | Grant Works | 25 | 20 | 14 | 4 | 63 |
| | • | - 1 | | | | |
| | Average Scores Public Management | Total 236 | | | | |
| | Traylor & Associates | 239 | | | | |
| | KSBR | 312 | | | | |
| | Grant Works | 297 | | | | |

COMMUNICATION

SUBJECT: Consider Resolution No. R-060925-5 of the City of Port Lavaca to adopt the Budgetary and Financial Management Policies for FY 2025-2026. <u>Presenter is Brittney Hogan</u>

INFORMATION:

CITY OF PORT LAVACA

CITY COUNCIL MEETING: JUNE 9, 2025

AGENDA ITEM

DATE: JUNE 3, 2025

TO: THE HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: BRITTNEY HOGAN, FINANCE DIRECTOR

SUBJECT: ANNUAL REVIEW AND APPROVAL OF THE FINANCIAL MANAGEMENT POLICIES

BACKGROUND:

As a pre-cursor to the annual budget process, the Financial Management Policies of the City were reviewed by the Finance committee on April 24, 2025, and then reviewed by City Council by workshop on June 2, 2025. Any recommended changes or clarifications have been made and are reflected in the attached document.

FINANCIAL IMPLICATIONS:

Accepting the annual review of the Budgetary and Financial Management Policies will provide guidance for the City's budget process and financial management of city funds.

RECOMMENDATION:

Approve the annual review of the City's Budgetary & Financial Management Policies.

Section VIII. Item #16.



CITY OF PORT LAVACA, TX

FINANCIAL MANANGEMENT POLICIES FY 2025-2026

Budgetary & Financial Management Policies

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

Statement of Purpose

The City of Port Lavaca has an important responsibility to its citizens, taxpayers, ratepayers, and all customers to carefully account for public funds, to manage the City's finances wisely, and to plan for the adequate funding of services desired by the public. To facilitate this responsibility, certain financial policies have been developed and implemented within the parameters established by provisions of the Texas Local Government Code and the City Charter. The purpose of the Financial Management Policies is to provide guidelines for the financial management staff in planning and directing the City's day-to-day financial affairs and in developing recommendations to the Mayor and City Council. These policies, as itemized below, are adopted by the City Council annually and considered the basis for financial management, planning and budget preparation.

Accounting, Auditing, and Financial Reporting

Accounting

The City's Director of Finance is responsible for establishing the chart of accounts, and for properly recording financial transactions.

Funds

Self-balancing groups of accounts are used to account for City financial transactions in accordance with Generally Accepted Accounting Principles. Each fund is created for a specific purpose except for the General Fund, which is used to account for all transactions not accounted for in other funds.

External Auditing

Pursuant to State Statue, the City shall have its records and accounts audited annually by a certified public accounting (CPA) firm, licensed to practice in the State of Texas. The CPA firm must demonstrate that they have the breadth and depth of staff to conduct the City's audit in accordance with accepted auditing standards, generally accepted government auditing standards, and contractual requirements. The auditors' report on the City's financial statements including any federal grant single audits and the auditor's management letter will be completed within 180 days of the City's fiscal year end. An interim management letter will be issued prior to this date if any materially significant internal control weaknesses are discovered. The City staff and auditors will jointly review the management letter with the City Council within 60 days of its receipt by the staff.

External Auditors Responsible to City Council

The external auditors are accountable to the City Council and will have access to direct communication with the City Council if the City staff is unresponsive to auditor recommendations or if the auditors consider such communication necessary to fulfill their legal and professional responsibilities.

External Auditors Rotation

A review of the current CPA firm must be done every five years. This review does not necessarily result in a change in the CPA firm. If appropriate, the current CPA firm can be contracted for future annual audit. The City will not require external auditor rotation. The rotation of the audit firm will be based upon the proposals received, the qualifications of the firm, and the firm's ability to perform a quality audit.

External Financial Reporting

The City with collaboration from external auditors will prepare and publish an Annual Comprehensive Financial Report (ACFR). The ACFR will be prepared in accordance with Generally Accepted Accounting Principles and will be presented annually to the Government Finance Officers Association (GFOA) for evaluation and possibly awarding of the Certification of Achievement for Excellence in Financial Reporting. The deadline to submit application to participate in the Certificate of Achievement for Excellence in Financial Reporting Program is six months from the end of the fiscal year. The ACFR will be published and presented to the City Council within 180 days after the end of the fiscal year. City staffing limitations may preclude such timely reporting. In such a case,

the Director of Finance will inform the City Manager, and the City Manager will inform the City Council of the delay and the reasons, therefore.

Continuing Disclosure

The Director of Finance will ensure that the Municipal Securities Rulemaking Board's Electronic Municipal Market Access (EMMA) website is current, and all disclosures are filed timely with assistance from the City's Financial Advisor. EMMA is the official repository for information in virtually all municipal securities. Continuing disclosure includes annual disclosure required within 180 days of the fiscal year end, as well as material event disclosure required under the Securities and Exchange Commission (SEC) Rule 15c2-12 within 10 days of the occurrence of the event.

Funds

Fund Structure and Basis of Accounting

All fund structures and accounting standards of the City of Port Lavaca shall be in compliance with generally accepted accounting principles for local governments as prescribed by the Governmental Accounting Standards Board (GASB) and other recognized professional standards.

Governmental Funds

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

Governmental funds revenues and expenditures are recognized on the modified accrual basis. Revenues are recognized in the accounting period in which they become available and measurable while expenditures are recognized in the accounting period in which the liability is incurred, if measurable. Because the appropriated budget is used as the basis for control and comparison of budgeted and actual amounts, the basis for preparing the budget is the same as the basis of accounting.

Governmental funds are used to account for general government operations and include the General Fund, Debt Service funds, Special Revenue funds, and Capital Projects funds.

General Fund

The General Fund is the Primary fund for core government services and is used to account for all resources not required to be accounted for in another fund and not otherwise devoted to specific activities. Most of the financial transactions for the City are reported in this fund. The services provided by the City are classified according to activity and presented as operating departments in the budget.

Debt Service Funds

This fund type is used to account for resources used to service the principal and interest on long-term debt such as general obligation bonds, revenue bonds, certificates of obligation and tax-exempt leases classified as debt.

Capital Project Funds

Capital Projects funds are used to account for resources restricted for the acquisition or development of major capital equipment and structures. Financing sources are usually provided by transfers from other funds, bond issue proceeds, or grants-in-aid. Capital projects are generally tracked on a project-length basis. The required financing is not appropriated on an annual basis (or any other period-length basis) but is approved at the outset of the project. The expected expenditures under the Capital Improvement Program (called CIP) are presented as part of the overall budget adoption to accurately reflect the City's total expected use of funds in any given budget year but these estimates are not considered binding appropriations.

Special Revenue Funds

This fund type is used to account for the proceeds of specific revenue sources that are legally restricted to expenditures for specified purposes.

Federal and State Grant Funds

The City will have the necessary controls in place and follow all applicable federal and state financial grant requirements, including 2 CFR 200.302(b)(6) on advanced payments, 2 CFR 200.303 on internal controls for all grant funding, § 200.323 on contract cost and price, CFR 200 Part E on cost Principals and advance payment requirements, specifically § 200.403 Factors affecting allowability of costs and §

200.404 Reasonable costs as both allowable and reasonable, and § 200.305 on federal payment.-

For payments received from Federal grant sources, the City will track interest earned on those payments in accordance with § 200.305 Federal payment. The City will maintain advance payments of Federal awards in interest-bearing accounts and monitor that account would not be expected to earn in excess of \$500 per year on Federal cash balances or any additional interest earned on Federal advance payments deposited in interest bearing accounts must be remitted annually to the Department of Health and Human Services Payment Management System (PMS).

Proprietary Funds

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

The basis for preparing the budget is the same as the basis of accounting except for principal payments on long-term debt and capital outlay which are treated as budgeted expenses.

• Public Utility Fund

The Public Utility Fund consists of utility administration, water and wastewater operations, billing and collections, environmental services, and utility fiscal support. It is the policy of the City that the water and wastewater operations be self-sufficient and not cross subsidize the other. Rates will be set to reflect the cost of service by customer class where practical. The Utility Fund also accounts for the debt service and capital improvements of the utility system.

- Water Water operations include water line maintenance, water distribution systems support, and the contracted raw water supply and water treatment services.
- Wastewater Wastewater operations include wastewater line maintenance, wastewater collection systems support, and the wastewater treatment plant.

• Beach Operating Fund

The Beach Operating Fund consists of beach administration, beach operations, and collections. It will be the general policy of the City that the fees collected will be spent on maintenance and capital improvements of the Beach Fund facilities, grounds, and other structures. The general fund tax dollars will not be used for these purposes, except as a loan from the General Fund to the Beach Fund, approved by Council.

• Ports and Harbors Fund

The Ports and Harbors Fund consists of ports and harbors administration, ports and harbors operations, billing and collections. It will be the general policy of the City that the fees collected will be spent on maintenance and capital improvements of the Ports and Harbors Fund facilities, grounds and other structures.

Fund Balance Policy

Purpose

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

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

Definitions

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

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

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

- 1) *Non-spendable fund balance* includes the portion of net resources that cannot be spent because of their form (i.e. inventory, long-term loans, or prepaids) or because they must remain in-tact such as the principal of an endowment.
- 2) Restricted fund balance includes the portion of net resources on which limitations are imposed by creditors, grantors, contributors, or by laws or regulations of other governments (i.e. externally imposed limitations). Amounts can be spent only for the specific purposes stipulated by external resource providers or as allowed by law through constitutional provisions or enabling legislation. Examples include impact fees and bond proceeds.
- 3) Committed fund balance includes the portion of net resources upon which the Council has imposed limitations on use. Amounts that can be used only for the specific purposes determined by a *formal action* of the council. Commitments may be changed or lifted only by the Council taking the same *formal action* that originally imposed the constraint. The formal action must be approved before the end of the fiscal year in which the commitment will be reflected on the financial statements.
- 4) Assigned fund balance includes the portion of net resources for which an intended use has been established by the City Council or the City Official authorized to do so by the City Council. Assignments of fund balance are much less formal than commitments and do not require formal action for their imposition or removal. In governmental funds other than the general fund, assigned fund balance represents the amount that is not restricted or committed which indicates that resources are, at a minimum, intended to be used for the purpose of that fund.

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

5) Unassigned fund balance – includes the amounts in the general fund in excess of what can properly be classified in one of the other four categories of fund

balance. It is the residual classification of the general fund and includes all amounts not contained in other classifications. Unassigned amounts are technically available for any purpose. Negative residual amounts for all other governmental funds are reported in this classification.

Minimum Unassigned Fund Balance Reserve Policy

General Fund - Being a City on the Gulf Coast, it shall be the goal of the City to maintain a fund balance in the General Fund equal to 180 days of the operating expenditures and a <u>policy</u> 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. Any excess above the minimum will be reviewed and authorized annually by the City Council and may be designated to the Capital Improvement Program and the Asset Replacement Program, or any other programs the City Council may seem appropriate. In the event that the unassigned fund balance is calculated to be less than the policy stipulates, the City shall plan to adjust budget resources in subsequent fiscal years to restore the balance.

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

Enterprise Funds Working Capital Position - the goal shall be to maintain a working capital position equal to 120 days of the operating budget and a policy to maintain a working capital position no less than 90 days of the operating budget. The City shall designate a portion of the reserve for fixed asset replacement equal to one year's depreciation of all assets. The Cities enterprise funds consist of the Public Utility Fund, Beach Fund, and Ports & Harbors Fund.

• Public Utility Fund

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

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

• Ports and Harbors Fund

Annually, an amount equal to the sum of all property taxes collected from Port Commission leased properties shall be transferred from the General Fund to the Ports and Harbors Fund for which sum will be spent on maintenance and capital improvements of the Port facilities, grounds and other structures. No other general fund tax dollars will be used for this purpose, except as a loan from the General Fund to the Ports and Harbors Fund, approved by Council.

Committed Fund Balances

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

Replenishment of Minimum Fund Balance Reserves

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

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

Order of Expenditure of Funds

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

- Non-spendable fund balance
- Restricted fund balance
- Committed fund balance
- Assigned fund balance
- Unassigned fund balance

Appropriation of Unassigned Fund Balance

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

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

Monitoring and Reporting

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

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

Capital Projects Funds

Every effort will be made for all monies within the Capital project funds to be expended within thirty-six (36) months or within a reasonable time according to construction schedule. Balances will be used to generate interest income to offset construction costs.

Approved funds in the Capital Improvements Program for projects not started or completed will automatically carryover into the next fiscal year. Any capital improvement included in the capital improvements program that has not started nor any funds spent for three consecutive years will be reevaluated by staff and presented to City Council for alternative project consideration. Any unused monies can be used to fund similar projects as outlined by bond covenants and remaining excess funds will be transferred to the Debt Service Fund, provided that this complies with the bond covenant.

Interfund Loans

Non-routine inter-fund loans shall be made only in emergencies where other temporary sources of working capital are not available and with the approval of the City Manager. Inter-fund; forgivable or non-forgivable loans may also be authorized for capital projects with the approval of the City Council as part of the City's regular budget process. At the time an interfund loan is considered, a plan to repay it shall also be considered. Or, the City Council may authorize to forgive the inter-fund loan partially or fully. A loan may be made from a fund only if the fund has ending resources in excess of the minimum requirement for the fund. Total inter-fund loans outstanding from a fund shall not exceed 50% of the ending fund balance for the fund. All inter-fund transfers must be approved by the city council. If any inter-fund loan is to be repaid from the proceeds of a future debt issue, a proper reimbursement resolution will be approved at the time the loan is authorized.

General Budgetary Policies

Budget Preparation

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

Government Finance Officer Association Distinguished Budget Program

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

Balanced Budget

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

Public Hearings, Availability of Budget to Public

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

Cost Center Accounting and Budgeting

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

Bond Ratings

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

- Develop and maintain a multi- year operating budget
- Develop and maintain a multi-year capital improvements plan
- Implement financial procedures to quickly identify financial problems & limit budget shortfalls
- Review projected revenue methodologies annually

• Review method of determining appropriate cash reserve levels annually

Administrative Overhead Fee to Enterprise Funds

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

Budget Projections for Revenues and Expenditures

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

Maintenance of Plant and Equipment

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

Reporting

Monthly financial reports will be prepared to enable the department directors to manage their budgets and to enable the Finance Department to monitor and control the budget as approved by the City Council. Monthly financial reports will be presented to the City Council. Such reports will include current year revenues and expenditures, and fund balance summary.

Performance Measures and Productivity Indicators

Where appropriate, performance measures and productivity indicators will be used as guidelines and reviewed for efficiency and effectiveness. This information will be included in the annual budgeting process.

Capital Budget and Program

Capital Improvement Plan (CIP) Purpose

The City's goal is to maintain City facilities and infrastructure in order to provide services to the citizens within the community, meet growth related needs, and comply with all state and federal regulations. The City will develop a multi-year plan to present to Council each year for approval. The City will provide a list of proposed capital improvements, funding recommendations, and prospective timing of projects.

Preparation

The City annually reviews and updates a five-year Capital Improvement Program (CIP) schedule as part of the budget adoption process. The plan is adjusted annually as needed, and year one is adopted as the current year capital budget. The City's capital budget will include all capital projects funds and all capital resources. The budget will be prepared annually on a fiscal year basis and adopted by resolution. The capital budget will be prepared by the City Manager with assistance from the Finance Department and involvement of all required City departments. The required financing is not appropriated on an annual basis but is approved at the outset of the project. The expected expenditures under the CIP schedule are presented as part of the overall budget year but these estimates are not considered binding appropriations in that year. CIP projects shall be for infrastructure over \$100,000 and facilities over \$50,000. Any maintenance and operational cost shall be disclosed that could impact future operating budgets.

Control

All capital project expenditures must be appropriated in the capital budget. Finance must certify the availability of resources so an appropriation can be made before a capital project contract is presented by the City Manager to the City Council for approval.

Program Planning

The capital budget will include the capital improvements program for future years. The planning time frame should normally be five years. The replacement and maintenance for capital items should also be projected for the next five years at a minimum. Future maintenance and operations will be fully costed, so that these costs can be considered in the operating budget.

Alternate Resources

Where applicable, assessments, impact fees, or other user-based fees should be used to fund capital projects which have a primary benefit to certain property owners.

Debt Financing

Recognizing that debt is usually a more expensive financing method, alternative financing sources will be explored before debt is issued. When debt is issued, it will be used to acquire major assets with expected lives that equal or exceed the average life of the debt issue. The exceptions to this requirement are the traditional costs of marketing and issuing the debt, capitalized labor for design and construction of capital projects, and small component parts which are attached to major equipment purchases. The City shall complete a debt capacity assessment before each bond issue to ensure that the proposed debt is affordable and contributes to the financial strength of the City.

Reporting

Monthly financial reports will be prepared to enable the department managers to manage their capital budgets and to enable the Finance Department to monitor the capital budget as authorized by the City Manager. Quarterly financial reports will be presented to the City Council.

Revenue Management Policy

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

 Simplicity and Certainty. The City shall strive to keep the revenue classification system simple to promote understanding of the revenue sources. The City shall describe its revenue sources and enact consistent collection policies to provide assurances that the revenue is collected according to budgets and plans.

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

Use of Fund Balance and Non-Recurring Revenues

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

Property Tax Revenue

All real and business personal property located within the City shall be valued at 100% of the fair market value based on the appraisal supplied by the Calhoun County Appraisal District. Reappraisal and reassessment are as provided by the Appraisal District. A ninety-sixeight percent (9698%) collection rate based upon historical trends and current economic conditions shall serve each year as a goal for tax collections and the budgeted revenue projection shall be based on the average collection rate calculated by the Calhoun County Appraisal District. Property tax rates shall be maintained at a rate adequate to fund an acceptable service level. Based upon taxable values, rates will be adjusted to fund this service level. Collection services shall be contracted out with a central collection agency, currently the Calhoun County Appraisal District.

Interest Income

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

User Based Fees and Service Charges

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

Water and WastewaterUtility Rates and other fees for Utility Services

Water, wastewater, and garbage fees shall be set The City will review utility rates and service fees annually and, if necessary, adopt new rates to generate revenues required to cover operating expenditures, including depreciation, meet the legal requirements of applicable bond covenants, and provide for an adequate level of working capital. It is the policy of the City that the Public Utility Fund, and other enterprise funds, not be subsidized by property tax revenue.

Intergovernmental Revenues/Grants/Special Revenues

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

Collection of Charges

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

Revenue Monitoring

Revenues actually received are to be regularly compared to budgeted revenues (at least monthly) with a formal report to City Council at least quarterly. If revenue estimates fall

below budget expectations, the City Manager shall recommend to Council a corrective action to minimize the impact on the budget at the next available Council Meeting.

Expenditure Control Policy

Appropriations

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

Amendments to the Budget

In accordance with the City Charter, under Article 8.03 (Transfer of Appropriations) provides, with approval of the City Council, the City Manager may transfer any unencumbered appropriated balance within any office, department, or agency at any time. At the request of the City Manager, and within the last three months of the fiscal year, the Council may by resolution transfer any unencumbered appropriation balance or portion thereof from an office, department or agency to another. The City Manager is authorized to transfer budgeted amounts within and among departments; however, any revisions that alter the total expenditures/expenses must be approved by the City Council.

Contingency Account Expenditures

In accordance with the City Charter, under Article 7.11 (Contingent Appropriation) provides, with approval of the City Council in the budget process, an contingent appropriation in the amount not less than one half of one percent (0.5%) of the total general fund expenditures, to be used in unforeseen items of expenditures shall be budgeted in the annual budget. Contingent Appropriations are under the control of the City Manager for expenses under \$25,000 and require City Council approval if \$25,000 or greater.

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

City's Manager Authority to Amend the Budget

Purchasing

All purchases shall be made in accordance with the Purchasing Policies approved by the City Council. City procurements are governed by state and federal law, as well as the City Code of Ordinances. Authorization levels for appropriations previously approved by the City Council in the Operating Budget are as follows: The City Manager can authorize expenditures under \$25,000. Any purchases of \$25,000 or over not planned in the annual budget requires approval of the City Council. Strong ethical standards are required at all levels of the purchasing function.

Professional Services

Professional services contracts consist of the following services: Certified Public Accountant, Architect, Physician, Optometrist, Surgeon, Surveyor, Engineer, Lawyer, Insurance Broker or Consultant, Construction Manager, Financial Advisors, Artist, Appraisers, Teachers, Landscape Architectural and Geoscientific. Professional services will generally be processed through a request for a proposals process, except for contracts less than \$50,000, or in cases approved by the City Manager, or as otherwise approved by the City Manager.

