



CITY COUNCIL REGULAR MEETING

Monday, November 13, 2023 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, November 13, 2023 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/82853791348?pwd=VE0vaE9HVnB5V2I2b1Fmd2hBMUs0Zz09>

Meeting ID: 828 5379 1348

Passcode: 454329

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)****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 October 09, 2023 Regular Meeting
- B. Review of Credit Card Statement
- C. Receive Monthly Financial Highlight Report
- D. Receive Victoria Economic Development Corporation (VEDC) Monthly Report
- E. Ratify Port Commission lease for Spiretek, LLC for Nautical Landings Suite 2
- F. Ratify closure of street for the OLG Catholic Church's Thanksgiving Meal Drive-Thru on Sunday, November 05, 2023

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

- 1. Consider Second and Final Reading of an Ordinance (G-11-23) of the City of Port Lavaca 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 providing an effective date. Presenter is Colin Rangnow
- 2. Consider approval of Hahn Equipment Co., Inc., a sole source vendor, making repairs to the Main Lift station pump in the amount of \$29,690.42. Presenter is Wayne
- 3. Consider approval of the Final Pay Request and Release of Retainage for the Community Development Block Grant – Disaster Relief (CDBG-DR) Phase 1 project. Presenter is Jody Weaver
- 4. Consider declaring City property as Surplus, being 3 vehicles from the Public Works Department and 3 vehicles from the Fire Department and authorize Interim City Manager to dispose of such in a reasonable manner. Presenter is Jody Weaver
- 5. Consider recommendation of the Port Commission to award construction contract to Lester Contracting, Inc. for the replacement of the Corporation Ditch Drainage culvert at the Harbor of Refuge. Presenter is Jody Weaver

- [6.](#) • 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
- [7.](#) 7. Return to Open Session and take any action deemed necessary with regard to matters in closed session. Presenter is Mayor Whitlow

IX. ADJOURNMENT

CERTIFICATION OF POSTING NOTICE

This is to certify that the above notice of a regular meeting of The City Council of The City of Port Lavaca, scheduled for **Monday, November 13, 2023**, beginning at 6:30 p.m., was posted at city hall, easily accessible to the public, as of **5:00 p.m. Thursday, November 09, 2023**.

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 October 09, 2023 Regular Meeting

INFORMATION:



CITY COUNCIL REGULAR MEETING

Monday, October 09, 2023 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 10th day of October, 2023, the City Council of the City of Port Lavaca, Texas, convened in a regular session at 6:30 p.m. at the regular meeting place in Council Chambers at City Hall, 202 North Virginia Street, Port Lavaca, Texas, with the following members in attendance:

I. ROLL CALL

Jack Whitlow	Mayor
Daniel Aguirre	Councilman, District 1
Tim Dent	Councilman, District 2
Allen Tippet	Councilman, District 3
Rosie G. Padron	Councilwoman, District 4, Mayor Pro Tem
Jim Ward	Councilman, District 5
Ken Barr	Councilman, District 6

And with the following absent:

None

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

II. CALL TO ORDER

- Mayor Whitlow called the meeting to order at 6:35 p.m. and presided.

III. INVOCATION

- Councilman Ward gave the invocation.

IV. PLEDGE OF ALLEGIANCE

- Mayor Whitlow – Pledge of Allegiance.

V. PRESENTATION(S)

- Proclamation that October is Fire Prevention Month

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).

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

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

- A. Minutes of September 05, 2023 Special Meeting
- B. Minutes of September 11, 2023 Regular Meeting
- C. Minutes of September 25, 2023 Special and Workshop Meeting
- D. Review of Credit Card Statement
- E. Receive Monthly Financial Highlight Report
- F. Consider Quarterly Investment Report ending September 30, 2023
- G. Receive Victoria Economic Development Corporation (VEDC) Monthly Report

Motion made by Councilman District 6 Barr

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

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

Seconded by Councilman District 5 Ward

Voting Yea:

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

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

1. **Consider Resolution No. R-100923-1 of the City of Port Lavaca, Texas, for the nomination of candidates for the Board of Directors of the Calhoun County Appraisal District 2024-2025 Term. Presenter is Jody Weaver**

Motion made by Councilman District 2 Dent

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

WHEREAS, the Board of Directors consists of five members who serve two-year terms, beginning January 1, 2024 through December 31, 2025; and

WHEREAS, the City of Port Lavaca, Texas is a taxing unit entitled to nominate candidates to the Calhoun County Appraisal District, if so desired.