Contract Authority

By statute, contracts greater than or equal to \$25,000 must be approved by Council, after which either the Mayor or the City Manager may then sign any necessary documents. By ordinance, contracts less than \$25,000 may be authorized and signed by the City Manager, provided there is an appropriation for such contract.

Prompt Payment

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

Prepaid Expenditures

Final determination of expenditure coding in the General Ledger is assigned to the Finance Department. Expenditure coding must remain consistent. Purchased items must fit the description of the line item they are being charged to. Amounts paid in advance or across budget years will be coded as prepaid items and charged to the next budget year. Department Directors are responsible for budgeting and paying these items accordingly.

Formal Approvals

The City Manager or City Council approval is required as detailed below.

- City Manager Approval
 - Any outside agreement/contract that requires a signature under \$25,000.00;
- City Council Approval
 - Any item the City Manager deems necessary to require City Council approval;
 - Any outside agreement/contract over \$25,000.00;
 - All intergovernmental agreements

Authorized Purchases

The adopted annual budget will include an Authorized Purchases list that considers certain planned purchases as approved in advance by Council. This policy allows the City Manager to approve items as listed without going back to Council under certain conditions.

- Routine equipment and technology purchases as included in the budget and the budget list are considered approved by Council, unless:
 - Item is \$50,000 or greater, unless the Council makes an exception,
 - Item contains a contract requiring the Mayor's signature;
 - Purchase deviates from the original purchase as designated on the list;
 - Cost exceeds the greater of 10% or \$10,000; or
 - Council has designated that item (s) come back for approval
- Capital projects and funding agreements will be presented to Council for consideration and approval

Long-Term Debt Policy

Purpose

The following policy provides the methods, procedures, policies and practices which ensure the sound management of the City of Port Lavaca's debt program. The City uses debt as a mechanism to equalize the costs of needed capital improvements for the benefit of both the present and future citizens. Adherence to the policy is essential to ensure that the City maintains a sound debt position and protects the credit quality of its obligations while providing flexibility and preserving fiscal stability. This policy applies to all longterm debt securities issued by the City. This may include General Obligation Bonds, Certificates of Obligation, Revenue Bonds, Capital Leases, Private Placements and Letters of Credit.

The City of Port Lavaca will issue debt only for the purpose of acquiring or constructing capital assets for the general benefit of its citizens and to allow it to fulfill its various missions as a City.

The City's debt policies and procedures are designed to ensure compliance with all State and Federal Law governing debt, including but not limited to, State Law, Federal Law, Internal Revenue Service rules and regulations, Securities and Exchange Commission regulations, Municipal Securities Rulemaking Board regulations, court ruling, existing debt covenants and charter provisions.

Revenue Bond Sinking Account

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

General Obligation Bond Debt Service Account

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

Debt Policy Guidelines

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

Types of Debt

- **Cash or Pay-As-You-Go** Pay-As-You-Go is the use of current resources to purchase a capital asset. Projects utilizing this method can be adequately funded from available current revenue and fund balances and the project can be completed in an acceptable timeframe given the available revenues.
- **Capital Leases** Lease purchase or financing contracts are payment obligations that represent principal and interest components which are general obligations of the City.
- General Obligation Bonds (GO's) General obligation bonds will be issued to fund capital projects of the general government and are not to be used to fund operating needs of the City. GO's are backed by the full faith and credit of the City as well as the ad valorem taxing authority of the City as prescribed by law. The term of a bond issue will not exceed the useful life of the major capital projects funded by the bond

issue and will generally be limited to no more than twenty (20) years. GO's must be authorized by a vote of the citizens of the City. Unless otherwise justified and deemed necessary, debt service should be structured on a level or declining repayment basis.

- Certificates of Obligation (CO's) Certificates of obligation will be issued to fund major capital projects, which are not otherwise covered under either revenue bonds or general obligation bonds. The term of the obligation may not exceed the useful life of the capital project and appropriate to the life of the project and financing objectives. Debt service for CO's may be either from general revenues (tax-supported) or supported by a specific revenue stream(s), or a combination of both. CO's may not require a vote of the citizens of the City. Unless otherwise justified and deemed necessary, debt service should be structured on a level or declining repayment basis.
- Revenue Bonds (RB's) Revenue bonds will be issued to fund major capital projects necessary for the continuation or expansion of a service which produces a revenue sufficient enough to obtain investment grade ratings and credit enhancement and for which the major capital project may reasonably be expected to provide for a revenue stream to fund the annual debt service requirement. The term of a bond issue will not exceed the useful life of the major capital projects funded by the bond issue and will generally be limited to no more than twenty (20) or thirty (30 years). RB's do not need a vote of the citizens of the City. Unless otherwise justified and deemed necessary, debt service should be structured on a level or declining repayment basis. The City primarily issues fixed rate bonds to protect the City against interest rate risk. The City has the option to issue variable rate bonds, and may if market conditions warrant consideration of such a structure.

Method of Sale

The City will use a competitive bidding process in the sale of bonds unless conditions in the bond market or the nature of the issue warrant a negotiated bid. In such situations, the City will publicly present the reasons for the negotiated sale. The City will rely on the recommendation of the financial advisor in the selection of the underwriter or direct purchaser.

Disclosure

Full disclosure of operating costs along with capital costs will be made to the bond rating agencies and other users of financial information. The City staff, with the assistance of the City's financial advisors and bond counsel, will prepare the necessary materials for presentation to the rating agencies and will aid in the production of the offering documents. The City Manager is responsible for the accuracy of all financial information released.

Federal Requirements

The City will maintain procedures to comply with arbitrage rebates and other Federal requirements of debt issuance.

Capital Asset Policy

Purpose and Objectives

The purpose of the Capital Asset Policy is to establish guidelines to ensure that accurate records of assets owned, purchased, replaced, sold and/or traded-in are maintained. The objectives are:

- To manage and maintain the capital asset portfolio of the City which includes land, land improvements, buildings, building improvements, machinery, furniture, equipment, vehicles, works of art and historical treasures, infrastructure, etc. and construction in progress.
- To determine the appropriate depreciation method to use in accordance with Generally Accepted Accounting Principles (GAAP).
- To provide the City with accurate record keeping for inventory and financial reporting purposes.

Definition of a Fixed Asset

Fixed assets are tangible or intangible items with a useful life exceeding one year and a cost that meets or exceeds the established capitalization thresholds. These assets are used in the City's operations and are not intended for resale.

Responsibility and Authority

The Director of Finance shall be responsible for ensuring the principles and policies set in the Capital Asset Policy are consistently applied and carried out in conformity with Generally Accepted Accounting Principles (GAAP) for Governments. As such, the Director of Finance shall assure that this policy is carried out in conformity with the financial policies, goals and strategies set forth by the City Manager, the Mayor, and the City Council.

Overview

Costs to obtain tangible assets with lives greater than one year are called capital expenditures and such expenditures are commonly said to be capitalized. Expenditures treated as expense of the current period are called operating expenses such as on-going repairs and general maintenance. There are several factors involved in determining whether an expenditure is to be classified as a capital expenditure or as an operating expense. Following is a synopsis of guidelines used to determine whether or not an item is to be capitalized.

Criteria for Capitalization

For the purpose of this policy, a "capital asset" must be capitalized if they meet the following criteria:

- The expected useful life is longer than one year.
- The asset has at least a unit cost has an original or improved cost of \$5,000.00 or more.
- Expenditures that materially add to the value or prolong the life of existing equipment will be considered capital assets and will be appropriately capitalized.
- The item belongs to one of the general classes of assets as defined by general accounting terms.
- The asset must be owned by the City
- Useful life will be established based on available sources such as the Internal Revenue Service, or other acceptable sources that are in accordance with GAAP.
- Land (all land capitalized regardless of cost)
- Buildings and Building Improvements
- Equipment
- Improvements other than Buildings
- Infrastructure assets

Infrastructure assets are long-lived capital assets that normally are stationary in nature and can be preserved for a significantly greater number of years than most capital assets. Examples of infrastructure assets include roads, bridges, tunnels, drainage systems, water and sewer systems, dams and lighting systems.

A capitalization threshold is the cost established by the Director of Finance that must be met or exceeded if an asset is to be recorded and depreciated as a capital asset. The capitalization threshold is based on the cost of a single asset. Assets that do not meet the capitalization threshold will be recorded as expenditures or expenses. For the purpose of property control (insurance, security, etc.), the Director of Finance and/or department heads may develop

and maintain the appropriate record keeping system(s) to account for assets which do not meet the capitalization threshold. In some circumstances, assets with a unit cost less than \$5,000 may be capitalized if they are part of a large project or renovation or if the improvement added to the value or prolonged the life of the asset. This determination will be made by the Finance Department at the time of the initial request for purchase of the asset.

- New purchases All costs associated with bringing the asset into working order will be capitalized as part of the asset cost. This will include start up costs, engineering or consultant type fees that are incurred once the decision to purchase the asset is made. The cost of land acquired should include all related costs associated with its purchase.
- Improvements and replacement Improvements will be capitalized when they extend the
 original life of an asset or when they make the asset more valuable than it was originally.
 The replacement of asset components will normally be expensed unless they are of a
 significant nature and meet all of the capitalization criteria.

| | | Capitalization Life | |
|----------------|--------------------------------|---------------------|---|
| Class | Asset | (Years) | Threshold (\$) |
| Land | Land and Site Improvements | Inexhaustible | Any Value |
| Buildings | Buildings | 50 | 50,000-Any Value |
| Buildings | Building Improvements | 10-50 | 10,000-100,000 |
| Equipment | Accounting Systems | 5-10 | 5,000 |
| Machinery & | | | |
| Equipment | Construction Machinery | <mark>5</mark> -10 | 5,000-25,000 |
| Equipment | Misc. Equipment | 5-10 | 5,000 |
| Equipment | Fire Fighter Apparatus | 10 | 5,000 |
| Equipment | Computer Hardware and Software | 5 | 5,000 |
| Improvements | Fences, Trails, etc. | <mark>15</mark> -20 | <mark>\$100,000\$20,000</mark> |
| Improvements | Docks | 10 | 20,000 |
| Improvements | Dredging | 10 | 50,000 |
| Improvements | Parks and Playgrounds | 20 | 50,000 |
| Improvements | Swimming Pools | 20 | 50,000 |
| Infrastructure | Bridges & Tunnels | <mark>15</mark> -50 | 100,000 |
| Infrastructure | Curbs & Sidewalks | 50 | 50,000 |

Useful Lives and Thresholds of Capital Assets

| Infrastructure | Drainage | 50 | 100,000 |
|----------------|---------------------------|---------------|--------------------|
| Infrastructure | Parking Lots | 25 | 20,000 |
| Infrastructure | Lift Stations | 15 | 20,000 |
| Infrastructure | Sewer | 50 | 100,000 |
| Infrastructure | Streets (Primary) | 50 | 100,000 |
| Infrastructure | Streets (Secondary) | 40 | 100,000 |
| Infrastructure | Traffic Signals and Signs | 25 | 50,000 |

Accounting for Capital Assets

City owned land, buildings, and infrastructure will be segregated from furniture and equipment in separate accounts. The City will follow GASB 34 guidelines as it maintains Capital Asset Records of the City. Proper insurance coverage must be maintained by the City for all premises, furniture, and equipment. Coverage amounts will be reviewed yearly by a designated officer of the City and presented to the City Council for approval.

It is the responsibility of the Finance Department to record the costs of capitalized assets acquired and to maintain accurate inventory and depreciation records. Capital assets that meet the minimum capitalization threshold will be recorded at historical cost and depreciated on a straightline method for financial statement purposes. Entries to record depreciation on new purchases will be calculated and posted at fiscal year-end. Donated capital assets will be recorded at their estimated fair value at the time of acquisition or project completion date, including any ancillary charges. Property will be recorded at historical cost unless there has been a permanent loss of value that should be reflected in the capital asset accounts. The value will usually include costs related to acquisition including freight, delivery, training, and installation.

Construction in Progress (CIP)

Should time be required to complete a project extend past the close of any accounting period, it will be placed in (CIP) and not capitalized until the project is complete.

Capital Leases

All policies and procedures mentioned above also apply to capitalized leases. All lease purchases and/or agreements must be in compliance with all applicable laws and regulations. Any operating leases which will not be capitalized will be approved by the Mayor. All copies of lease agreements should be maintained by the City Secretary and Director of Finance. Capital leases will be recorded on the books and will be accounted for in accordance with Generally Accepted Accounting Principles as it applies to municipalities.

Fixed Asset Components

An **addition** is a new and separate asset or an extension of an existing asset. All assets will be added according to the thresholds established at the time of acquisition. **Improvements** are added based on the thresholds established as long as it seems reasonable that the improvement adds value to the existing asset. Infrastructure improvements will be added after consultation from our City Engineer to obtain the value that was added taking into consideration of any disposals that may have occurred during the construction.

Repair and Maintenance

Maintenance and repairs can be distinguished from improvements in that maintenance and repairs are not intended to alter or change the asset or to increase the useful life of the asset, but rather to sustain the asset in its present condition. A cost will qualify as maintenance if any of the following are true:

• Recurs on an ongoing basis (scheduled maintenance) and keeps the asset in a useable condition. • Does not add substantially to the value of the asset (i.e., it does not meet the requirements in Section VIII to be capitalized).

• Simply restores a capital asset to its former condition, addressing normal wear and tear associated with the use of an asset.

• Facilitates asset utilization for its original useful life

Examples include:

- · Painting and similar activities
- · Engine overhaul in a vehicle
- Resurfacing a roof with similar materials
- · Remodeling and rearrangement costs

Expenditures attributable to repair and maintenance after the asset has been placed in service will not be capitalized and will instead be charged to maintenance expense.

Reporting and Inventory

The Finance Department will maintain the permanent records of the City's fixed assets, including description, cost, department of responsibility, date of acquisition, depreciation and expected useful life. Periodic, random sampling will be performed to inventory fixed assets assigned to a department. Responsibility for safeguarding the City's fixed assets lies with the department that has been assigned that asset. When an asset leaves a department's responsibility due to

disposition, sale or transfer, the assigned department is responsible to report the change in status or location to the Finance Department.

It is the responsibility of each City department to keep a current record of inventory held within their department. The Finance Department will provide each department with a list of the assets that are recorded into the Fixed Asset System on a yearly basis. The department responsible for the asset will then physically verify that each asset on the list still exists and that they are all accounted for. If there are any assets that are in the department's care that are not on the inventory list a Fixed Asset Form should be filled out by the department and sent to the Finance department for input into the Fixed Asset System.

Sale, Disposal, or Transfer of Capital Assets

It is the responsibility of each department to provide the Finance Department with all information required to properly record the sale, disposal, or transfer of an asset. A Fixed Asset Form is to be filled out by the department and signed by a manager or director of that department. If transferring an asset from one department to another, the receiving department manager or director should also sign the Fixed Asset Form upon receipt of the asset.

Seized Vehicles

Seized vehicles are not considered capital assets, since they are not acquired by the City for use in operations.

COMMUNICATION

SUBJECT: Consider Resolution No. R-060925-6 of the City of Port Lavaca to approve the annual review of the Investment Policy and Strategy. <u>Presenter is Brittney Hogan</u>

INFORMATION:

CITY OF PORT LAVACA

AGENDA ITEM _____

DATE: JUNE 3, 2025

TO: THE HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: BRITTNEY HOGAN, FINANCE DIRECTOR

SUBJECT: CONSIDER AND APPROVE ANNUAL REVIEW OF INVESTMENT POLICY & STRATEGY

BACKGROUND:

As a requirement of the Texas Public Funds Investment Act and as per the City's Investment Policy and Strategy, the City shall perform an annual review of the investment policy. On Thursday, April 24, 2025, the City's Finance & Investment Committee convened to review the current investment policy and found the proposed policy with changes to be adequate for the City's needs.

FINANCIAL IMPLICATIONS:

Accepting the changes will provide guidance for future investments which will safeguard the City's assets.

RECOMMENDATION:

Approve the annual review of the City's Investment Policy and Strategy.



Resolution of the City of Port Lavaca, Texas <u>No. R-060925-6</u>

Investment Policy and Strategy

I. POLICY STATEMENT

It is the policy of the City that the administration of its funds and the investment of those funds shall be handled as its highest public trust. Investments shall be made in a manner which will provide the maximum security of principal invested through limitations and diversification while meeting the daily cash flow needs of the City and conforming to all applicable state statutes governing the investment of public funds.

II. SCOPE

This investment policy applies to all the financial assets and funds of the City. The City commingles its funds into one pooled investment fund for investment purposes to provide efficiency and maximum investment opportunity. These funds are defined in the City's Annual Comprehensive Financial Report (ACFR).

Any new funds created by the City shall be included unless specifically exempted by the City Council and this policy.

III. OBJECTIVES

It is the policy of the City that all funds shall be managed and invested with four primary objectives, listed in order of their priority: safety, liquidity, diversification and yield.

Effective cash management is recognized as essential to good fiscal management. Cash management is defined as the process of managing monies in order to ensure maximum cash availability/flow. The City's cash flow will be managed to maximize the cash available to invest and to minimize idle cash

<u>Safety</u>

The primary objective of the City's investment activity is the preservation of capital. Each investment transaction shall be conducted in a manner to avoid capital losses, whether from security defaults, safekeeping, or erosion of market value.

<u>Liquidity</u>

The City's investment portfolio shall be structured to meet all cash flow obligations in a timely manner. This shall be achieved by matching investment maturities with forecasted cash flow liabilities and maintain additional liquidity for unexpected liabilities.

Cash Flow Forecasting

Cash flow forecasting is designed to protect and sustain cash flow requirements of the City. Supplemental to the financial and budgetary systems, the Investment Officer will develop and use a cash flow forecasting process as needed to monitor and forecast cash positions for investment purposes.

Diversification

The City's portfolio shall be diversified by market sector and maturity in order to avoid market risk.

Yield

The benchmark of the City's portfolio shall be the 3-month or 6-month U.S. Treasury, designated for its comparability to the City's expected average cash flow pattern. The benchmark will serve as a risk measurement of the portfolio.

IV. STRATEGY

The City maintains one commingled portfolio for investment purposes which incorporates the specific investment strategy considerations and the unique characteristics of the fund groups represented in this portfolio. The investment strategy has as its primary objective assurance that anticipated liabilities are matched and adequate investment liquidity provided. The City shall pursue a conservative portfolio management strategy. This may be accomplished by creating a ladder maturity structure with some extension for yield advancement. The maximum weighted average maturity (WAM) of the portfolio shall not exceed one (1) year.

V. LEGAL LIMITATIONS, RESPONSIBILITIES AND AUTHORITY

Direct specific investment parameters for the investment of public funds in Texas are found in the Public Funds Investment Act, Chapter 2256, Texas Government Code, (the "Act"). The Public Funds Collateral Act, Chapter 2257, Texas Government Code, specifies collateral requirements for all public funds deposits. All investments will be made in accordance with these statutes.

VI. INVESTMENT COMMITTEE

An Investment Committee, consisting of the City Manager, Finance Director, and at least one Council Member shall meet at least quarterly to determine operational strategies and to monitor results. The Investment Committee shall discuss things such as economic outlook, portfolio diversification, maturity structure, and any potential risk of the City's funds. In addition, this committee shall review investment purchases that occurred since the last investment committee meeting and approve new brokers.

VII. DELEGATION OF INVESTMENT AUTHORITY

The Finance Director, acting on behalf of the City, is designated as the Investment Officer of the City and is responsible for investment management decisions and activities. All participants in the investment process shall seek to act responsibly as custodians of the public trust.

The Investment Officer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials and staff. The Investment Officer shall attend at least one training session relating to the Officer's responsibility under this act within 12 months after assuming duties and thereafter, a training session should be attended not less than once every two years with at least 8 hours of instruction from an independent source. The Investment Officer shall designate a staff person as a liaison/deputy in the event circumstances require timely action and the Investment Officer is not available. No officer or designee may engage in an investment transaction except as provided under the terms of this Policy and the procedures established.

Limitation of Personal Liability

The investment Officer and those delegated investment authority under this Policy, when acting in accordance with the written procedures and this Policy and in accord with the Prudent Person Rule, shall be relieved of personal responsibility and liability in the management of the portfolio provided that deviations from expectations for a specific security's credit risk or market price change or portfolio shifts are reported in a timely manner and that appropriate action is taken to control adverse market effects.

VIII. PRUDENCE

The standard of prudence to be used in the investment function shall be the "prudent person" standard and shall be applied in the context of managing the overall portfolio. This standard states:

"Investments shall be made with judgment and care, under circumstances then prevailing, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the expected income to be derived."

IX. INTERNAL CONTROLS

The Investment Officer shall establish and maintain an internal control structure which will be reviewed annually with the independent auditor of the City. The controls shall be designed to prevent loss of public funds due to fraud, employee error, misrepresentation by third parties, unanticipated market changes, or imprudent actions by employees of the City. The internal controls shall address the following points at a minimum:

- Control of collusion,
- Separation of transaction authority from accounting and record keeping,
- Custodial safekeeping,
- Clear delegation of authority,
- Documentation of all transactions,

Monitoring Credit Ratings

The Investment Officer will monitor, on at least a monthly basis, the credit rating on all authorized investments in the portfolio that require a credit rating based upon independent information from a nationally recognized credit agency. If any security falls below the minimum rating required by this Policy; the Investment Officer will immediately advise the Investment Committee of the loss of rating and the possible loss of principal. The Investment Committee and Investment Officer will decide on the prudent liquidation of the security.

X. AUTHORIZED INVESTMENTS

Acceptable investments under this policy shall be limited to the instruments listed below and as further defined and described by the Public Funds Investment Act. If changes are made to the Act, they are not authorized until this Policy is modified and adopted by City Council.

- A. Obligations of the United States Government, its agencies and instrumentalities, and government sponsoring enterprises, <u>not to exceed five years</u> to stated maturity, including collateralized mortgage obligations (CMOs); CMO's cannot be either an Interest-Only or Principal-Only CMO nor can it be an inverse floater.
- B. Fully insured or collateralized certificates of deposit from a bank doing business in the State of Texas, with a maximum maturity of 18 months, collateralized with 102% coverage with:
 - In accordance with 2256.010 of the Act, certificates of deposit may be purchased from a Texas depository institution through a nationally coordinated program in which (a) the depository arranges for deposits in one or more federally insured depositories allowing for full FDIC coverage and (b) the depository receives comparable deposits from other linked depositories.
 - Collateral agreements must be in writing and require a bank resolution of approval.
- C. FDIC insured *brokered certificates of deposit securities* from a bank in any US State, delivery versus payment to the safekeeping agent, <u>not to exceed two years to maturity</u>. Before purchase, the Investment Officer must verify FDIC status of the bank on www.fdic.gov to assure that the bank is FDIC insured.
- D. Commercial paper rated A-1/P-1 or the equivalent by at least two nationally recognized rating agencies <u>not to exceed 90 days</u> to stated maturity.
- E. AAA-rated money market mutual funds as defined by the Public Funds Investment Act.
- F. Obligations of the States, agencies thereof, Counties, Cities, and other political subdivisions of any state, with a maximum maturity <u>not to exceed five years</u>, and having been rated as investment quality by a nationally recognized investment rating firm of not less than "A" or its equivalent.
- G. AAA-rated, constant dollar Texas Local Government Investment Pools as defined by the Public Funds Investment Act must be approved by City Council.

No additional security will be eligible for investment by the City until this policy has been amended and the amended version approved by the City Council. *Exceptions* to investment maturities may be approved by council in order to meet debt service requirements.

Competitive Bidding Requirement

Generally, the City will seek competitive offerings for all securities, including certificates of deposit before it invests to verify that the City is receiving fair market value/price for the investment with the *exception* of new issues that are still in syndicate.

The City recognizes that a competitive offering process is not always necessary or is not always in the best interest of the City. On these occasions, the Investment Officer is authorized to purchase a security without seeking competitive offerings. Examples of these occasions are:

- A. Market conditions are changing rapidly.
- B. The security is a "new issue" that is still in the primary market.
- C. A specific type of security, maturity date, or rate of return is sought that may not be immediately available.

Delivery versus Payment

All security transactions, including collateral for repurchase agreements, entered into by the City, shall be conducted on a delivery versus payment (DVP) basis. Funds shall not be released until receipt of the security by the City's approved custodian.

Diversification

The City recognizes that investment risks can result from issuer defaults, and market price changes. Risk is controlled through portfolio diversification. The maximum limits for diversification will be:

| Security Type | Max % of Portfolio |
|-----------------------------------|--------------------|
| US Obligations | not to exceed 80% |
| US Agencies/Instrumentalities | not to exceed 80% |
| -MB Securities | not to exceed 50% |
| Certificates of Deposits* | not to exceed 40% |
| Brokered CD* | not to exceed 20% |
| Commercial Paper | not to exceed 25% |
| Demand Deposits* | not to exceed 60% |
| Money Market Funds* | 100% |
| Local Government Investment Pools | 100% |

*Limit per bank up to \$250,000 without collateralization agreement.

XI. AUTHORIZED FINANCIAL DEALERS AND INSTITUTIONS

Depository

The City will designate one banking institution through a competitive process as its central banking services provider at least every five years in accordance with the Texas Government Code 105. Other banking institutions from which the City may purchase certificates of deposit will also be designated after they provide their latest audited financial statements to the City. All depositories will execute a depository agreement and have the Bank's Board or Bank Loan Committee pass a resolution approving the agreement <u>if collateral is required.</u>

Security Broker/Dealers

The Investment Committee will review the list of authorized broker/dealers annually. The Investment Officer will obtain and maintain information on each broker/dealer. Securities broker/dealers not affiliated with a bank, who desire to transact business with the City must supply the following documents to be maintained by the Finance Department:

-audited financial statement for the most recent period, -proof of certification by the National Association of Securities Dealers (NASD), -proof of current registration with the State Securities Commission

Every broker/dealer and bank with whom the City transacts business will be provided a copy of this Investment Policy to assure that they are familiar with the goals and objectives of the City's investment program. A representative of the firm will be required to return a signed certification stating the Policy has been received and reviewed and that controls are in place to assure that only authorized securities are sold to the City.

XII. SAFEKEEPING AND COLLATERALIZATION

The laws of the State and prudent treasury management require that all purchased securities be bought on a delivery versus payment (DVP) basis and be held in safekeeping by either the City, an independent third-party financial institution, or the City's designated depository.

All safekeeping arrangements shall be designated by the Investment Officer and an agreement of the terms executed in writing. The third-party custodian shall be required to issue safekeeping receipts to the City listing each specific security, rate, description, maturity, cusip number, and other pertinent information. Each safekeeping receipt will be clearly marked that the security is held for the City or pledged to the City.

All securities pledged to the City for time or demand deposits shall be held by an independent third-party bank doing business in Texas. The safekeeping bank may not be within the same holding company as the bank where the securities are pledged. The bank is responsible for monitoring collateral.

Collateralization

Collateralization shall be required on certificates of deposits over the FDIC insurance coverage of \$250,000. In order to anticipate market changes and provide a level of additional security for all funds, the collateralization level required will be 105% of the market value of the principal and accrued interest. Collateral will be held by an independent third-party safekeeping agent.

XIII. PERFORMANCE EVALUATION AND REPORTING

The Investment Officer shall submit quarterly reports to the City Council containing sufficient information to permit an informed outside reader to evaluate the performance of the investment program and consistent with statutory requirements. The Investment officer will report to the Investment Committee a report that will include the following at a minimum:

- A full description of all securities held at the end of the reporting period,
- Overall change in market value for each security and the change during the period as a measure of volatility (obtained by an independent source),

- Weighted average maturity (WAM) of the portfolio,
- Total earnings for the period,
- Compare market value of pledged securities to the ending balance of the City's portfolio,
- Analysis of the total portfolio by maturity, by book value, and
- Statement of the compliance of the investment portfolio with the Act and the Investment Policy and Strategy of the City.

XIV. INVESTMENT POLICY AMENDMENTS

The Director of Finance and the Investment Committee shall review the Investment Policy and Strategy on an annual basis. Future recommended changes will be approved by the City Council amending the current Investment Policy and Strategy resolution on record.

Witness my hand and Seal of Office this 9th day of June, 2025.

Passed and Approved this 9th day of June, 2025.

Jack Whitlow, Mayor

ATTEST:

Mandy Grant, City Secretary

CITY OF PORT LAVACA

INVESTMENT POLICY AND STRATEGY

LISTING OF APPROVED BROKER/DEALERS

Attached to and made a part of the City of Port Lavaca Investment Policy

Hilltop Securities, Inc. Gilbert Ramon, Vice President – Institutional Sales 700 Milam St, Suite 1200 Houston, TX 77002 Direct: 713/654-8606, Mobile: 832-415-3701 Gilbert.Ramon@hilltopsecurities.com

FHN Financial Capital Markets Buddy Saragusa 920 Memorial City Way, 11th Floor Houston, TX 77024 Direct: 713/435-4475 Budy.Saragusa@FHNFinancial.com

RBC Capital Markets Scott Obenshain 200 Crescent Court, Suite 1500 Dallas, TX 75201 Telephone: 214/989-1600 Scott.obenshain@rbc.com

CITY OF PORT LAVACA

BROKER/DEALER CERTIFICATION

Attached to and made a part of the City of Port Lavaca Investment Policy

I hereby certify that I personally read and understand the investment policy and strategy of the City of Port Lavaca, Texas, and have implemented reasonable procedures and controls designed to fulfill said policy's objectives and conditions. Transactions between this firm and the City of Port Lavaca will at all times reflect due concern for the preclusion of imprudent investment activities.

All sales personnel of this firm dealing with the City of Port Lavaca accounts have been informed of the City's investment horizons, limitations, strategies, and risk constraints. Sales personnel will be updated on these guidelines whenever material changes to the City's policy are communicated to or by the City of Port Lavaca investment officer.

This firm will notify the City of Port Lavaca immediately by phone and in writing in the event of a material adverse change in our financial condition. This firm pledges to exercise due diligence in informing the City of Port Lavaca of all foreseeable risks associated with financial transactions conducted with our firm.

| Firm: | |
|--|---|
| Registered Principal: | |
| Dealer Registration Number: | |
| Title: | |
| Signature: | |
| I, Brittney Hogan, have provided a copy of the City of | |
| | (name) of |
| | (firm) and will maintain this certification |
| on file. | |

Brittney Hogan Finance Director Date

COMMUNICATION

SUBJECT: Consider Second and Final reading of an Ordinance (S-2-25) of the City of Port Lavaca for amendment(s) to the Base Ordinance S-2-24 for 2024-2025 fiscal year budget; providing for Budget Amendment(s); providing for severability, repealing all ordinances in conflict and establishing an effective date. <u>Presenter is Brittney Hogan</u>

INFORMATION:

ORDINANCE NO. S-2-25

AN ORDINANCE OF THE CITY OF PORT LAVACA, TEXAS FOR AMENDMENT(S) TO THE BASE ORDINANCE NO. S-2-24 FOR 2024-2025 FISCAL YEAR BUDGET; PROVIDING FOR BUDGET AMENDMENT(S); PROVIDING FOR SEVERABILITY, REPEALING ALL ORDINANCES IN CONFLICT AND ESTABLISHING AN EFFECTIVE DATE

WHEREAS, the City of Port Lavaca's current 2024-2025 Annual Budget was passed and approved by Base Ordinance No. S-2-24 on September 16, 2024; and

WHEREAS, department specific equipment, projects, and staffing are each an integral part of the annual budget and efficient and productive operations for the City as a whole; and

WHEREAS, staff recommends the various changes and amendments to the original budget to meet the challenges that serve a municipal purpose and have arisen since the original budget adoption, as authorized by Local Government Code Section 102.010; and

WHEREAS, the City Council has determined that this budget amendment is necessary and proper, serves a municipal purpose and will help the City better protect the health, safety and welfare of the general public.

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

SECTION 1: The City Council of the City of Port Lavaca, Texas does hereby approve an amended budget for the City of Port Lavaca General Fund for the Fiscal Year beginning October 1, 2024 and ending September 30, 2025, as set forth in the attached Exhibit A Budget Amendment.

SECTION 2: That all other portions of the original adopted budget shall remain as adopted.

SECTION 3: Severability. Should any section, subsection or phrase of this Ordinance be held to be unconstitutional or invalid for any reason, such decision shall not affect the validity of the Ordinance as a whole or any other remaining portions of this Ordinance.

SECTION 4: Repeal. This Ordinance shall be cumulative of all provisions of ordinances of the City of Port Lavaca, Texas, except where the provisions of the Ordinance are in direct conflict with the provisions such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 5: Effective Date. This ordinance shall take effect from and after the earliest date provided by law following its adoption and publication as provided by law.

FIRST READING this 12th day of May, 2025

Jack Whitlow, Mayor

Page 1 of 2

SECOND AND FINAL READING this 9th day of June, 2025

Jack Whitlow, Mayor

APPROVED AND ADOPTED this 9th day of June, 2025.

Jack Whitlow, Mayor

ATTEST:

Mandy Grant, City Secretary

APPROVED AS TO FORM:

Anne Marie Odefey, City Attorney

RECORD OF VOTE

| | First Reading | Second and Final | Passed and Approved |
|----------------------------|------------------|---------------------|---------------------|
| Councilman Aguirre | Aye | | |
| Councilman Dent | Nay | | |
| Councilman Tippit | Aye | | |
| Councilwoman Padron | Aye | | |
| Councilwoman Bland-Stewart | Aye | | |
| Councilman Burke | Aye | | |

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

CITY OF PORT LAVACA

Request For Approval of Budgetary Amendment Fiscal Year 2024-2025

Required Balance \$

Entered:

Initials:

Date:

3,850,947.95

Amendment # GF-004

Unreserved Fund Balance at 10/01/2024\$3,563,345Current Surplus/Deficit in Budget1,224,153Net Increase/(Decrease) this Request(39,514)Amended Unreserved Fund Balance\$4,747,985

Date Requested:

5/1/2025

| Account No. | | | | Original | Increase/ | Amended | | |
|-------------|-------|-----------|------------|--|-----------|------------|--------------|----------------------------|
| Fund | Dept. | Line-item | DEPT | Description | Budget | (Decrease) | Budget | Reason |
| | | | | | | | | |
| | | | | | | | | |
| 001 | 50080 | 521.01 | FINANCE | SALARIE & WAGES | 274,361 | 10,645 | \$ 285,006 | FY24-25 COMPENSATION STUDY |
| 001 | 50080 | 512.05 | FINANCE | SOCIAL SECURITY | 21,185 | 814 | \$ 21,999 | FY24-25 COMPENSATION STUDY |
| 001 | 50080 | 512.10 | FINANCE | TMRS | 16,837 | 631 | \$ 17,468 | FY24-25 COMPENSATION STUDY |
| 001 | 50090 | 521.01 | CITY HALL | SALARIE & WAGES | 5,965 | 856 | \$ 6,821 | FY24-25 COMPENSATION STUDY |
| 001 | 50090 | 512.05 | CITY HALL | SOCIAL SECURITY | 1,649 | 65 | \$ 1,714 | FY24-25 COMPENSATION STUDY |
| 001 | 50110 | 521.01 | POLICE | SALARIE & WAGES | 1,530,406 | 9,088 | \$ 1,539,494 | FY24-25 COMPENSATION STUDY |
| 001 | 50110 | 512.05 | POLICE | SOCIAL SECURITY | 128,644 | 695 | \$ 129,339 | FY24-25 COMPENSATION STUDY |
| 001 | 50110 | 512.10 | POLICE | TMRS | 101,705 | 539 | \$ 102,244 | FY24-25 COMPENSATION STUDY |
| 001 | 50120 | 521.01 | FIRE | SALARIE & WAGES | 1,237,540 | 2,519 | \$ 1,240,059 | FY24-25 COMPENSATION STUDY |
| 001 | 50120 | 512.05 | FIRE | SOCIAL SECURITY | 100,792 | 193 | \$ 100,985 | FY24-25 COMPENSATION STUDY |
| 001 | 50120 | 512.10 | FIRE | TMRS | 80,106 | 149 | \$ 80,255 | FY24-25 COMPENSATION STUDY |
| 001 | 50320 | 521.01 | DEV SVCS | SALARIE & WAGES | 191,211 | 3,507 | \$ 194,718 | FY24-25 COMPENSATION STUDY |
| 001 | 50320 | 512.05 | DEV SVCS | SOCIAL SECURITY | 14,628 | 268 | \$ 14,896 | FY24-25 COMPENSATION STUDY |
| 001 | 50320 | 512.10 | DEV SVCS | TMRS | 11,100 | 208 | \$ 11,308 | FY24-25 COMPENSATION STUDY |
| 001 | 50410 | 521.01 | STREETS | SALARIE & WAGES | 508,255 | 4,962 | \$ 513,217 | FY24-25 COMPENSATION STUDY |
| 001 | 50410 | 512.05 | STREETS | SOCIAL SECURITY | 40,029 | 380 | \$ 40,409 | FY24-25 COMPENSATION STUDY |
| 001 | 50410 | 512.10 | STREETS | TMRS | 30,063 | 294 | \$ 30,357 | FY24-25 COMPENSATION STUDY |
| 001 | 50501 | 521.01 | PARKS | SALARIE & WAGES | 235,810 | 3,258 | \$ 239,068 | FY24-25 COMPENSATION STUDY |
| 001 | 50501 | 512.05 | PARKS | SOCIAL SECURITY | 19,187 | 249 | \$ 19,436 | FY24-25 COMPENSATION STUDY |
| 001 | 50501 | 512.10 | PARKS | TMRS | 14,899 | 193 | \$ 15,092 | FY24-25 COMPENSATION STUDY |
| | | | | | | | | |
| | | | NET INCREA | SE/(DECREASE) TO UNRESERVED FUND BALANCE | | (39,514) | | · |

City Manager

COUNCIL:

Director of Finance

Exhibit A-1 to Ordinance No. S-2-25 2024-2025 FY Budget Amendments mos\Ordinances\2025 Ordinances Passed and adopted 06-09-25 Recorded Vol. 3-I, Page ____

YES

Х

NO

Amendment # PUF-001

CITY OF PORT LAVACA

Request For Approval of Budgetary Amendment Fiscal Year 2024-2025

| FUND: | PUBLIC UTILITY FUND - 501 | Required Balance | \$ 1,858,375.48 |
|-------|---|------------------|-----------------|
| | Unreserved Fund Balance at 10/01/2024 \$ 5,074,72 | 5 | |
| | Current Surplus/Deficit in Budget (258,31 | 3) | |
| | Net Increase/(Decrease) this Request (7,81 | 3) | |
| | Amended Unreserved Fund Balance \$ 4,808,59 | 1 | |
| | | = | |

Date Requested:

5/1/2025

| Account No. | | count No. | | Original | Increase/ | Amended | | |
|-------------|-------|-----------|-----------------|---|-----------|------------|------------|----------------------------|
| Fund | Dept. | Line-item | DEPT | Description | Budget | (Decrease) | Budget | Reason |
| | | | | | | | | |
| | | | | | | | | |
| 501 | 55132 | 521.01 | UTILITY BILLING | SALARIE & WAGES | 219,960 | 618 | \$ 220,578 | FY24-25 COMPENSATION STUDY |
| 501 | 55132 | 512.05 | UTILITY BILLING | SOCIAL SECURITY | 16,827 | 47 | \$ 16,874 | FY24-25 COMPENSATION STUDY |
| 501 | 55132 | 512.10 | UTILITY BILLING | TMRS | 13,374 | 37 | \$ 13,411 | FY24-25 COMPENSATION STUDY |
| 501 | 55133 | 521.01 | UTILITY MAINT | SALARIE & WAGES | 420,792 | 5,669 | \$ 426,461 | FY24-25 COMPENSATION STUDY |
| 501 | 55133 | 512.05 | UTILITY MAINT | SOCIAL SECURITY | 32,191 | 434 | \$ 32,625 | FY24-25 COMPENSATION STUDY |
| 501 | 55133 | 512.10 | UTILITY MAINT | TMRS | 25,584 | 336 | \$ 25,920 | FY24-25 COMPENSATION STUDY |
| 501 | 55134 | 521.01 | WWTP | SALARIE & WAGES | 184,230 | 596 | \$ 184,826 | FY24-25 COMPENSATION STUDY |
| 501 | 55134 | 512.05 | WWTP | SOCIAL SECURITY | 14,094 | 46 | \$ 14,140 | FY24-25 COMPENSATION STUDY |
| 501 | 55134 | 512.10 | WWTP | TMRS | 11,201 | 35 | \$ 11,236 | FY24-25 COMPENSATION STUDY |
| | | | | | | | | |
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| | | | | | | | | |
| | | | NET INCREAS | E/(DECREASE) TO UNRESERVED FUND BALANCE | | (7,818) | | |

| Approvals: COUNCIL: | YES | <u>x</u> | NO | Entered: | |
|------------------------|-----|----------|----|-----------|--|
| City Manager | | | | Initials: | |
| Director of Finance | | | | Date: | |

Exhibit A-2 to Ordinance No. S-2-25 2024-2025 FY Budget Amendments mos\Ordinances\2025 Ordinances Passed and adopted 06-09-25 Recorded Vol. 3-I, Page _____