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

THAT, the slate of current Board Members named below are nominated and submitted for election to the Calhoun County Appraisal District Board of Directors to each serve two-year terms, beginning January 1, 2024 thru December 31, 2025:

Current Board Members:

- 1) William H. Bauer Jr.
- 2) Benjamin Boone
- 3) Kevin Hill
- 4) Vern Lyssy
- 5) Jessie Rodriguez

Seconded by Councilman District 6 Barr

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 Barr

2. **Consider award of Construction Contract for the Harbor of Refuge Railroad Culvert Replacement Project. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council that she and Councilman Tippit had once again spoken with representatives of Helena on September 26, 2023. I had in part misunderstood what was said in our first meeting with them, so let me state my understanding now.

Without the use of the rail, it's obvious that the City will receive \$0.00 in tariffs from rail, but initially, there may not be a big difference in the amount of tariffs we receive from barge traffic. Note that over the past 12 months, we have received \$3,165.95 in tariffs from rail and \$56,663.47 from barge. At the new \$0.79/ton rate this same quantity would translate to \$3,847.85 and \$68,867.91.

What I now understand is that although initially we may not see a difference in the barge tariffs, because Helena will necessarily have to change up how they do business without rail in Port Lavaca, we could certainly see a significant reduction of the barge tariffs from the Helena Port Lavaca operations over some time. They pointed out that this exercise to rework their operation may require new contracts and arrangements with other locales and vendors which may have the result that, when the rail is finally available in Port Lavaca, they will not return to the same level of operation as they had here before this issue.

They again offered the \$50,000 with no reimbursement, and an additional amount up to 25% of the construction cost that would be reimbursed through a consideration of tariff, dock, and lease rates over the next 15 years.

One option that had been posed by a Port Commissioner was if Helena could pay for the repairs upfront and the City reimburse over time.

Since we had \$300,000 budgeted and they offered \$50,000, I asked whether it might be possible for them to pay the shortfall upfront and City would reimburse over 10-15 years. To clarify, Councilman Tippit and I did not say that this would even be an agreeable proposition by Council, but we thought it worth the dialogue. At this time, it does not appear that this is an option Helena will agree to.

To restate the dollars involved with the less expensive 12 ga helical lock seam:

- \$639,850 (less \$50,000 Helena, less the \$300,000 we budgeted) = \$289,850 is our shortfall.
- Considering Helena's offer of 25% of \$639,850 = \$159,962.50
- So \$639,850 - \$300,000 budgeted - \$159,962.50 = \$179,887.50 additional general fund dollars (\$109,962.50 of the \$159,962.50 would be reimbursed over time)

The Port Commission as a whole strongly supports maintaining rail service to the Harbor of Refuge. I think we can all agree that in order to do that, this culvert must be replaced, but instead of spending General Fund dollars now we DO have this opportunity to utilize CDBG-MIT Grant funds to pay for this project (assuming the GLO would approve it). The cost will certainly be greater, but the dollars would all be Grant dollars. The risk I guess to consider is potential lost revenue over the next 15 years if Helena significantly alters their Port Lavaca operation as a result of being without rail for 18 months +/- . But none of us have a crystal ball and not even Helena knows yet how they are going to work this out.

Note:

- I am fairly confident that GLO will approve this project and if needed, I would argue that Hurricane Harvey was probably what caused the damage to the upstream side which accelerated the corrosion, but I can't guarantee their approval.
- It is also possible that we could get this culvert done in a shorter amount of time - perhaps 12 months, but with the pace that GLO works and all the projects they have to look at right now, I'm being told this is not realistic.
- I did speak with Michael Ada with GCRPC and there is the possibility that this could be funded with an EDA grant, but he didn't think the time frame would be any better than GLO.
- We still do not have any approval from the UPRR, so any award would necessarily be contingent upon UPRR approval. I did speak with Lester Contracting and they will still honor the bid through the November 13th Council meeting.

Staff's recommendation is to authorize inclusion of the culvert replacement project in with our Corporation Ditch CDBG-Mitigation Grant application. If Council is considering at all an award of this bid, staff recommends to wait and consider an award at the November Council meeting, hoping we would have a response from the UPRR, otherwise Council can vote to reject the bid.

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 passes this agenda item until the regular council meeting scheduled for November 13, 2023.

Seconded by Councilman District 3 Tippit

Voting Yea:

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

3. **Consider adding the Harbor of Refuge Railroad Culvert Replacement Project to the Community Development Block Grant – Mitigation (CDBG-MIT) application for the Corporation Ditch Drainage Improvement Project. Presenter is Jody Weaver**

Motion made by Councilman District 3 Tippit

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

THAT, in accordance with recommendation of staff, Council hereby approves adding the Harbor of Refuge Railroad Culvert Replacement Project to the Community Development Block Grant – Mitigation (CDBG-MIT) application for the Corporation Ditch Drainage Improvement Project.

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

Seconded by Councilman District 2 Dent

Voting Yea:

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

4. **Consider and approve Resolution No. R-100923-2 for items approved at previous meeting concerning the General Land Office's (GLO) Regional Council of Government Method of Distribution (COG MOD) Mitigation Program application. Presenter is Jody Weaver**

Interim City Manager Weaver advised Council that Kevin Morgan, Senior Project Manager with Mott MacDonald, was present via Zoom and would give a PowerPoint presentation to them. She also asked Council to approve the resolution R-100923-2.

Motion made by Councilman District 2 Dent

WHEREAS, participation in CDBG-MIT programs requires services by professionals experienced in federally funded projects; and

WHEREAS, the City has formed and approved agreements with Urban Engineering and Mott MacDonald to allow them to provide professional engineering services to assist with the preparation of applications for the GLO's CDBG-MIT Regional COG MOD program; and

WHEREAS, these services will support drainage improvements (Corporation Ditch) and shoreline restoration projects (Harbor of Refuge Restoration); and

WHEREAS, these engineers have completed a substantial application package that was published for public comment on September 27, 2023; and

WHEREAS, the City has agreed to allow at least 14 days for public comment regarding these applications; and

WHEREAS, upon completion of the 14-day comment period, the City has approved that the complete application, along with any comments, be submitted to the Texas General Land Office.

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

- Section 1. Has previously approved the Engineer Agreements with Urban Engineering and Mott MacDonald; and
- Section 2. Has approved the publication of applications that support the Corporation Ditch and Harbor of Refuge Restoration projects listed above; and
- Section 3. Has authorized that upon completion of the 14-day comment period, the final applications be submitted to the GLO for their CDBG-MIT COG MOD programs.

Seconded by Councilwoman District 4 (Mayor Pro Tem) Padron

Voting Yea:

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

5. **Consider approval of amendments to the Port Lavaca Pride Façade grant program.**
Presenter is Jody Weaver

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 amendments to the Port Lavaca Pride Façade grant program, as presented, a copy which is on file in the office of the City Secretary, in its entirety.

Seconded by Councilman District 3 Tippit

Voting Yea:

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

6. **Consider proposed submittal of proposal to Matagorda Bay Mitigation Trust in response to Request for Proposals #2023-2024-01. Presenter is Jody Weaver**

Motion made by Councilman District 2 Dent

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

THAT, in accordance with recommendation of staff, Council hereby approves support of the City submitting application to Matagorda Bay Mitigation Trust and commits to \$300,000.00 matching funds for Parking Lot Improvements.

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

Seconded by Councilman District 5 Ward

Voting Yea:

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

7. **Consider recommendation of the Port Commission for approval of Urban Engineering Task Order No. 33 for Smoke Testing of Hillside Terrace, Vela, Alamo Heights and Loop 1090 Lift Station basins, in the amount of \$63,800.00. Presenter is Wayne Shaffer**

Interim City Manager Weaver advised Council that the Recreation and Parks Board has two terms that have expired for Mac Sistrunk and Olga Szela. Both members have requested to be reappointed to the Recreation and Parks Board. There are no term limits established and the full term is for a period of two (2) years.

Motion made by Councilman District 2 Dent

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

THAT, in accordance with recommendation of the Port Commission and staff, Council hereby approves Urban Engineering Task Order No. 33 for Smoke Testing of Hillside Terrace