Amendment # PORT-001

CITY OF PORT LAVACA

Request For Approval of Budgetary Amendment Fiscal Year 2024-2025

| FUND: | PORTS AND HARBORS FUND - 504 | | | Required Balance | \$ 228,715.89 |
|--------------|------------------------------|----------------------------|-----------|------------------|------------------|
| | Unreserved Fun | d Balance at 10/01/2024 \$ | 3,225,727 | | |
| | Current S | urplus/Deficit in Budget | 284,779 | | |
| | Net Increase/ | Decrease) this Request | (131) | | |
| | Amended Ur | reserved Fund Balance \$ | 3,510,375 | | |
| | | | | | |
| Date Request | ed: 5/1/2025 | | | | |

| Account No. | | | | Original | Increase/ | Amended | | |
|-------------|-------|-----------|-------------|---|-----------|------------|------------|----------------------------|
| Fund | Dept. | Line-item | DEPT | Description | Budget | (Decrease) | Budget | Reason |
| | | | | | | | | |
| | | | | | | | | |
| 504 | 51000 | 521.01 | OPERATIONS | SALARIE & WAGES | 119,672 | 115 | \$ 119,787 | FY24-25 COMPENSATION STUDY |
| 504 | 51000 | 512.05 | OPERATIONS | SOCIAL SECURITY | 9,155 | 9 | \$ 9,164 | FY24-25 COMPENSATION STUDY |
| 504 | 51000 | 512.10 | OPERATIONS | TMRS | 7,276 | 7 | \$ 7,283 | FY24-25 COMPENSATION STUDY |
| | | | | | | | | |
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| | | | NET INCREAS | E/(DECREASE) TO UNRESERVED FUND BALANCE | | (131) | | • |

| Approvals: COUNCIL: | YES | x | NO | Entered: | |
|------------------------|-----|---|----|-----------|--|
| City Manager | | | | Initials: | |
| Director of Finance | | | | Date: | |

Exhibit A-3 to Ordinance No. S-2-25 2024-2025 FY Budget Amendments mos\Ordinances\2025 Ordinances Passed and adopted 06-09-25 Recorded Vol. 3-I, Page _____

CITY OF PORT LAVACA

Request For Approval of Budgetary Amendment Fiscal Year 2024-2025

Amendment # GF-005

3,850,947.95

FUND: GENERAL -001 Unreserved Fund Balance at 10/01/2024 \$ 3,563,345 Current Surplus/Deficit in Budget 1,273,834 Net Increase/(Decrease) this Request (25,500) Amended Unreserved Fund Balance \$ 4,811,679

Date Requested:

5/12/2025

| | Accou | nt No. | | | Original | Increase/ | Amended | |
|------|-------|-----------|-------------|--|----------|------------|-----------|-------------------------------------|
| Fund | Dept. | Line-item | DEPT | Description | Budget | (Decrease) | Budget | Reason |
| | | | | | | | | |
| 001 | 50320 | 533.19 | DEV SVCS | DEMOLITION SERVICES | 50,000 | 25,500 | \$ 75,500 | ADDITIONAL DEMOLITION FOR RANDLE ST |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| | | | NET INCREAS | SE/(DECREASE) TO UNRESERVED FUND BALANCE | | (25,500) | | |

| Approvals: | |
|---------------------|------|
| COUNCIL: | YES |
| City Manager | AC |
| Director of Finance | Ball |



| Entered: | | |
|-----------|---|--|
| Initials: | - | |
| Date: | | |

Required Balance \$

Exhibit A-4 to Ordinance No. S-2-25 2024-2025 FY Budget Amendments mos\Ordinances\2025 Ordinances Passed and adopted 06-09-25 Recorded Vol. 3-I, Page _____

COMMUNICATION

SUBJECT: Consider First reading of an Ordinance (G-3-25) of the City of Port Lavaca amending the basic Traffic Control Devices Ordinance G-6-86, Section 3, by adding new street locations in Brookhollow Estates and Jade Bay Subdivisions; Repeal Clause and effective date. <u>Presenter is Colin Rangnow</u>

INFORMATION:



To: City Secretary Mandy Grant From: Chief Colin Rangnow Date: June 2, 2025 Subject: Agenda Item: Traffic Control Signage

The Port Lavaca Police Department requests approval from the City of Port Lavaca Council to add additional traffic control signage (Stop Signs) on Smith Rd. located within the city limits of Port Lavaca. Several citizens have voiced concern about the lack of traffic control in the area. I recommend implementing a traffic control signage at the following intersection:

Placement of a stop sign on the east side of the 500 block of Smith Rd @ 100 Jade Way and 100 Del Mar Dr.

Placement of a stop sign on the west side of the 600 block of Smith Rd @ 100 Jade Way and 100 Del Mar $\rm Dr$

Placements of said signage will produce a controlled intersection at 500/600 block of Smith Rd and 100 Jade Way and 100 Del Mar Dr. Traffic control signage (stop signs) have already been established at 100 Jade Way and 100 Del Mar Dr.

Chief Colin Rangnow

Port Lavaca Police Department

Section VIII. Item #19.

ORDINANCE #G-3-25

AN ORDINANCE AMENDING SECTION 3 OF THAT CERTAIN ORDINANCE DESIGNATING THE TYPE AND LOCATION OF TRAFFIC CONTROL DEVICES WITHIN THE CITY OF PORT LAVACA, PASSED AND APPROVED BY CITY COUNCIL THE 8TH DAY OF SEPTEMBER, 1986, AND RECORDED IN CITY COUNCIL MINUTE RECORDS, VOLUME "HH", PAGE 41, BY ADDING NEW STREET LOCATIONS TO SAID ORDINANCE IN SAID SECTION 3; REPEALING CLAUSE AND EFFECTIVE DATE.

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

SECTION I: Section 3 of the Ordinance designating the type and location of traffic control devices within the City of Port Lavaca, passed and approved by City Council on the 8th day of September, 1986, and recorded in City Council Minute Records, Volume "HH", page 41, is hereby amended by adding the following locations for traffic control devices:

Brookhollow Estates and Jade Bay Subdivisions

Smith Road @ 100 Jade Way and 100 Del Mar Drive

STOP Sign

Signage placed on the east side of the 500 block of Smith Road @ 100 Jade Way and 100 Del Mar Dr.

Smith Road @ 100 Jade Way and 100 Del Mar Drive

<u>STOP Sign</u>

Signage placed on the east side of the 600 block of Smith Road @ 100 Jade Way and 100 Del Mar Dr.

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

SECTION III. The effective date of this ordinance shall be when passed and approved by City Council, and traffic control signs, markings and devices are appropriately in place.

FIRST READING this 9th day of June, 2025

Jack Whitlow, Mayor

SECOND AND FINAL READING this 14th day of July, 2025

Jack Whitlow, Mayor

ORDINANCE #G-3-25 Traffic Control Devices_Brookhollow Estates_Jade Bay SD mos\Ordinances\2025 Ordinances Passed and Adopted 07-14-25 Recorded Vol. 31 Page Page 1 of 2

APPROVED AND ADOPTED this 14th day of July, 2025.

Jack Whitlow, Mayor

ATTEST:

Mandy Grant, City Secretary

APPROVED AS TO FORM:

Anne Marie Odefey, City Attorney

RECORD OF VOTE

First Reading Second and Final Passed and Approved

Councilman Aguirre Councilman Dent Councilman Tippit Councilwoman Padron Councilwoman Bland-Stewart Councilman Burke

Record of approval by City Council: City Council Minute Records, Volume 3I, Page

Amends G-6-86

Page 2 of 2

COMMUNICATION

SUBJECT: Consider First reading of an Ordinance (G-4-25) of the City of Port Lavaca amending the Ordinance codified and described in the City of Port Lavaca's Code of Ordinances as Part II, Chapter 34 Peddlers, Solicitors, Itinerant Vendors, Garage Sales and Mobile Food Units; Chapter 36 Signs; and adding Chapter 35 Garage Sales; providing for purpose of ordinance, providing for severability; providing a repealing clause; and providing an effective date. <u>Presenter is Derrick Smith</u>

INFORMATION:

Section VIII. Item #20.

CITY OF PORT LAVACA

| MEETING: | June 09, 2025 | AGENDA ITEM |
|--|--|---------------------|
| DATE: | 06.3.2025 | |
| TO: | HONORABLE MAYOR AND CITY | COUNCIL |
| FROM: | DERRICK SMITH, DEVELOPMEN | T SERVICES DIRECTOR |
| SUBJECT: SOLICITORS, ITINE Sec. 34-2 (e) | Consider proposed amendment to Ch RANT VENDORS, GARAGE SALE | 1 |

• As discussed in the April 30th workshop, the purpose of the proposed amendment to the Code of Ordinances is to better regulate Garage Sale signs that are being placed and abandoned throughout the city. Currently, there is not any penalty for signs that are not picked up after a sale. Therefore, it has been a burden and a lot of time is being spent for code enforcement to remove the signs.

During the workshop, there were three different options discussed regarding the enforcement of Garage Sales.

Attached are the three options for the council to consider for adoption.

Attachments:

• Proposed Garage Sale Ordinances
ORDINANCE #G-4-25

AN ORDINANCE OF THE CITY OF PORT LAVACA AMENDING THE ORDINANCE CODIFIED AND DESCRIBED IN THE CITY OF PORT LAVACA'S CODE OF ORDINANCES AS PART II, CHAPTER 34 PEDDLERS, SOLICITORS, ITINERANT VENDORS, GARAGE SALES AND MOBILE FOOD UNITS; CHAPTER 36 SIGNS; AND ADDING CHAPTER 35 GARAGE SALES; PROVIDING FOR PURPOSE OF ORDINANCE, PROVIDING FOR SEVERABILITY; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Purpose.

The attached Exhibit A document identifies amendments that are to be made to various Sections of Chapter 34, Chapter 36, and the addition of Chapter 35 of the City of Port Lavaca's Code of Ordinances. Text that remains unchanged will be in black-colored letters, text that is new will be identified by red-colored underlined letters and all text to be deleted will be identified as blue-colored letters with strikethroughs.

Section 2. Severability.

It is specifically declared to be the intention of the City Council that sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and if phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or invalid by the valid judgment of decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any unconstitutional or invalid phrase, clause, sentence, paragraph or sections.

Section 3. Repeal.

All ordinances or parts of ordinances conflicting with or not consistent with the provisions of this article are hereby repealed; provided that such repeal shall be only to the extent of such inconsistency or conflict, and in all respects, this article shall be cumulative of all other ordinances of the City of Port Lavaca regulating and governing the subject matter covered in this ordinance. Any cause of action accruing prior to the passage of this article shall continue as if this ordinance was not passed or any other ordinance had not been repealed.

Section 4. Effective Date

THAT this ordinance shall become effective on the date of its passage.

FIRST READING this 9th day of June, 2025

Jack Whitlow, Mayor

Page 1 of 2

SECOND AND FINAL READING this 14th day of July, 2025

Jack Whitlow, Mayor

APPROVED AND ADOPTED this 14th day of July, 2025.

Jack Whitlow, Mayor

ATTEST:

Mandy Grant, City Secretary

APPROVED AS TO FORM:

Anne Marie Odefey, City Attorney

RECORD OF VOTE

First Reading Second and Final Passed and Approved

Councilman Aguirre Councilman Dent Councilman Tippit Councilwoman Padron Councilwoman Bland-Stewart Councilman Burke

Record of approval by City Council: City Council Minute Records, Volume 3I, Page _____.

EXHIBIT A

Chapter 34 - PEDDLERS, SOLICITORS, ITINERANT VENDORS, GARAGE SALES AND MOBILE FOOD UNITS

Sec. 34-2. - Prohibited acts.

(e) It shall be unlawful for any person to have a garage sale without first applying for and obtaining a permit from the city, this shall apply to nonprofit organizations as well. Permits must be displayed in a prominent place for the public and any police officer or code enforcement officer to see. It shall be unlawful for a person to use any signs other than the set of three signs issued by the city. These signs may be placed at either end of the block in which the person resides, with the written permission of property owner, and one in the person's yard. These signs are exempt from chapter 36.

(Ord. No. G-1-06, § 2, 2-13-2006; Ord. No. G-9-06, § 1, 9-11-2006)

OPTION # 1

Chapter 36 - SIGNS

Sec. 36-7. - Temporary signs.

(g) Garage Sale Signs shall conform to the following:

- (1) Such signs shall not be placed in public right-of ways.
- (2) Such signs shall not be placed no more than one (1) day prior to permitted sale.

(3) Such signs shall be no larger than six (6) square feet.

(4) Such signs shall removed no later than one (1) day after the permitted date.
(5) Permit not required.

(Ord. No. G-5-05, § 7, 6-27-2005; <u>Ord. No. G-2-23</u>, § 1(Exh. A), 6-12-2023; Ord. No. G-5-05, § 7, 6-27-2005; <u>Ord. No. G-3-23</u>, § 1(Exh. A), 6-12-2023)

OPTION # 2

Chapter 34 - PEDDLERS, SOLICITORS, ITINERANT VENDORS, GARAGE SALES AND MOBILE FOOD UNITS

Sec. 34-2. - Prohibited acts.

(e) It shall be unlawful for any person to have a garage sale without first applying for and obtaining a permit, accompanied with a refundable deposit that shall be retained by the city from the city, this shall apply to nonprofit organizations as well. Permits must be displayed in a prominent place for the public and any police officer or code enforcement officer to see. It shall be unlawful for a person to use any signs other than the set of three signs issued by the city. These signs may be placed at either end of the block in which the person resides, with the written permission of property owner, and one in the person's yard. Signs shall be returned within two (2) days after the ending permit date. Failure to return all issued signs by the city will result in forfeiture of deposit. Permit fees and deposit are as scheduled in Appendix A – Fees, Rates, and Charges. These signs are exempt from chapter 36.

(Ord. No. G-1-06, § 2, 2-13-2006; Ord. No. G-9-06, § 1, 9-11-2006)

Exhibit A to Ordinance #G-4-25 PL Code: CH 34 Sec. 34-2. - Prohibited acts, CH 36 Signs, CH 35 Garage Sales Passed and Adopted 07-14-25 Recorded Vol. 31, Page

OPTION # 3

Chapter 35- Garage Sales

Sec. 35-1.- Purpose

This article specifically seeks to achieve the following goals:

- (1) <u>To protect residential areas from the permanent encroachment of commercial uses;</u>
- (2) <u>To limit the proliferation of unsightly signs and signage structures;</u>
- (3) <u>To protect the aesthetic qualities of neighborhoods;</u>
- (4) <u>To ensure the harmonious and orderly operation of garage sales in residential areas;</u> <u>and</u>
- (5) To provide a means to assist garage sale permittees in the promoting of their sales.

Sec. 35-2.- Definitions.

The following words, terms and phrases, when used in this article, shall have the meaning defined as follows, except where the context clearly indicates a different meaning:

<u>Charitable/nonprofit organization</u>. An organization qualifying as nonprofit under section 501(c) of the federal Income Tax Code or the Texas Nonprofit Corporation Act.

Garage sale. An organized sale for the purpose of disposing of tangible personal property that is open or advertised to the public, conducted from or at a residence (single-family, duplex or apartment) or within any residential area, and includes the sale of more than five (5) specific items of tangible personal property.

Garage sale operator. Any person with a permit issued by the city to operate a garage sale.

Person. Includes individuals, partnerships, voluntary associations and corporations.

<u>Personal property.</u> Property which is owned, utilized, and maintained by an individual or members of his or her residence and acquired in the normal course of living in or maintaining a residence.

<u>Residence</u>. Any single-family structure or multifamily complex, which may be owned, rented or leased.

Exhibit A to Ordinance #G-4-25 PL Code: CH 34 Sec. 34-2. - Prohibited acts, CH 36 Signs, CH 35 Garage Sales Passed and Adopted 07-14-25 Recorded Vol. 31, Page

Page 3 of 6

Sec. 35-3.-Permit required.

It shall be unlawful for any person to advertise, operate or participate in the operation of a garage sale without first obtaining the proper permit from city hall.

Sec.35-4.-Application for permit; fee.

(a) <u>An application for a garage sale operator's permit shall be made upon forms</u> provided by city hall.

(b) The application shall contain the date(s), location (street address), hours of operation of the garage sale and any other information that may be reasonably required by the city.

(c) Only the owner or lessee of the residential property upon which the garage sale is being conducted may obtain such permit.

(d) Before issuance of a permit, the applicant shall provide proof of address (driver's license, utility bills or other identification) and any other pertinent information as may be reasonably required by the city. Upon verification and compliance with provisions of this article, and payment of the proper fee, the applicant will be issued a permit for a garage sale by the city.

(e) By making application for such garage sale permit, accepting said permit and conducting such sale, the owner or lessee of the property to whom such permit is granted authorizes any officer of the city to enter upon the property for the purpose of determining that such sale is being conducted in accordance with the provisions of this article.

(f) An applicant shall pay an operator's fee in the amount established by city council for each permit issued.

(g) An applicant may obtain a permit between the hours of 8 a.m. and 5 p.m., Monday through Friday.

(h) Outdoor advertising and informational signage for permitted garage sales shall be limited to the criteria in Sec. 35-11.-Signs. Each sign displayed in public must contain the permit number and permit date(s).

Sec. 35-5.-Restrictions on merchandise.

New personal property or merchandise purchased for resale or obtained by consignment for sale may not be sold at a garage sale.

Exhibit A to Ordinance #G-4-25 PL Code: CH 34 Sec. 34-2. - Prohibited acts, CH 36 Signs, CH 35 Garage Sales Passed and Adopted 07-14-25 Recorded Vol. 31, Page

Page 4 of 6

Sec.35-6.-Duration of sale.

All permits covered by this article shall continue in full force from the date specified on the permit. Each garage sale shall not exceed four (4) consecutive days.

Sec.35-7.-Number of permits limited.

The city shall issue one (1) permit for each garage sale. Permits may be issued to a residence no more than two (2) times per calendar year. Subsequent garage sale permits may not be issued sooner than sixty (60) days after the first.

Sec.35-8.-Transfer of permit.

No permit covered by this article shall be transferable, nor shall a permit holder allow his name to be used by any other party for the purposes of operating a garage sale.

Sec.35-9.-Hours.

An applicant having a valid permit may operate a garage sale between the hours of 7:00 a.m. and 6:00 p.m.

Sec.35-10.-Sale of food items prohibited.

Food items shall not be sold under authority of a garage sale permit.

Sec. 35-11.-Signs.

(a) No signs shall be exhibited more than one (1) day prior to the sale, and shall be removed upon expiration of the garage sale permit. The person or persons exercising ownership or leasehold rights over property on which a garage sale is held or advertised to be held shall be presumed to have placed and exhibited the sign advertising the garage sale that identifies the person's address or location at which the garage sale is to be held. This presumption may be rebutted by evidence to the contrary.

(b) One garage sale sign with the permit number affixed on its face shall be displayed on the applicant's property visible no more than four (4) feet from the curbline or nearest edge of the paved portion of the nearest street or right-of-way.

(c) Garage sale signs may not be posted on city property, or on private property without the express permission of the property owner. Garage sale signs shall not be mounted upon or attached to any utility pole, traffic sign or street sign or other public device or structure. Signs must be securely staked or otherwise secured. Garage sale signs may not be placed

Page 5 of 6

in the right-of-way of any highway, street, alley or railroad. Signs may not project over such rights-of-way.

(d) A garage sale operator shall remove all signs within 24 hours after expiration of the garage sale permit. Violators of this section are subject to a fine not to exceed fifty dollars (\$50.00) for each day past the deadline for removing signs.

(e) Signs giving notice of or advertising garage sales shall not exceed four square feet $(2' \times 2')$ in face area. They may not be illuminated.

Sec. 35-12.-Exception for churches and charitable or nonprofit organizations.

Any church or charitable or nonprofit organization may hold a maximum of six (6) garage sales per year, provided:

- (1) <u>The church or organization does not hold more than one (1) garage sale per month.</u>
- (2) <u>The sale must be conducted on the church's or organization's property.</u>
- (3) <u>A member of the church or organization, authorized to represent it, must register</u> with the city. No fee will be charged for registration.
- (4) <u>None of the net earnings of a garage sale shall inure to a shareholder or other</u> <u>individual</u>

COMMUNICATION

SUBJECT: Consider First reading of an Ordinance (G-5-25) of the City of Port Lavaca amending the Ordinance codified and described in the City of Port Lavaca's Code of Ordinances as Part II, Chapter 12 Buildings and Building Regulations, Addition of New Article V Building and Standards Commission; providing for purpose of ordinance, providing for severability; providing a repealing clause; and providing an effective date. <u>Presenter is Derrick Smith</u>

INFORMATION:

Section VIII. Item #21.

CITY OF PORT LAVACA

| MEETING: | June 09, 2025 | AGENDA ITEM |
|-----------------|---|-------------|
| DATE: | 06.3.2025 | |
| TO: | HONORABLE MAYOR AND CITY COUNCIL | |
| FROM: | DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR | |
| SUBJECT: | Consider proposed amendment to Ch Regulations to adopt Article V. – Bu | |

• As discussed in the April 30th workshop, the purpose of the proposed amendment to the Code of Ordinances is to establish by ordinance a Building and Standards Commission to hold public hearings regarding alleged violations of the city's building and technical codes.

During the workshop, there were two different options discussed regarding the request for a rehearing by an aggrieved party.

Attached is the recommended ordinance to be considered for adoption. The approved option would be by policy only. The council may reconsider the rehearing policy at a later date without revising the ordinance.

Attachments:

• Proposed Building and Standards Ordinance

ORDINANCE #G-5-25

AN ORDINANCE OF THE CITY OF PORT LAVACA AMENDING THE ORDINANCE CODIFIED AND DESCRIBED IN THE CITY OF PORT LAVACA'S CODE OF ORDINANCES AS PART II, CHAPTER 12 BUILDINGS AND BUILDING REGULATIONS, ADDITION OF NEW ARTICLE V BUILDING AND STANDARDS COMMISSION; PROVIDING FOR PURPOSE OF ORDINANCE, PROVIDING FOR SEVERABILITY; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Purpose.

The attached Exhibit A document identifies amendments that are to be made to various Sections of Chapter 12 of the City of Port Lavaca's Code of Ordinances. Text that remains unchanged will be in black-colored letters, text that is new will be identified by red-colored underlined letters and all text to be deleted will be identified as blue-colored letters with strikethroughs.

Section 2. Severability.

It is specifically declared to be the intention of the City Council that sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and if phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or invalid by the valid judgment of decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any unconstitutional or invalid phrase, clause, sentence, paragraph or sections.

Section 3. Repeal.

All ordinances or parts of ordinances conflicting with or not consistent with the provisions of this article are hereby repealed; provided that such repeal shall be only to the extent of such inconsistency or conflict, and in all respects, this article shall be cumulative of all other ordinances of the City of Port Lavaca regulating and governing the subject matter covered in this ordinance. Any cause of action accruing prior to the passage of this article shall continue as if this ordinance was not passed or any other ordinance had not been repealed.

Section 4. Effective Date

THAT this ordinance shall become effective on the date of its passage.

FIRST READING this 9th day of June, 2025

Jack Whitlow, Mayor

Page 1 of 2

SECOND AND FINAL READING this 14th day of July, 2025

Jack Whitlow, Mayor

APPROVED AND ADOPTED this 14th day of July, 2025.

Jack Whitlow, Mayor

ATTEST:

Mandy Grant, City Secretary

APPROVED AS TO FORM:

Anne Marie Odefey, City Attorney

RECORD OF VOTE

First Reading Second and Final Passed and Approved

Councilman Aguirre Councilman Dent Councilman Tippit Councilwoman Padron Councilwoman Bland-Stewart Councilman Burke

Record of approval by City Council: City Council Minute Records, Volume 3I, Page _____.

Chapter 12 - BUILDINGS AND BUILDING REGULATIONS

ARTICLE V. - BUILDING AND STANDARDS COMMISSION

Sec. 12-320. - Authority shared with city council.

The city council may act as the building and standards commission and exercise all authority granted to the building and standards commission under this division including, without limitation, holding public hearings regarding alleged violations of the city's building and technical codes.

Sec. 12-321. - Membership; vacancies; rules; meetings.

- (a) Regular member panels. The building and standards commission shall consist of one or more five-member panels to be appointed for terms of two years. As near as practical, members shall be qualified in one or more of the fields of fire prevention, building construction, sanitation, health, and public safety.
- (b) Alternate members. The city council may appoint eight or more alternate members to serve in the absence of one or more regular members when requested to do so by the city manager. The alternate members serve for the same term and are subject to removal in the same manner as regular members. A vacancy is filled in the manner as a vacancy is filled among the regular members.
- (c) Removal; filling vacancies. The city council may remove a commission member for cause on a written charge. Before a decision regarding removal is made, the city council must hold a public hearing on the matter if requested by the commission member subject to the removal action. A vacancy shall be filled for the unexpired term.
- (d) Rules of order; appointment of officers. A majority of the entire commission shall establish rules of order and the appointment of at least a chairperson, vice-chairperson, and secretary and duties thereof. The rules of order shall be in compliance with the provisions of this division.
- (e) Meetings; oaths; authority to compel attendance of witnesses. Meetings of the commission shall be held at the call of the chairperson and at other times as determined by the commission. All meetings held by the commission shall be open to the public. Each chairperson of a panel, or in his absence, the acting chairperson, may administer oaths and compel the attendance of witnesses.
- (f) Minutes and other records. The commission shall keep minutes of its proceedings showing the vote of each member on each question or the fact that a member is absent or fails to vote. The commission shall keep records of its examinations and

other official actions. The minutes and records shall be filed immediately in the office of the commission as public records.

Sec. 12-322. - Powers and duties generally.

The commission is authorized to hold public hearings to determine compliance with, or alleged violations of, city building and technical codes, including minimum property maintenance requirements. The commission shall also hear appeals from persons aggrieved by orders or decisions of city officials made in enforcement of this chapter. The commission may further make recommendations to the city council as to any needed modifications, amendments, and changes in this chapter, and shall carry out such other duties as may be required from time to time by the city council or state law.

Sec. 12-323. - Hearing authority and procedure.

- (a) Minimum number of members in review panel. All cases heard by the commission may be heard by any panel, but at least four members of any panel must hear a case.
- (b) Concurring vote of four members required. The concurring vote of four members of the commission is necessary to take any action under this article and any other ordinance under its jurisdiction adopted by the city.
- (c) Code enforcement official must appear at hearing. The code enforcement official shall present all cases initiated by the city to be heard by the commission.
- (d) Evidence, testimony and defense. There shall be provided ample opportunity at the public hearing for the presentation of evidence or testimony by respondents, persons opposing charges, and the code enforcement official relating to alleged violations of this chapter.
- (e) Time and method of giving notice of hearing. Notice of all proceedings before the commission must be given:
 - (1) By certified mail, return receipt requested, to the record owners of the property affected, and each holder of a recorded lien against the affected property, as shown by the records in the office of the county clerk of the county in which the affected property is located if the address of the lienholder can be ascertained from any applicable instruments on file in the office of the county clerk;
 - (2) To all unknown owners, by posting a copy of the notice on the front door of each improvement situated on the affected property, or as close to the front door as practical; and

(3) By publication in a newspaper of general circulation within the city on one occasion.

The notice shall be mailed, published, and posted on or before the tenth day before the date of the hearing before the commission and must state the date, time, and place of the hearing.

- (f) Filing copy of notice in official real property records. The commission may file notice of a proceeding before a commission panel in the official public records of real property in the county in which the affected property is located. The notice must contain the name and address of the owner of the affected property if that information can be determined from a reasonable search of the instruments on file at the office of the county clerk, a legal description of the affected property, and a description of the proceeding. The filing of the notice is binding on subsequent grantees, lienholders, or other transferees of an interest in property who acquire such interest after the filing of the notice and constitutes notice of the proceeding on any subsequent recipient of any interest who acquires such interest after the filing of the notice.
- (g) Final determination by commission. The commission may:
 - (1) Declare a structure or premises substandard, dangerous, or otherwise in violation of this chapter.
 - (2) Order an unsafe condition be abated, vacated, secured, repaired, removed or demolished within a fixed period.
 - (3) Order, in appropriate cases, the immediate abatement, vacation, securing, repairing, removal, or demolition of the unsafe condition, the entry onto private property to secure such abatement if it is determined that conditions exist on the property that constitutes a violation of this article or any other ordinance within its jurisdiction, and order action to be taken as necessary to remedy, alleviate, or remove any unsafe structure found to exist.
 - (4) Issue orders or directives to any peace officer of the state, including a sheriff or constable or the chief of police of the city, to enforce and carry out the lawful orders or directives of the panel.
 - (5) Determine the amount and duration of the civil penalty the city may recover as provided in this article.
- (h) Notice of final determination. The commission shall:

- (1) Promptly send by first class mail, certified return receipt requested, a copy of any final decision and order to all persons to whom notice is required to be sent under this section; and
- (2) Publish an abbreviated copy of the order one time in a newspaper of general circulation in the city, within ten calendar days after the date of the mailing of the copy as required in this section, including street address or the legal description of the property, the date of hearing, a brief statement indicating the results of the order, and instructions stating where a complete copy of the order may be obtained. A copy shall be filed in the office of the city secretary.
- (i) Effect of final determination; civil penalties. A determination made under this article is binding and constitutes prima facie evidence of the penalty in any court of competent jurisdiction in a civil suit brought by the city for final judgment in accordance with the established penalty. To enforce any civil penalty under this article, the city secretary must file with the district clerk of the county in which the city is located a certified copy of the order of the commission panel establishing the amount and duration of the penalty. No other proof is required for a district court to enter final judgment on the penalty. If no appeals are taken from the decision of the commission panel within the required period, the decision of the commission panel is, in all things, final and binding.
- (j) Rehearing and reconsideration; stay of proceedings. Any owner, lienholder, or mortgagee of record jointly or severally aggrieved by any decision or order of a commission panel may request a single rehearing of the case by a second, existing, duly appointed commission panel, or if no such panel exists, the same may request reconsideration from the first panel. The request must be in writing, addressed to the commission, specifying the grounds for the request, and received by the commission or postmarked on or before the tenth day after the mailing of the notice required under this article. The rehearing or reconsideration panel shall consider the grounds for the request for rehearing or reconsideration and may approve or deny the request. Only the approval of the request for rehearing or reconsideration stays all other proceedings.
- (k) Appeal. After a final decision of the commission under this article, any owner, lienholder, or mortgagee of record remaining jointly or severally aggrieved by the final decision of the commission may appeal the decision to a court of competent jurisdiction in accordance with state law.

Sec. 12-324. - Parties against whom judgment is issued; standing to challenge judgment.

An abstract of judgment shall be issued against all parties found to be owners of the subject property or in possession of that property. A lienholder does not have standing to bring a proceeding under this article on the ground that the lienholder was not notified of the proceedings before the commission panel or was unaware of the condition of the property, unless the lienholder had first appeared before the commission panel and entered an appearance in opposition to the proceedings.

Sec. 12-325. - Alternative authority for city to proceed in municipal court.

This article does not affect the ability of the city to proceed under the jurisdiction of the municipal court.

OPTION #1:

An owner, lienholder, or mortgagee of record may request a single rehearing by a 2nd panel.

If no 2nd panel exists, then the request will be reconsideration from the 1st panel.

Written request specifying grounds for request received within ten (10) days after final notice is mailed.

The panel may approve or deny the request.

THE 2ND PANEL MAY CONSIST OF THE CITY COUNCIL.

OPTION #2:

An owner, lienholder, or mortgagee of record may appeal the decision to district court.

Petition must be received within thirty (30) calendar days after final notice is mailed.

NO FURTHER ACTION REQUIRED BY THE COMMISSION UNLESS ORDERED BY DISTRICT COURT.

COMMUNICATION

SUBJECT: Consider First reading of an Ordinance (G-6-25) of the City of Port Lavaca amending the Ordinance codified and described in the City of Port Lavaca's Code of Ordinances as Part II, Addition of New Chapter 56 Zoning; providing for purpose of ordinance, providing for severability; providing a repealing clause; and providing an effective date. <u>Presenter is</u> <u>Derrick Smith</u>

INFORMATION:

CITY OF PORT LAVACA

| MEETING: | June 09, 2025 | AGENDA ITEM | |
|---|--|---------------------------------|--|
| DATE: | 06.03.2025 | | |
| TO: | HONORABLE MAYOR AND CITY COUNCIL | | |
| FROM: | DERRICK SMITH, DEVELOPMENT SERVICES DIRECTOR | | |
| SUBJECT: | Consider proposed amendment to the | e City of Port Lavaca's Code of | |
| Ordinances to adopt CHAPTER 56 - ZONING | | | |

As provided to the council prior to the May 12th meeting, the attached proposed amendment to the Code of Ordinances is to establish by ordinance a zoning ordinance.

The adoption of the zoning ordinance not only contributes to the implementation of the city's comprehensive plan but, "zoning protects property values, promotes desirable neighborhoods, and contributes to the overall quality of life by enhancing aesthetics and reducing nuisances." (pg 59 in City of Port Lavaca Comprehensive Plan)

Attached is the proposed zoning ordinance for council's consideration.

Attachments:

• Proposed Zoning Ordinance

ORDINANCE #G-6-25

AN ORDINANCE OF THE CITY OF PORT LAVACA AMENDING THE ORDINANCE CODIFIED AND DESCRIBED IN THE CITY OF PORT LAVACA'S CODE OF ORDINANCES AS PART II, ADDITION OF NEW CHAPTER 56 ZONING; PROVIDING FOR PURPOSE OF ORDINANCE, PROVIDING FOR SEVERABILITY; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

Section 1. Purpose.

The attached Exhibit A document identifies a new Chapter 56 of the City of Port Lavaca's Code of Ordinances. Text that remains unchanged will be in black-colored letters, text that is new will be identified by red-colored underlined letters and all text to be deleted will be identified as blue-colored letters with strikethroughs.

Section 2. Severability.

It is specifically declared to be the intention of the City Council that sections, paragraphs, sentences, clauses, and phrases of this ordinance are severable and if phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional or invalid by the valid judgment of decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any unconstitutional or invalid phrase, clause, sentence, paragraph or sections.

Section 3. Repeal.

All ordinances or parts of ordinances conflicting with or not consistent with the provisions of this article are hereby repealed; provided that such repeal shall be only to the extent of such inconsistency or conflict, and in all respects, this article shall be cumulative of all other ordinances of the City of Port Lavaca regulating and governing the subject matter covered in this ordinance. Any cause of action accruing prior to the passage of this article shall continue as if this ordinance was not passed or any other ordinance had not been repealed.

Section 4. Effective Date

THAT this ordinance shall become effective on the date of its passage.

FIRST READING this 9th day of June, 2025

Jack Whitlow, Mayor

Page 1 of 2

SECOND AND FINAL READING this 14th day of July, 2025

Jack Whitlow, Mayor

APPROVED AND ADOPTED this 14th day of July, 2025.

Jack Whitlow, Mayor

ATTEST:

Mandy Grant, City Secretary

APPROVED AS TO FORM:

Anne Marie Odefey, City Attorney

RECORD OF VOTE

First Reading Second and Final Passed and Approved

Councilman Aguirre Councilman Dent Councilman Tippit Councilwoman Padron Councilwoman Bland-Stewart Councilman Burke

Record of approval by City Council: City Council Minute Records, Volume 3I, Page _____.

Exhibit A

Chapter 56 – ZONING

ARTICLE I. - GENERAL PROVISIONS Sec. 56-1. - Short title.

This ordinance shall be known and may be cited as the "City of Port Lavaca Zoning Ordinance" or "this Ordinance".

Sec. 56-2. - Jurisdiction.

This Ordinance applies to all land within the regular municipal boundaries of Port Lavaca.

Sec. 56-3. - Purpose.

This Ordinance is adopted for the purpose of promoting the public health, safety and general welfare of the citizens of Port Lavaca. More specifically, this ordinance provides for the division of land into different districts that, in combination with regulations pertaining to such districts, are designed in accordance with the comprehensive plan to achieve objectives that include, but are not limited to, the following:

Promote the beneficial and appropriate development of all land and the most desirable use of land in accordance with the Port Lavaca Comprehensive Plan.

Protect the character and the established pattern of the Land Use District in each area;

Prevent or minimize future land use incompatibilities and conflicts among different land uses;

Maintain property values by stabilizing expectations and ensuring predictability in development;

Establish a process that effectively and fairly applies the regulations and standards of this Ordinance and respects the rights of property owners and the interests of citizens;

To enhance the scenic beauty, aesthetics of the planning jurisdiction; and

Preserve, protect, and maintain the environmental health of the community; in regards to air, water, soil, and light quality

Sec. 56-4. - Definitions.

Exhibit A to Ordinance #G-6-25 PL Code: CH 56 ZONING Passed and Adopted 07-14-25 Recorded Vol. 3I, Page

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning: *Accessory building* means:

- In a residential district, a subordinate building that is attached to or detached from the main building on the same lot or parcel of land, without separate utilities, not used for commercial purposes, and not rented which serves a purpose that is customarily associated with the principal use. Examples of accessory buildings include a washroom, a storage room for domestic storage only, and a space for one or more automobiles,
- 2) In other districts, a subordinate building, the use of which is incidental to and used only in conjunction with the main building on the same lot or parcel of land.

Accessory use means a use subordinate to the principal use of a building or lot and serving a purpose customarily incidental to the principal use.

Administrative Officer means the official appointed by the city manager to administrate and enforce this chapter.

Agent of owner means any person who can show certified written proof that he is acting for the property owner.

Apartment means a room or suite of rooms in an apartment house arranged, designed or occupied as a residence by a single family, individual or group of individuals.

Apartment house means any multiple-family dwelling or building, or portion thereof, that is designed, built, rented, leased, let or hired out to be occupied as three or more apartments or which is occupied as the home or residence of three or more families living independently of each other and maintaining separate cooking facilities.

Beginning of construction means the incorporation of labor and material within the foundation of the building.

Building means any structure having a roof supported by columns or walls, used or intended to be used for the shelter or enclosure of persons, animals, property, or business activity, and includes any structure used or intended to be used for supporting or sheltering a use or occupancy. When such a structure is divided into separate parts by one or more unpierced walls extending from the ground up, each part is deemed a separate building.

Building line means a line parallel or approximately parallel to a lot line or street line and beyond which buildings may not be erected.

Building, main, means a building in which is conducted the principal use of the site on which it is located. In any residential district, any and all dwellings shall be deemed to be main buildings on the site on which they are located.

Clinic, medical, means an institution or station for the examination and treatment of ill and afflicted out-patients.

Convalescent home means any structure used for or occupied by persons recovering from illness or suffering from the infirmities of old age.

Court means an open, unoccupied and unobstructed space, other than a yard, on the same lot with the building or group of buildings.

Coverage of a lot means the ratio of gross floor area of the first floor of a building or a group of buildings on the same lot to the area of the lot, expressed as a percentage.

Day nursery means a place where children are left for care between the hours of 7:00 a.m. and 6:00 p.m.

Detached structure means any building, accessory building or structure that is not physically attached to any other building or structure by any means.

District or *zoning district* means a portion of the territory of the city within which certain uniform resolutions and requirements or various combinations thereof apply under the provisions of this chapter.

Dwelling means a building which contains at least one dwelling unit, and used exclusively for residential purposes, but not including tents, trailers, recreational vehicles, or mobile homes.

Dwelling, duplex, means a dwelling designed for and used by two families, each having its own dwelling unit.

Dwelling, multiple-family, means a dwelling designed for and used by three or more families, each having its own dwelling unit.

Dwelling, single-family, means a dwelling designed for and used exclusively by one family.

Dwelling unit means a single unit providing complete, independent living facilities for one or more persons including provisions for living, sleeping, eating, cooking and sanitation, and in full compliance with the city's minimum housing standards.

Family means a person living alone, or two or more persons living together as a single housekeeping unit in a dwelling unit and in which not more than four individuals are unrelated by blood.

Floor area of a building means the sum of the gross horizontal areas of the several floors of a building, measured from the centerlines of exterior walls or from the centerline of walls separating two buildings in square feet.

Frontage means the total length of the line or curve of a lot boundary that is coterminous with a street right-of-way line. For corner lots, frontage may be calculated for each street.

Grade, existing, means the average level of the original surface of the ground adjacent to the exterior walls of the building.

Home Occupation means an activity carried on only by a resident member of a family, as an accessory use, meeting these conditions:

- 1) Only one non-illuminated sign no larger than four square feet in area is used.
- 2) Nothing is done to make the building appear in any way as anything but a dwelling.

Hotel/motel means a building or group of buildings, including either separate units or a row or rows of units that contain living or sleeping accommodations primarily for transient occupancy, and have individual entrances.

Lot includes the terms "plot" and "parcel" and means one piece, parcel or tract of land that collectively meets all the following requirements:

- 1) Is located in a single block;
- 2) Has frontage on an accepted and improved public street;
- 3) Is occupied or utilized or designated by its owner or developer to be occupied, developed or utilized as a unit for a principal use and uses accessory thereto, together with such open spaces as are required by this chapter; and
- 4) A plat of which has been recorded in the office of the county clerk.

Lot, area of, means the net area of the lot and shall not include portions of streets and alleys.

Lot depth means the mean horizontal distance between the front lot line and rear lot line of a zoning lot.

Lot line means a boundary of a lot.

Lot line, front, means the street right-of-way line at the front of a lot.

Lot line, rear, means the lot line opposite and most distant from the front.

Lot line, side, means a lot line which is not a front lot line or rear lot line. A side lot line separating a lot from a thoroughfare other than an alley is an exterior side lot line as opposed to an interior side lot line.

Lot width means the mean horizontal distance between the side lot lines of a lot.

Manufactured home means a HUD-Code manufactured home or a mobile home and collectively means and refers to both.

Manufactured home, HUD-Code, means a structure constructed on or after June 15, 1976, according to the rules of the federal department of housing and urban development transportable in one or more sections that, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length or, when erected onsite, is 320 or more square feet, and that is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the home's plumbing, heating, air conditioning, and electrical systems.

Manufactured home park means a tract of land, not less than three acres in size, under single or common ownership, that is designed and improved to contain five or more sites available for long-term lease or rent to the public for the placement of manufactured homes, and that may include private streets, buildings, and other facilities and services for common use by the residents, meeting all requirements of this chapter.

Mobile home means a structure that was constructed before June 15, 1976, transportable in one or more sections that, in the traveling mode, is eight body feet or more in width or 40 body feet or more in length or, when erected in site, is 320 or more square feet, and that is built on a permanent chassis and designed to be used as a dwelling with or without a permanent foundation when connected to the required utilities, and includes the home's plumbing, heating, air conditioning, and electrical systems.

Nursing home means any premises where more than three persons are lodged and furnished with meals and nursing care.

Open space means an area included in any side, rear or front yard or any other unoccupied space on a lot that is open and unobstructed to the sky.

Recreational vehicle means a vehicular-type portable structure without a permanent foundation that can be towed, hauled, or driven which is designed as a temporary living accommodation for recreational, camping, and travel use, and which includes, but is not limited to, travel trailers, truck-campers, camping trailers, and self-propelled motor homes. Except as provided in Chapter 12, for use in conjunction with a temporary event or business activity otherwise allowed, and not to exceed 30 days, or parked on a lot with an otherwise conforming residence or business, and located on the lot for not longer than 14 days, the use of a recreational vehicle as a dwelling, other than within a recreational vehicle park, is prohibited.

Recreational vehicle park means any parcel or tract of land, not less than three acres in size, under single or common ownership, that is designed and improved to provide two or more camping unit sites that are offered for the use of the public by rent or lease, and that may include private streets, buildings, and other facilities and services for common use by the residents, meeting all requirements of this chapter. Recreational vehicle park sites are designed and intended to accommodate recreational vehicles only.

Setback line means that line which is parallel to and the minimum allowable horizontal distance from a given point or line or reference, such as a lot line, to the minimum required building line.

Sexually oriented business means any business that includes a sex parlor, nude studio, modeling studio, love parlor, adult bookstore, adult movie theater, adult video arcade, adult movie arcade, adult video store, adult motel, or other commercial enterprise, the primary business of which is the offering of a service or the selling, renting, or exhibiting of devices or any other items intended to provide sexual stimulation or sexual gratification to the customer.

Sign means any structure or part thereof, or any device attached to, painted on or represented on a building or other structure, upon which is displayed or included any letter, work, model, banner, decoration, device, or representation used as, or which is in the nature of, an announcement, direction, advertisement, or other attention-directing device.

Sign, area of, means the total exterior surface computed in square feet of a sign having but one exposed exterior surface; the aggregate exposed exterior surface computed in square feet of a sign having more than one such surface.

Story means that portion of a building included between the surface of any floor and the ceiling next above it.

Street means any thoroughfare other than an alley.

Street line means a dividing line between a street right-of-way and an abutting lot, tract, or parcel of land.

Exhibit A to Ordinance #G-6-25 PL Code: CH 56 ZONING Passed and Adopted 07-14-25 Recorded Vol. 3I, Page

Structural alteration means any change in the structural members of a building, such as walls, columns, beams, or girders.

Structure means anything constructed, the use of that required permanent location on the ground or attachment to something having a permanent location on the ground.

Townhouse means a single-family dwelling constructed in a series or group of attached units with property lines separating each unit.

Townhouse, private yard, means an area of open space within a townhouse but which is unoccupied and unobstructed by any portion of a structure.

Trailer (including automobile trailer and trailer coach) means any vehicle or structure constructed in such a manner as to permit occupancy thereof as sleeping quarters or the conduct of any business, trade, or occupation or use as a selling, or advertising device, or use for storage or conveyance of tools, equipment, and machinery and so designed that it is or may be mounted on wheels and used as a conveyance on highways and streets, propelled or drawn by its own or other motor power.

Used and occupied include the phrase "intended, designed or arranged to be used or occupied."

Yard means an open, unoccupied space other than a court on the lot in which a building is situated that is unobstructed from the ground to the sky.

Yard, front, means an open, unoccupied space on a lot facing a street and extending across the front of a lot between the side yards and being the minimum horizontal distance between the street line and the main building.

Yard, rear, means an open space unoccupied and unobstructed extending across the rear of a lot from one side lot line to the other side lot line and being the minimum horizontal distance between the rear lot line and the main building.

Yard, required front, means an open space extending the full width of a lot between the front line and the front setback line, unoccupied and unobstructed from the ground upward except as otherwise specified elsewhere in this chapter.

Yard, required rear, means an open space extending the full width of the lot between the rear lot line and the rear setback line, unoccupied and unobstructed from the ground upward except as otherwise specified elsewhere in the chapter.

Yard, required side, means an open space extending from the minimum front yard setback line to the minimum rear yard setback line between the side yard setback line and the nearest side

lot line, unoccupied and unobstructed from the ground upward except as otherwise specified elsewhere in this chapter.

Yard, side, means an open, unoccupied space on the same lot with a building, situated between the building and side line of the lot, and extending through from the front yard to the required rear yard. Any lot line not the rear line or a front line shall be deemed a side line.

Zoning map, official, means the zoning map or maps of the city attested together with all amendments subsequently adopted.

Sec. 56-5. – Provisions of Chapter Declared to be Minimum Standards; Conflicts.

In interpreting and applying the provisions of this Ordinance, these provisions shall be held to be the minimum requirements for the promotion of the public safety, health, environment, convenience, comfort, morals, prosperity and general welfare. Wherever the requirements of this Ordinance are at variance with the requirements of any other lawfully adopted rules, regulations, or laws, including private deed restrictions and covenants, the more restrictive or that imposing the higher standards shall govern; however, the City shall have no obligation to review or enforce private deed restrictions or covenants.

Sec. 56-6. – Official Zoning Map.

- A. *Adoption by reference; certification required.* The City Council has divided the city into zones or districts as shown on the official zoning map that, together with all explanatory matter thereon, is adopted by reference into this section. The official zoning map shall be identified by the signature of the mayor, attested by the city clerk, and bearing the seal of the city under the following words: "This is to certify that this is the official zoning map of the city referred to in the official City Code."
- B. Changes to map. No changes of any nature shall be made on the official zoning map or matter shown thereon except in conformity with the procedures set forth in this chapter. Any unauthorized change is a violation of this chapter. If authorized changes are made in district boundaries or other matter portrayed on the official zoning map in accordance with the provisions of this chapter, such changes shall be made on the official zoning map promptly after the amendment has been approved by the City Council. The amending ordinance shall provide that such changes or amendments shall not become effective until they have been duly entered upon this official zoning map. The entry shall be signed by the mayor and attested by the city clerk.
- C. *Original map controlling over copies in the event of conflicts.* Regardless of the existence of purported copies of the official zoning map that may from time to time be made or

published, the official zoning map, located in the office of the city clerk, shall be the final authority as the current zoning status of land, building and other structures in the city.

D. Adoption of new zoning map. In the event that the official zoning map becomes damaged, destroyed, lost or difficult to interpret because of the nature or number of changes and additions, the City Council may by resolution adopt a new official zoning map which shall supersede the prior official zoning map. The new official zoning map may correct drafting or other errors or omissions in the prior official zoning map, but no such correction shall have the effect of amending the original, this chapter or any subsequent amendment thereof. The new official zoning map shall be identified by the signature of the mayor, attested by the city clerk, and bearing the seal of the city under the following words: "This is to certify that this official zoning map supersedes and replaces the official zoning map previously adopted by the city."

Sec. 56-7. - Compliance With These Regulations.

A. No land shall be used except for a purpose permitted in the district in which it is located.

B. No building shall be erected, reconstructed, moved or structurally altered or used for any purpose other than permitted in the district in which such building is located.

Sec. 56-8. - Effective Date.

The effective date of this Ordinance shall be TBD

Sec. 56-9. - Severability.

If any provision, section, sentence, clause or phrase of this Ordinance, or the application of same to any person or set of circumstances is, for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portions of this Ordinance shall not be affected thereby, it being the intent of the City Council in adopting this Ordinance that no portion hereof, or provisions or regulations contained herein, shall become inoperative or fail by reason of any unconstitutionality of any other portion hereof, and all provisions of this Ordinance are declared severable for that purpose.

Sec. 56-10. - Transitional Provisions.

A. Previously Approved Plats. Nothing in this Ordinance shall limit or modify the rights of any person to complete any subdivision project which has received prior plat approval under existing subdivision regulations in place at that time. Such project should otherwise meet at least one (1) of the following criteria:

1. Any subdivision created by plat and recorded before the effective date of this Ordinance and has remained undeveloped.

2. Plats that were recorded before the effective date of this Ordinance and development has commenced and is continuing in good faith.

3. A. complete application for preliminary plat and/or conceptual plan approval filed with the City prior to adoption of this Ordinance and any plat currently under review by the City before adoption of this Ordinance.

- B. Expired Plats. Expired plats shall conform to current City regulations and construction standards.
- C. Nothing in this Ordinance shall limit or modify the rights of any person to continue a use approved by City Council prior to the effective date of this Ordinance, subject to any and all of the conditions specified in such approval

Sec. 56-11---56-21. – Reserved.

ARTICLE II. - ZONING DISTRICTS AND USES

Sec. 56-22. - Division into zones and districts; plat; vacation of streets or alleys.

- A. Zoning districts and regulations as herein set forth are established. The city is hereby divided into two types of zones:
 - 1. R districts (Residential)
 - 2. C districts (Commercial/Industrial)
- B. The residential zones are further divided into the following specific districts:
 - 1. R-1 Single-Family District
 - 2. R-2 Two-Family District
 - 3. R-3 Multi-Family District Low Density
- C. The commercial zones are further divided into the following specific districts:
 - 1. B-1—Business.
 - 2. I-1, I-2—Industrial.

- D. The various districts include the following tracts, blocks, or parcels of land, as designated on the official zoning map and made a part hereof for any and all purposes.
- E. Whenever the council vacates a street or alley, the adjacent districts shall extend to the centerline of the vacation.

Sec. 56.23. - Minimum standards.

1. Use of premises and all buildings in the city shall be in accordance with the minimum standards herein established.

2. Yards, parking spaces, or lot areas required for one building cannot be used for another building; nor can the size of a lot be reduced below the requirements of this chapter.

Sec. 56-24. - Permitted uses.

Premises in the city shall be used for the following purposes:

- A. Property in the R1, R2 and R3 districts may be used only for:
 - 1. Single-family dwellings, specifically excluding manufactured homes.
 - 2. Accessory building for storage residential only and meeting all requirements of this chapter.
 - 3. Public parks and utilities.
 - 4. Any public building erected or used by the city, county, state or federal government.
 - 5. Schools; kindergarten, elementary, high, college and universities, public or denominational.
 - 6. Home occupations.
 - (a) Home occupations are limited to any occupation that is customarily carried on at a place of residence that does not involve a structural change in the dwelling unit or in a building accessory to the dwelling unit, that does not require the employment of help other than members of the immediate household. The occupation cannot store material, inventory, or product outside or result in fumes, odors or noises that create a nuisance. There is no sign other than one sign (non-illuminated), no larger than one square foot in area. The following uses shall not be permitted as home occupations unless approved as specific use permits:

(i) Any office in which chattels, goods, wares, or merchandise are commercially created, exchanged, or sold on site.

(ii) Barbershops or beauty shops; beauty schools.

(iii) Commercial stables or kennels.

(iv) Medical offices for the treatment of patients.

(v) Commercial automobile repairs, motor vehicle repair of more than one vehicle.

(vi) Small engine repair.

(vii) Childcare of more than six children under 14 years of age.

- B. In the R2 district, there may also be duplexes.
- C. In the R3 district, there may also be:
 - 1. triplexes and tiny homes;
 - 2. apartments, condominiums, townhouses, or other group dwellings with provisions for adequate light, air, open space and landscaped areas;
 - 3. Move-in area. Buildings from other areas may be moved into this district so long as the building passes the building code and is a conforming use for the area.
- D. Property in the commercial districts may be used for any legal business, as long as the uses are not obnoxious or offensive due to emission of noise, odor, dust, gas, vibration, or those requiring special permission as outlined in subsection (F) of this section.
- E. In the commercial districts, there may be any of the uses defined in this section except that:
 - 1. There may be no building for residential use and no trailers, except quarters for security personnel.
 - 2. A junkyard must be surrounded by a solid fence at least six feet high located within the building lines, and the junk shall not be piled higher than the fence.
- F. The following uses must be given council approval before a building or occupancy permit is issued:

- a. Acid manufacturing, cement, lime, gypsum, dairy products processing and manufacturing, explosives manufacturing or storage, fat rendering, fertilizer manufacturing, gas manufacturing, garbage, reduction or dumping, glue manufacturing, petroleum or its products, refining of or smelting of tin, copper, zinc or iron ores, stockyards or slaughter of animals or stables, and other items as council may approve by resolution.
- b. Before granting such special approval, the council shall refer the application to the fire chief, building inspector and the planning and zoning commission for investigation and report. If no report is received within 45 days, the council may act on the application.

Sec. 56-25. - Nonconforming uses.

- A. Nonconforming uses are those lawful uses of premises that do not conform with the requirements of this chapter on the effective date of the ordinance from which this chapter is derived or any governing amendment thereto and may be continued after the adoption of the ordinance from which this chapter is derived, subject to the provisions hereof.
- B. When a nonconforming use of a structure, or structure and premises in combination, is discontinued or abandoned for six consecutive months or for 18 months during any three-year period, the structure, or structure and premises in combination, shall not be used except in conformance with the regulations of the district in which it is located.
- C. A nonconforming use cannot be enlarged, extended, reconstructed or structurally altered unless changed to a conforming use.
- D. Nonconforming light industrial uses in the commercial districts may be rebuilt, reconstructed, structurally altered or enlarged if the enlargements do not total more than a 50 percent increase in cubical contents of buildings existing on the date of the passage of the ordinance from which this chapter is derived.
- E. If a nonconforming use is damaged or destroyed to an extent of more than 50 percent of its fair market value by a fire, explosion, flooding, or act of God, then any restoration must be for a permitted use.
- F. Passage of the ordinance from which this chapter is derived in no way legalizes any illegal uses existing at the time of its adoption.
- H. If any person entitled to possession and use of any property subject to any nonconforming use shall sell, convey or divest themselves of their interest in such property subsequent to the adoption of the ordinance from which this chapter is derived, then such property will not qualify under the nonconforming use provisions of this chapter.

- I. Where a lot is in a commercial district and is next to a residential district, the side or rear yard required in the residential district must be provided along the boundary line.
- J. In the commercial districts there may be more than one commercial or industrial building on a lot, provided that the required yards are maintained around the group of buildings.
- K. Those parts of existing buildings that violate yard regulations may be repaired and remodeled but not reconstructed or structurally altered, unless such reconstruction or structural alteration is approved by the Zoning Board of Adjustments.
- M. Churches, public buildings and institutions, when located in or abutting an R1, R2, or R3 district, shall provide front and rear yards of 25 feet and side yards of ten feet.

Sec. 56-26. - Accessory buildings.

Accessory buildings shall be located in accordance with the following rules:

- A. Accessory buildings located in a rear yard may not occupy more than 50 percent of the rear yard.
- B. Any accessory building closer than five feet to the main building shall be considered as part of the main unit and shall have a side and rear yard as required for the main building.
- C. An accessory building more than five feet from a main building may be erected within five feet of a side or rear lot line but must be located at least 50 feet from the front street line.

Sec. 56-27 --- 56-37. - Reserved.

ARTICLE III. – ADMINISTRATIVE AND ENFORCEMENT

DIVISION 1. – GENERALLY

Sec. 56-38. – Administrative Officer

- A. *Designated Officer.* The City Manager shall appoint the Administrative Officer of this Ordinance.
- B. *Powers and Duties.* The Administrative Officer or a designated person shall be responsible for the following powers and duties with regard to this Ordinance:
 - 1. Review and final action on pre-development permits, building permits, certificates of occupancy, and written interpretations of this Ordinance.

- 2. Review and make recommendations to the Planning and Zoning Commission on specific use permits, planned unit developments, subdivisions, text amendments to this Ordinance, and map amendments or re-zonings
- 3. The Administrative Officer may consult with the City Engineer, Building Official, Fire Chief, Public Works Director, Planner, Economic Development Director for the purpose of reviewing land development plans.
- 4. If the Administrative Officer finds that any of the provisions of this chapter are being violated, he shall notify in writing the person responsible for such violations, including the nature of the violation, and ordering the action necessary to correct it. He shall order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures or of additions, alterations, or structural changes thereto; discontinuance of any illegal work being done; or shall take any other action authorized by this chapter to ensure compliance with or to prevent violation of its provisions.
- 5. Any other powers and duties as may be assigned by the City Manager.

Sec. 56-39. - Complaints Regarding Violations.

Whenever a violation of this chapter occurs, or is alleged to have occurred, any person may file a written complaint. Such complaint stating fully the causes and basis thereof shall be filed with the Administrative Officer. He shall record properly such complaint, immediately investigate, and take action thereon as provided by this chapter.

Sec. 56-40. - Violations and penalties.

- A. Violation of the provisions of this chapter or failure to comply with any of its requirements shall be guilty of a Class C misdemeanor.
- B. The owner or tenant of any building, structure, premises, or part thereof, and any architect, builder, contractor, agent or other person who commits, participates in, assists in, or maintains such violation may each be found guilty of a separate offense and shall be guilty of a Class C misdemeanor.
- C. Nothing herein contained shall prevent the city from taking such other lawful action as is necessary to prevent or remedy any violation.

Sec. 56-41 --- 56-51. – Reserved.

DIVISION 2. – SPECIFIC USE PERMITS

Sec. 56-52. - Uses that may be subject of specific use permits.

The city council of the city may, after public hearing and proper notice to all parties affected, and after recommendation from the planning and zoning commission containing such
requirements and safeguards as are deemed necessary to protect adjoining property, authorized by ordinance the location of any of the following in the following specified districts:

- A. Airport, landing field or heliport in any district.
- B. Cemetery or mausoleum.
- C. Drive-in theater in any district, minimum lot size ten acres.
- D. Hospital, convalescent home, nursing home, retirement center, maternity home, boarding house, or similar uses in any district; or on a minimum of five acres, penal or correctional institution, jail, prison, substance abuse facility, social rehabilitation facility, halfway house, psychiatric care facility, or similar uses in any district.
- E. Veterinarian, Animal Hospital and Kennels
- F. Institutions of a religious or philanthropic nature in any district.
- G. Recreational Vehicle Parks

COMMUNICATION

SUBJECT: Consider request of the Public Works, Code Enforcement, Police and Fire Departments to declare vehicles and other miscellaneous items as surplus and authorize the disposal of said equipment. <u>Presenter is Colin Rangnow</u>

INFORMATION:

COUNCIL MEETING: JUNE 09, 2025

DATE: 06-03-2025

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

FROM: WAYNE SHAFFER, DIRECTOR OF PUBLIC WORKS

SUBJECT: SURPLUS ITEMS

Background:

The Public Works Department and Police Department would like to declare the following fleet vehicles as surplus. These vehicles have been replaced with new vehicles per the Enterprise Agreement authorized in 2021. Notably, CCISD is interested in the acquisition of three of the vehicles that are designated below; the fair market value for those vehicles is listed as well. I will be sending the list of the other vehicles to Enterprise for the market values this week. Additionally, there are items listed below from the fire department.

PUBLIC WORKS AND CODE ENFORCEMENT

| 1) | 2016 Ford utility police interceptor Vin #: 1FM5K8ARXGGD31838 | |
|----|--|-----------------------|
| 2) | 2014 Chevy Silverado Vin #: 1GCRCPEC8EZ171804 | |
| 3) | 2017 Chevy Silverado 1500 Vin #: 3GCPCNEC9HG217740 | (CHAMBER OF COMMERCE) |
| 4) | 2016 Chevy Silverado 2500HD Vin #: 1GB2CUEG9GZ124646 | (CCISD) |
| 5) | 2018 Chevy Silverado 1500 Vin #: 3GCPCNFC4JG226559 | |
| 6) | 2022 Chevy Silverado 2500HD Vin #: 1GB4WLE76NF301355 | (CCISD) |
| 7) | 2021 Chevy Silverado 1500 Vin #: 1GCPWAEH5MZ241362 | (CCISD) |

CITY OF PORT LAVACA

POLICE DEPARTMENT

The Port Lavaca Police Department requests approval from the Port Lavaca City Council to declare two Port Lavaca Police Department Administrative fleet vehicles as surplus and release to Enterprise Fleet for auction.

- 1) Unit 3611 2018 Chevrolet Malibu VIN #1G1ZC5ST3JF222350
- 2) Unit 3769 2020 Ford Fusion VIN #3FA6P0G77LR194593

Above mentioned are decommissioned and no longer used in day-to-day operations.

PORT LAVACA FIRE DEPARTMENT SURPLUS ITEMS 2025

ITEMS FROM ASSETS

- 1) Manitowoc Ice Machine #2990
- 2) 2011 18" Honda Fan/Blower #2496
- 3) Power Plant, Manifold & Hoses #1829

ITEMS NOT ON ASSET LIST

- 1) Murray 21" lawn mower
- 2) Murray 21" lawn mower
- 3) Johnson radio repeater
- 4) Radio duplexer
- 5) NorthStar 6500 diesel generator
- 6) Schumacher battery charger
- 7) Beseler Vu-Graph
- 8) Negative pressure electric fan
- 9) Amana washing machine
- 10) Amanda range
- 11) Whirlpool dishwasher
- 12) Campbell Hausfeld 13 gallon air compressor
- 13) Jobsmart 10 gallon air compressor
- 14) XRC winch
- 15) Mile Marker winch
- 16) Hale pump with Honda motor
- 17) Davey pump with Honda Motor
- 18) Vanguard pump
- 19) 1 1/2" single jacker 50' hose (37)
- 20) 1" single jacket 50' hose (9)

CITY OF PORT LAVACA

Financial Implications: None

Impact On Community Sustainability: None

Recommendation: Staff recommends declaration of surplus fleet vehicles and the listed Fire Department equipment as surplus and authorize City Manager to dispose of them in a reasonable manner.

COMMUNICATION

SUBJECT: Consider Memorandum of Understanding (MOU) between Texas Emergency Management Assistance Teams (TEMAT) Program Administrator and TEMAT Employee Member (Kateryna Thomas) and City of Port Lavaca/Employer, regarding participation in TEMAT Programs and authorize City Manager to execute MOU. <u>Presenter is Kateryna</u> <u>Thomas</u>

INFORMATION:

CITY OF PORT LAVACA

COUNCIL MEETING: JUNE 9, 2025

DATE: 06.05.2025

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: JODY WEAVER, INTERIM CITY MANAGER

SUBJECT: MOU with TDEM for TEMAT programs

Background:

Following Hurricane Harvey and recommendations from the 2018 <u>"Eve of the Storm" report</u> of the Governor's Commission to Rebuild Texas, the Disaster Recovery Task Force (DRTF) was developed through House Bill 6 from the 86th Legislative Session. The DRTF was established by TDEM in accordance with Texas Government Code Section 418.0553, "to operate throughout the long-term recovery period following natural and man-made disasters by providing specialized assistance for communities and individuals to address financial issues, available federal assistance programs, and recovery and resiliency planning to speed recovery efforts at the local level."

Today, the **Disaster Recovery Task Force** is one of many components of <u>TDEM's Incident Support Task</u> <u>Force</u>, consisting of <u>local government employees who deploy to assist other local jurisdictions</u> through the disaster recovery process.

Johnathan Esqivel is the ISTF Regional Coordinator with TDEM. He shared with me that TDEM is recruiting individuals from local jurisdictions to support their counterparts throughout Texas providing support to other emergency operations centers (EOCs) during disasters. The ISTF helps bridge response and recovery efforts. The task force has received positive feedback, not only from all over Texas, but also with regard to last year's out-of-state deployments to North Carolina. Their scope of work is determined by the needs of the particular EOC in need and the capabilities are determined by the variety of expertise. The ISTF is constantly looking to grow their bench of great individuals.

Recently both Kateryna Thomas and Wayne Shaffer showed interest in the ISTF and received the required training and were accepted as members. With the execution of the attached MOU between TDEM, the City and the employee, they will be available for deployment to other areas when needed and if their schedule allows.

- When a natural disaster occurs, if the effected EOC could benefit from the short-term assistance (typically 2 weeks +/-) of Wayne and/or Kateryna, the TDEM will let us know of this potential deployment.
- If the City of Port Lavaca is dealing with our own disaster or there are other things/projects going on that would suffer if Wayne or Kateryna were gone for a couple weeks, then the deployment would not occur. If however, their absence for this couple of weeks would be acceptable by both the City and the employee then the deployment will be initiated. Bottom line, the City does not have to agree to send the employee to any potential deployment, however if such a deployment would not be an undue

hardship on City operations, then the City of Port Lavaca, through this program, would be in a position to help other communities in their time of need. In addition, this program will be there to assist us in ur time of need when that occurs.

• All costs associated with the deployment, including travel, pay, benefits, food, lodging are reimbursed by FEMA, in accordance with the City's emergency pay policy and travel policy.

<u>Recommendation</u>: Authorize the City Manager to execute an MOU each for Wayne Shaffer and Kateryna Thomas.

More information is available at <u>https://www.tdem.texas.gov/recovery/incident-support-task-force</u> Or by emailing <u>Jonathan.esquivel@tdem.texas.gov</u>

Memorandum of Understanding Between [Texas Emergency Management Assistance Teams Program Administrator] And Texas Emergency Management Assistance Teams Employee Member And Participating Jurisdiction/Employer

This memorandum of understanding (MOU) is entered into this _____ day of _____, ___, and becomes effective the date of final signature, by and between the Texas Emergency Management Assistance Teams (TEMAT) state agency and/or nonprofit program administrator(s) the Texas Division of Emergency Management (TDEM), a member of The Texas A&M University System and agency of the State of Texas; the Texas A&M Engineering Extension Service (TEEX), a member of the Texas A&M University System and agency of the State of Texas; the Texas A&M University System and agency of the State of Texas; the Texas A&M University System and agency of the State of Texas; the Texas A&M University System and agency of the State of Texas; the Texas A&M University System and agency of the State of Texas; and ______ (member) and his/her employer, a TEMAT participating jurisdiction/employer, ______ (jurisdiction).

I. PURPOSE

To delineate responsibilities and procedures for TEMAT activities under the authority of Texas Government Code Chapter 418, Subchapter E-1 Texas Statewide Mutual Aid System, and the State of Texas Emergency Management Plan.

TEMAT programs in the table below are administered by the state agency administrators (administrators) also listed below:

| TEMAT Program | State Agency Program Administrator | Program Summary |
|--|---|---|
| Disaster Recovery Task Force | Texas Division of Emergency of Management (TDEM) | Provides support through multiple areas of expertise not listed below. |
| Public Works Response Team (PWRT) | Texas A&M Engineering Extension Service (TEEX) | Provides support for critical infrastructure systems |
| Texas A&M Task Force Search and Rescue Teams (TX-TF) | Texas A&M Engineering Extension Service (TEEX) | Provides search and rescue support through Texas A&M Task Force 1, Texas Task Force 2, and Texas A&M Task Force 1 Region 3 |

| All-Hazards Incident | Texas A&M Forest Service | Provides incident | Section VIII. | ltem #24. |
|-----------------------|--------------------------|-------------------|---------------|-----------|
| Management Teams | (TFS) | command post and | 1 | |
| (AHIMT) | | emergency operati | ons | |
| | | support | | |
| Texas Intrastate Fire | Texas A&M Forest Service | Provides wildland | and fire | |
| Mutual Aid System | (TFS) | department suppor | t | |
| (TIFMAS) | | | | |

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II. SCOPE

The provisions of this memorandum of understanding apply to TEMAT activities performed at the request of the State of Texas at the option of the participating jurisdiction/employer. These activities may be in conjunction with, or in preparing of, a local, state or federal declaration of disaster. The scope of this MOU also includes training activities sponsored by local jurisdictions and administrators to maintain TEMAT operational readiness.

III. PERIOD OF PERFORMANCE

This MOU commences on the date of the last signature and continues for a period of five (5) years unless terminated earlier in accordance with section VIII.B. of this MOU.

IV. DEFINITIONS

- A. <u>Administrator</u>: State agency and/or nonprofit administrative body participating in the program or administering the program on behalf of the State of Texas.
- B. <u>Backfill</u>: The assignment of personnel by a participating jurisdiction to meet their minimum level of staffing to replace a deployed TEMAT member.
- C. <u>Member</u>: An employee of a jurisdiction/employer who has been formally accepted into a TEMAT program and is in compliance with all program requirements (for both TEMAT overall and specific requirements for the program(s) for which they are a member and who has executed a separate individual agreement for their participation in a TEMAT program with the concurrence of their jurisdiction/employer.
- D. <u>Participating Jurisdiction/Employer (Jurisdiction)</u>: A TEMAT member's employer, which, by the execution of this MOU, has provided official approval of their employee's membership involvement with TEMAT.
- E. <u>Program</u>: One of the TEMAT programs listed in the above table and administered by a Texas state agency and/or nonprofit administrative body to provide assistance during an emergency event or disaster.
- F. <u>TEMAT</u>: Any response team administered by a state Jurisdiction of Texas to provide response assistance to local jurisdictions.

- G. <u>TEMAT Training and Exercises Jurisdiction Sponsored</u>: Training and/or performed at the direction, control, and funding of a participating jurisdiction in order to develop and maintain capabilities of the member and TEMAT.
- H. <u>TEMAT Training and Exercises Administrator Sponsored</u>: Training and/or exercises performed at the direction, control, and funding of the administrator. TEMAT sponsored training shall be coordinated prior to the event with TDEM and/or administrators to receive written authorization to conduct such training.
- I. <u>Disaster Recovery Task Force (DRTF)</u>: The section of TDEM responsible for maintaining all TEMAT program information to include but not limited to this MOU and the TEMAT Business and Operation Manual.
- J. <u>PIV-I</u>: Personal Identification Verification Interoperability card should be issued to all first responders.

V. **RESPONSIBILITIES**

- A. The DRTF shall be responsible for the following:
 - 1. Provide and maintain administrative and personnel management guidelines and procedures related to TEMAT and this MOU.
 - 2. Maintain, in coordination with administrators, a TEMAT Business and Operation Manual to provide standard operating procedures that are current and readily available to administrators, jurisdictions, and members.
 - 3. Provide training to members. Training shall be consistent with the objectives of the TEMAT program overall to include but not limited to State Operations Center functions, financial reimbursement, and other training.
 - 4. Work with administrators to ensure all administrative, fiscal, and personnel management guidelines are consistent across all TEMAT programs.
 - 5. Provide coordination between the administrators, other relevant governmental and private entities, participating jurisdiction/employer, and member.
 - 6. Maintain overall TEMAT contact list for all participating jurisdictions and members.
 - 7. Maintain personnel files for all Disaster Recovery Task Force members to maintain training records, emergency notification information, and other documentation required by the administrators.
- B. The administrator shall be responsible for the following:
 - 1. Recruit and manage TEMAT members according to guidelines outlined in the TEMAT Business and Operations Manual.

- 2. Produce related portion of TEMAT Business and Operation Manual standard operating procedures that are current and readily available to members.
- 3. Provide and maintain qualifications, training, and operational guidelines and procedures related to the TEMAT program they administer.
- 4. Provide upon approval of membership and then collect upon separation from the program equipment, uniforms, and identification issued on behalf of TEMAT.
- 5. Provide training to members. Training must be consistent with the objectives of developing, increasing, and maintaining individual skills necessary to maintain operational readiness related to emergency management response.
- 6. Develop, implement, and exercise an internal notification and call-out system for members.
- 7. Provide coordination between administrator(s), other governmental and private entities, participating agency/employer, and member. Administrators will notify jurisdictions of the need for activation of members.
- 8. Maintain and submit to, on an as-needed basis, a primary contact list for their respective program, for all participating jurisdictions and members, to the state.
- 9. Maintain personnel files on all members of administered programs for the purpose of documenting training records, qualifications, emergency notification, and other documentation as required by administrators.
- 10. Ensure the issuance of PIV-I to each member through coordination with TDEM. If removed from team then the PIV-I must be retrieved and revoked immediately. Administrator must retrieve the PIV-I and notify TDEM for immediate revocation.
- C. The jurisdiction shall:
 - 1. Determine which TEMAT programs the jurisdiction will support by providing members and being able to respond as requested by the administrator(s).
 - 2. Upon signature, the jurisdiction will submit a roster within 14 calendar days of final signature to the administrator(s). Maintain a roster of all its personnel participating in TEMAT activities and will submit that roster no less than twice a year on May 31 and December 31.
 - 3. Ensure that each TEMAT member meets the necessary professional qualification requirements and experience level with his/her position on each TEMAT program in accordance with the TEMAT Business and Operation Manual.
 - 4. Provide a primary point of contact to the administrator(s) for the purpose of notification of TEMAT activities and for administrative activities.

- 5. Provide administrative support to member(s) of TEMAT, i.e., time section vin. fiscally reasonable to do so for TEMAT activities such as training, meetings, and actual deployments.
- 6. Ensure all reimbursement claims meet the requirements of the TEMAT Business and Operation Manual.
- 7. Upon notification by the administrator(s), the jurisdiction will determine which members within jurisdiction are qualified and available for deployment. Jurisdiction determines which qualified members deploy.
- D. Member shall:
 - 1. Perform duties, as required by their membership in a TEMAT program, when requested and deployed by TEMAT.
 - 2. Maintain knowledge, skills, and abilities necessary to operate safely and effectively in the assigned position and conduct themselves in accordance with the TEMAT Code of Conduct in the TEMAT Business and Operation Manual.
 - 3. Advise the administrator of any change in the notification process, i.e., address, change of employment, or phone number changes.
 - 4. Ensure availability for immediate call-out during the period in which a member's assigned TEMAT is first on the rotation for activation.
 - 5. Maintain, for deployment, all equipment issued by TEMAT and advise administrator of any lost, stolen, or damaged items assigned to member.
 - 6. Maintain support of jurisdiction for participation in TEMAT activities.
 - 7. Keep jurisdiction advised of TEMAT activities that may require time off from work.
 - 8. Be prepared to operate in a disaster environment, which may include living and working in austere conditions.
 - 9. During any period in which TEMAT is activated by the State of Texas or during any TEMAT sponsored or sanctioned training, member shall be acting as a representative of the State of Texas.

VI. QUALIFICATIONS, TRAINING, AND EXERCISES

A. Training and Exercises

TEMAT Training and Exercises – Jurisdiction Sponsored:

Periodically, members will be requested and/or invited to attend local jurisdictionsponsored training and/or exercises. These trainings and/or exercises shall be performed at the direction, control, and funding of the local jurisdiction i develop the technical skills of members

TEMAT Training and Exercises - Administrator Sponsored:

Periodically, members will be required and/or invited to attend administrator training and/or exercises. These trainings and exercises shall be performed under the direction, control, and funding of the administrator in order to develop and maintain the incident support capabilities of the TEMAT. Allowable costs will be listed in the TEMAT Business and Operation manual.

B. Minimum Qualification and Training Requirements

Participating jurisdictions shall allow members appropriate time to maintain the qualifications required for each position a member fills in the TEMAT programs.

Members are required to attend available TEMAT training and exercise opportunities provided for the assigned TEMAT position to ensure the maintenance of position qualifications. Failure to attend or maintain qualifications may result in dismissal from the TEMAT program when qualifications are no longer valid.

VII. ADMINISTRATIVE, FINANCIAL, AND PERSONNEL MANAGEMENT

- A. Reimbursement of Administrators/Jurisdiction
 - 1. Costs will be reimbursed in accordance with the Texas Emergency Management Division's mutual aid reimbursement policy upon receipt of an accurately completed (all documentation included) reimbursement request.
 - 2. All guidelines and procedures for requesting reimbursement will be maintained in the TEMAT Business and Operation Manual.
 - 3. All financial commitments herein are made subject to the availability of funds from the state.
- B. Categories of Cost Reimbursement

1. Force Account Labor, which is the labor and benefit costs of a jurisdiction's employee deployed on a TEMAT mission/assignment. Labor reimbursement will be based on jurisdiction policies and rates, including labor reimbursement for portal-to-portal pay. Eligible backfill labor costs will also be reimbursed.

The state, through the administrators, has no obligation to make any payments to or on behalf of a member except as expressly stated in this MOU. The state will not withhold any amount that would normally be withheld from an employee's pay, and the member will not participate in any benefits the State offers to its employees.

2. Travel reimbursement will be based on the jurisdiction's travel policy to include per diem rates and receipt submission.

3. Force Account Equipment will be paid and is the usage of jurisdicti equipment by a member while on a TEMAT mission/assignment. All equipment used will be based on hours used and reimbursed based on the current FEMA Schedule of Equipment Rates. If no rate is available, see the appropriate section of TEMAT Business and Operation Manual for the rate.

4. Damaged equipment costs will be reimbursed after submission of documentation showing damage occurred during TEMAT mission/assignment less any insurance proceeds. The TEMAT Business and Operation Manual will provide a process for reporting damages as it relates to repairs or equipment unable to be repaired.

5. Materials costs will be reimbursed based on jurisdiction policies and cost documentation that materials were purchased for use on the incident or taken from inventory for use on the incident.

6. Rentals will be reimbursed based on jurisdiction policies and itemized invoice documentation from the rental vendor and proof of use on the incident.

7. Contracts will be reimbursed based on jurisdiction policies and itemized invoice documentation from rental vendor and proof of use on the incident.

Note: Refer to the individual program's Business and Operation Manual for specific details on the allowability of costs.

C. Medical Care for Injury or Illness

During any period in which TEMAT is activated by the state of Texas or during any TEMAT sponsored or sanctioned training, TEMAT members shall be included in the coverage provided under Chapter 501 of the Texas Labor Code in the same manner as an employee, as defined by Section 501.001.

VIII. CONDITIONS, AMENDMENTS, AND TERMINATION

- A. This MOU may be modified or amended only by the written agreement of all parties.
- B. This MOU may be terminated by any signing party, upon thirty (30) days written notice.
- C. The state complies with the provisions of the Department of Labor Executive Order 11246 of September 24, 1965, as amended and with the rules, regulations, and relevant orders of the Secretary of Labor. To that end, the State shall not discriminate against any employee or Member on the grounds of race, color, religion, sex, or national origin. In addition, the use of state or federal facilities, services, and supplies will be in compliance with regulations prohibiting duplication of benefits and guaranteeing nondiscrimination. Distribution of supplies, processing of applications, provisions of technical assistance, and other relief assistance activities shall be accomplished in an equitable and impartial manner, without discrimination on the grounds of race, color, religion, nationality, sex, age, or economic status.

- D. This MOU is governed by the laws of the state of Texas. (but not its descult vin.) laws statutes and principles). Pursuant to Section 85.18 (b), Texas Education Code, venue for a state court suit filed against any member of The Texas A&M University System, or any officer or employee of The Texas A&M University System is in the county in which the primary office of the chief executive officer of the system or member, as applicable, is located.
- E. The parties expressly acknowledge that the state agency administrators are agencies of the State of Texas and nothing in this MOU will be construed as a waiver or relinquishment by any state agency administrator of its right to claim such exemptions, privileges, and immunities as may be provided by law.
- F. By executing this MOU, all parties and each person signing on behalf of each party certifies, and in the case of a sole proprietorship, partnership or corporation, each party thereto certifies as to its own organization, that to the best of their knowledge and belief, no member of The Texas A&M University System or The A&M System Board of Regents, nor any employee, or person, whose salary is payable in whole or in part by The Texas A&M University System, has direct or indirect financial interest in the award of this MOU, or in the services to which this MOU relates, or in any of the profits, real or potential, thereof.
- G. Each party is responsible to ensure that employees participating in work for any of The Texas A&M University System members have not been designated by a member of The Texas A&M University System as Not Eligible for Rehire (NEFR) as defined in System policy 32.02, Section 4. Non-conformance to this requirement may be grounds for termination of this agreement. In event a system member becomes aware that a contracting party has any employees that are designated as NEFR under this MOU, the nonconforming employee is immediately required to be removed from all performance duties upon demand by a system member.

IX. JURISDICTION DECLARATION OF PARTICIPATION IN TEMAT

Jurisdiction agrees to abide by the terms and conditions of this MOU and the TEMAT Business and Operation Manual. Jurisdiction agrees to allow employees/members to serve as TEMAT members for the approved TEMAT Programs checked below:

| TEMAT Program | Check for Participation | Jurisdiction Point of Contact Initials |
|---|----------------------------|---|
| Disaster Recovery Task Force (DRTF) | | |
| Public Works Response Team (PWRT) | | |
| Texas A&M Task Force | | |
| All-Hazards Incident Management Teams (AHIMT) | | |
| Texas Intrastate Fire Mutual Aid System (TIFMAS) | | |

TDEM

| Name: | Chief Nim Kidd |
|------------------------|-------------------------|
| Title: | Chair – Texas Emergency |
| | Management Council |
| DRTF Div. Chief | Kharley Smith |
| Address Line 1: | 1033 La Posada Dr |
| Address Line 2: | |
| City, State, Zip: | Austin, TX 78752 |
| Phone Number: | 512-424-2436 |
| Email: | Nim.kidd@tdem.texas.gov |

[Program Adminstrator]

| Name: | |
|----------------------|--|
| Title: | |
| Address Line 1: | |
| Address Line 2: | |
| City, State, Zip: | |
| Phone Number: | |
| Email: | |

[Local Jurisdiction]

| Name: | |
|-------------------|--|
| Title: | |
| Address Line 1: | |
| Address Line 2: | |
| City, State, Zip: | |
| Phone Number: | |
| Email: | |

[Member]

| Name: | |
|----------------------|--|
| Title: | |
| Address Line 1: | |
| Address Line 2: | |
| City, State, Zip: | |
| Phone Number: | |
| Email : | |

XI. GENERAL PROVISIONS

- A. This MOU, with the rights and privileges it creates, is assignable only with the written consent of the parties.
- B. Pursuant to Texas Government Code Section 321.013, acceptance of funds under this MOU constitutes acceptance of the authority of the State, the Texas State Auditor's Office, or any successor agency (collectively, "Auditor"), to conduct an audit or investigation in connection with those funds under Texas Education Code Section 51.9335(c). Member shall cooperate with the Auditor in the conduct of the audit or investigation, including without limitation, providing all records requested.
- C. Pursuant to Texas Government Code Sections 2107.008 and 2252.903, any payments owing to the member under this MOU may be applied directly toward certain debts or delinquencies that member owes the state of Texas or any agency of the state of Texas regardless of when they arise until such debts or delinquencies are paid in full.
- D. To the extent applicable, the member shall use the dispute resolution process provided in Chapter 2260, Texas Government Code, and the related rules adopted by the Texas Attorney General to attempt to resolve any claim for breach of contract made by Member that cannot be resolved in the ordinary course of business. Member shall submit written notice of a claim of breach of contract under this Chapter to the state's designated official, who will examine the claim and any counterclaim and negotiate in an effort to resolve the claim.

XI. ENTIRE AGREEMENT

This MOU, along with the following Attachments, reflects the entire agreement between the parties:

Attachment A, TEMAT Business and Operation Manual

Administrator, member, and jurisdiction hereby acknowledge that they have read and understand this entire MOU. All oral or written agreements between the parties hereto relating to the subject matter of this MOU that was made prior to the execution of this MOU have been reduced to writing and are contained herein. Administrator, member, and jurisdiction agree to abide by all terms and conditions specified herein and certify that the information provided to the state is true and correct in all respects to the best of their knowledge and belief.

This MOU is entered into by and between the following parties:

TEXAS DIVISION OF EMERGENCY MANAGEMENT

| Signature: | | |
|------------|--|--|
| Name: | W. Nim Kidd | |
| Title: | Chief, Division of Emergency Management | |
| Date: | | |
| [STATE AGE | NCY PROGRAM ADMINISTRATOR – IF APPLICABLE] | |
| Signature: | | |
| Name: | | |
| Title: | | |
| Date: | | |
| LOCAL JURI | SDICTION EMPLOYER | |
| Signature: | | |
| Name: | | |
| Title: | | |
| Date: | | |
| TEMAT PRO | GRAM MEMBER | |
| Signature: | | |
| Name: | | |
| Title: | | |

Date:

COMMUNICATION

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INFORMATION:

CITY OF PORT LAVACA

COUNCIL MEETING: JUNE 9, 2025

DATE: 06.05.2025

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: JODY WEAVER, INTERIM CITY MANAGER

SUBJECT: MOU with TDEM for TEMAT programs

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|-----------------------|--------------------------|-------------------|-----------------------|-----|
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II. SCOPE

The provisions of this memorandum of understanding apply to TEMAT activities performed at the request of the State of Texas at the option of the participating jurisdiction/employer. These activities may be in conjunction with, or in preparing of, a local, state or federal declaration of disaster. The scope of this MOU also includes training activities sponsored by local jurisdictions and administrators to maintain TEMAT operational readiness.

III. PERIOD OF PERFORMANCE

This MOU commences on the date of the last signature and continues for a period of five (5) years unless terminated earlier in accordance with section VIII.B. of this MOU.

IV. DEFINITIONS

- A. <u>Administrator</u>: State agency and/or nonprofit administrative body participating in the program or administering the program on behalf of the State of Texas.
- B. <u>Backfill</u>: The assignment of personnel by a participating jurisdiction to meet their minimum level of staffing to replace a deployed TEMAT member.
- C. <u>Member</u>: An employee of a jurisdiction/employer who has been formally accepted into a TEMAT program and is in compliance with all program requirements (for both TEMAT overall and specific requirements for the program(s) for which they are a member and who has executed a separate individual agreement for their participation in a TEMAT program with the concurrence of their jurisdiction/employer.
- D. <u>Participating Jurisdiction/Employer (Jurisdiction)</u>: A TEMAT member's employer, which, by the execution of this MOU, has provided official approval of their employee's membership involvement with TEMAT.
- E. <u>Program</u>: One of the TEMAT programs listed in the above table and administered by a Texas state agency and/or nonprofit administrative body to provide assistance during an emergency event or disaster.
- F. <u>TEMAT</u>: Any response team administered by a state Jurisdiction of Texas to provide response assistance to local jurisdictions.

- G. <u>TEMAT Training and Exercises Jurisdiction Sponsored</u>: Training and/or performed at the direction, control, and funding of a participating jurisdiction in order to develop and maintain capabilities of the member and TEMAT.
- H. <u>TEMAT Training and Exercises Administrator Sponsored</u>: Training and/or exercises performed at the direction, control, and funding of the administrator. TEMAT sponsored training shall be coordinated prior to the event with TDEM and/or administrators to receive written authorization to conduct such training.
- I. <u>Disaster Recovery Task Force (DRTF)</u>: The section of TDEM responsible for maintaining all TEMAT program information to include but not limited to this MOU and the TEMAT Business and Operation Manual.
- J. <u>PIV-I</u>: Personal Identification Verification Interoperability card should be issued to all first responders.

V. **RESPONSIBILITIES**

- A. The DRTF shall be responsible for the following:
 - 1. Provide and maintain administrative and personnel management guidelines and procedures related to TEMAT and this MOU.
 - 2. Maintain, in coordination with administrators, a TEMAT Business and Operation Manual to provide standard operating procedures that are current and readily available to administrators, jurisdictions, and members.
 - 3. Provide training to members. Training shall be consistent with the objectives of the TEMAT program overall to include but not limited to State Operations Center functions, financial reimbursement, and other training.
 - 4. Work with administrators to ensure all administrative, fiscal, and personnel management guidelines are consistent across all TEMAT programs.
 - 5. Provide coordination between the administrators, other relevant governmental and private entities, participating jurisdiction/employer, and member.
 - 6. Maintain overall TEMAT contact list for all participating jurisdictions and members.
 - 7. Maintain personnel files for all Disaster Recovery Task Force members to maintain training records, emergency notification information, and other documentation required by the administrators.
- B. The administrator shall be responsible for the following:
 - 1. Recruit and manage TEMAT members according to guidelines outlined in the TEMAT Business and Operations Manual.

- 2. Produce related portion of TEMAT Business and Operation Manual standard operating procedures that are current and readily available to members.
- 3. Provide and maintain qualifications, training, and operational guidelines and procedures related to the TEMAT program they administer.
- 4. Provide upon approval of membership and then collect upon separation from the program equipment, uniforms, and identification issued on behalf of TEMAT.
- 5. Provide training to members. Training must be consistent with the objectives of developing, increasing, and maintaining individual skills necessary to maintain operational readiness related to emergency management response.
- 6. Develop, implement, and exercise an internal notification and call-out system for members.
- 7. Provide coordination between administrator(s), other governmental and private entities, participating agency/employer, and member. Administrators will notify jurisdictions of the need for activation of members.
- 8. Maintain and submit to, on an as-needed basis, a primary contact list for their respective program, for all participating jurisdictions and members, to the state.
- 9. Maintain personnel files on all members of administered programs for the purpose of documenting training records, qualifications, emergency notification, and other documentation as required by administrators.
- 10. Ensure the issuance of PIV-I to each member through coordination with TDEM. If removed from team then the PIV-I must be retrieved and revoked immediately. Administrator must retrieve the PIV-I and notify TDEM for immediate revocation.
- C. The jurisdiction shall:
 - 1. Determine which TEMAT programs the jurisdiction will support by providing members and being able to respond as requested by the administrator(s).
 - 2. Upon signature, the jurisdiction will submit a roster within 14 calendar days of final signature to the administrator(s). Maintain a roster of all its personnel participating in TEMAT activities and will submit that roster no less than twice a year on May 31 and December 31.
 - 3. Ensure that each TEMAT member meets the necessary professional qualification requirements and experience level with his/her position on each TEMAT program in accordance with the TEMAT Business and Operation Manual.
 - 4. Provide a primary point of contact to the administrator(s) for the purpose of notification of TEMAT activities and for administrative activities.

- 5. Provide administrative support to member(s) of TEMAT, i.e., time section vin. fiscally reasonable to do so for TEMAT activities such as training, meetings, and actual deployments.
- 6. Ensure all reimbursement claims meet the requirements of the TEMAT Business and Operation Manual.
- 7. Upon notification by the administrator(s), the jurisdiction will determine which members within jurisdiction are qualified and available for deployment. Jurisdiction determines which qualified members deploy.
- D. Member shall:
 - 1. Perform duties, as required by their membership in a TEMAT program, when requested and deployed by TEMAT.
 - 2. Maintain knowledge, skills, and abilities necessary to operate safely and effectively in the assigned position and conduct themselves in accordance with the TEMAT Code of Conduct in the TEMAT Business and Operation Manual.
 - 3. Advise the administrator of any change in the notification process, i.e., address, change of employment, or phone number changes.
 - 4. Ensure availability for immediate call-out during the period in which a member's assigned TEMAT is first on the rotation for activation.
 - 5. Maintain, for deployment, all equipment issued by TEMAT and advise administrator of any lost, stolen, or damaged items assigned to member.
 - 6. Maintain support of jurisdiction for participation in TEMAT activities.
 - 7. Keep jurisdiction advised of TEMAT activities that may require time off from work.
 - 8. Be prepared to operate in a disaster environment, which may include living and working in austere conditions.
 - 9. During any period in which TEMAT is activated by the State of Texas or during any TEMAT sponsored or sanctioned training, member shall be acting as a representative of the State of Texas.

VI. QUALIFICATIONS, TRAINING, AND EXERCISES

A. Training and Exercises

TEMAT Training and Exercises – Jurisdiction Sponsored:

Periodically, members will be requested and/or invited to attend local jurisdictionsponsored training and/or exercises. These trainings and/or exercises shall be performed at the direction, control, and funding of the local jurisdiction i develop the technical skills of members

TEMAT Training and Exercises - Administrator Sponsored:

Periodically, members will be required and/or invited to attend administrator training and/or exercises. These trainings and exercises shall be performed under the direction, control, and funding of the administrator in order to develop and maintain the incident support capabilities of the TEMAT. Allowable costs will be listed in the TEMAT Business and Operation manual.

B. Minimum Qualification and Training Requirements

Participating jurisdictions shall allow members appropriate time to maintain the qualifications required for each position a member fills in the TEMAT programs.

Members are required to attend available TEMAT training and exercise opportunities provided for the assigned TEMAT position to ensure the maintenance of position qualifications. Failure to attend or maintain qualifications may result in dismissal from the TEMAT program when qualifications are no longer valid.

VII. ADMINISTRATIVE, FINANCIAL, AND PERSONNEL MANAGEMENT

- A. Reimbursement of Administrators/Jurisdiction
 - 1. Costs will be reimbursed in accordance with the Texas Emergency Management Division's mutual aid reimbursement policy upon receipt of an accurately completed (all documentation included) reimbursement request.
 - 2. All guidelines and procedures for requesting reimbursement will be maintained in the TEMAT Business and Operation Manual.
 - 3. All financial commitments herein are made subject to the availability of funds from the state.
- B. Categories of Cost Reimbursement

1. Force Account Labor, which is the labor and benefit costs of a jurisdiction's employee deployed on a TEMAT mission/assignment. Labor reimbursement will be based on jurisdiction policies and rates, including labor reimbursement for portal-to-portal pay. Eligible backfill labor costs will also be reimbursed.

The state, through the administrators, has no obligation to make any payments to or on behalf of a member except as expressly stated in this MOU. The state will not withhold any amount that would normally be withheld from an employee's pay, and the member will not participate in any benefits the State offers to its employees.

2. Travel reimbursement will be based on the jurisdiction's travel policy to include per diem rates and receipt submission.

3. Force Account Equipment will be paid and is the usage of jurisdicti equipment by a member while on a TEMAT mission/assignment. All equipment used will be based on hours used and reimbursed based on the current FEMA Schedule of Equipment Rates. If no rate is available, see the appropriate section of TEMAT Business and Operation Manual for the rate.

4. Damaged equipment costs will be reimbursed after submission of documentation showing damage occurred during TEMAT mission/assignment less any insurance proceeds. The TEMAT Business and Operation Manual will provide a process for reporting damages as it relates to repairs or equipment unable to be repaired.

5. Materials costs will be reimbursed based on jurisdiction policies and cost documentation that materials were purchased for use on the incident or taken from inventory for use on the incident.

6. Rentals will be reimbursed based on jurisdiction policies and itemized invoice documentation from the rental vendor and proof of use on the incident.

7. Contracts will be reimbursed based on jurisdiction policies and itemized invoice documentation from rental vendor and proof of use on the incident.

Note: Refer to the individual program's Business and Operation Manual for specific details on the allowability of costs.

C. Medical Care for Injury or Illness

During any period in which TEMAT is activated by the state of Texas or during any TEMAT sponsored or sanctioned training, TEMAT members shall be included in the coverage provided under Chapter 501 of the Texas Labor Code in the same manner as an employee, as defined by Section 501.001.

VIII. CONDITIONS, AMENDMENTS, AND TERMINATION

- A. This MOU may be modified or amended only by the written agreement of all parties.
- B. This MOU may be terminated by any signing party, upon thirty (30) days written notice.
- C. The state complies with the provisions of the Department of Labor Executive Order 11246 of September 24, 1965, as amended and with the rules, regulations, and relevant orders of the Secretary of Labor. To that end, the State shall not discriminate against any employee or Member on the grounds of race, color, religion, sex, or national origin. In addition, the use of state or federal facilities, services, and supplies will be in compliance with regulations prohibiting duplication of benefits and guaranteeing nondiscrimination. Distribution of supplies, processing of applications, provisions of technical assistance, and other relief assistance activities shall be accomplished in an equitable and impartial manner, without discrimination on the grounds of race, color, religion, nationality, sex, age, or economic status.

- D. This MOU is governed by the laws of the state of Texas. (but not its descult vin.) laws statutes and principles). Pursuant to Section 85.18 (b), Texas Education Code, venue for a state court suit filed against any member of The Texas A&M University System, or any officer or employee of The Texas A&M University System is in the county in which the primary office of the chief executive officer of the system or member, as applicable, is located.
- E. The parties expressly acknowledge that the state agency administrators are agencies of the State of Texas and nothing in this MOU will be construed as a waiver or relinquishment by any state agency administrator of its right to claim such exemptions, privileges, and immunities as may be provided by law.
- F. By executing this MOU, all parties and each person signing on behalf of each party certifies, and in the case of a sole proprietorship, partnership or corporation, each party thereto certifies as to its own organization, that to the best of their knowledge and belief, no member of The Texas A&M University System or The A&M System Board of Regents, nor any employee, or person, whose salary is payable in whole or in part by The Texas A&M University System, has direct or indirect financial interest in the award of this MOU, or in the services to which this MOU relates, or in any of the profits, real or potential, thereof.
- G. Each party is responsible to ensure that employees participating in work for any of The Texas A&M University System members have not been designated by a member of The Texas A&M University System as Not Eligible for Rehire (NEFR) as defined in System policy 32.02, Section 4. Non-conformance to this requirement may be grounds for termination of this agreement. In event a system member becomes aware that a contracting party has any employees that are designated as NEFR under this MOU, the nonconforming employee is immediately required to be removed from all performance duties upon demand by a system member.

IX. JURISDICTION DECLARATION OF PARTICIPATION IN TEMAT

Jurisdiction agrees to abide by the terms and conditions of this MOU and the TEMAT Business and Operation Manual. Jurisdiction agrees to allow employees/members to serve as TEMAT members for the approved TEMAT Programs checked below:

| TEMAT Program | Check for Participation | Jurisdiction Point of Contact Initials |
|---|----------------------------|---|
| Disaster Recovery Task Force (DRTF) | | |
| Public Works Response Team (PWRT) | | |
| Texas A&M Task Force | | |
| All-Hazards Incident Management Teams (AHIMT) | | |
| Texas Intrastate Fire Mutual Aid System (TIFMAS) | | |

TDEM

| Name: | Chief Nim Kidd |
|------------------------|-------------------------|
| Title: | Chair – Texas Emergency |
| | Management Council |
| DRTF Div. Chief | Kharley Smith |
| Address Line 1: | 1033 La Posada Dr |
| Address Line 2: | |
| City, State, Zip: | Austin, TX 78752 |
| Phone Number: | 512-424-2436 |
| Email: | Nim.kidd@tdem.texas.gov |

[Program Adminstrator]

| Name: | |
|----------------------|--|
| Title: | |
| Address Line 1: | |
| Address Line 2: | |
| City, State, Zip: | |
| Phone Number: | |
| Email: | |

[Local Jurisdiction]

| Name: | |
|-------------------|--|
| Title: | |
| Address Line 1: | |
| Address Line 2: | |
| City, State, Zip: | |
| Phone Number: | |
| Email: | |

[Member]

| Name: | |
|----------------------|--|
| Title: | |
| Address Line 1: | |
| Address Line 2: | |
| City, State, Zip: | |
| Phone Number: | |
| Email : | |

XI. GENERAL PROVISIONS

- A. This MOU, with the rights and privileges it creates, is assignable only with the written consent of the parties.
- B. Pursuant to Texas Government Code Section 321.013, acceptance of funds under this MOU constitutes acceptance of the authority of the State, the Texas State Auditor's Office, or any successor agency (collectively, "Auditor"), to conduct an audit or investigation in connection with those funds under Texas Education Code Section 51.9335(c). Member shall cooperate with the Auditor in the conduct of the audit or investigation, including without limitation, providing all records requested.
- C. Pursuant to Texas Government Code Sections 2107.008 and 2252.903, any payments owing to the member under this MOU may be applied directly toward certain debts or delinquencies that member owes the state of Texas or any agency of the state of Texas regardless of when they arise until such debts or delinquencies are paid in full.
- D. To the extent applicable, the member shall use the dispute resolution process provided in Chapter 2260, Texas Government Code, and the related rules adopted by the Texas Attorney General to attempt to resolve any claim for breach of contract made by Member that cannot be resolved in the ordinary course of business. Member shall submit written notice of a claim of breach of contract under this Chapter to the state's designated official, who will examine the claim and any counterclaim and negotiate in an effort to resolve the claim.

XI. ENTIRE AGREEMENT

This MOU, along with the following Attachments, reflects the entire agreement between the parties:

Attachment A, TEMAT Business and Operation Manual

Administrator, member, and jurisdiction hereby acknowledge that they have read and understand this entire MOU. All oral or written agreements between the parties hereto relating to the subject matter of this MOU that was made prior to the execution of this MOU have been reduced to writing and are contained herein. Administrator, member, and jurisdiction agree to abide by all terms and conditions specified herein and certify that the information provided to the state is true and correct in all respects to the best of their knowledge and belief.

This MOU is entered into by and between the following parties:

TEXAS DIVISION OF EMERGENCY MANAGEMENT

| Signature: | |
|------------|--|
| Name: | W. Nim Kidd |
| Title: | Chief, Division of Emergency Management |
| Date: | |
| [STATE AGE | NCY PROGRAM ADMINISTRATOR – IF APPLICABLE] |
| Signature: | |
| Name: | |
| Title: | |
| Date: | |
| LOCAL JURI | SDICTION EMPLOYER |
| Signature: | |
| Name: | |
| Title: | |
| Date: | |
| TEMAT PRO | GRAM MEMBER |
| Signature: | |
| Name: | |
| Title: | |

Date: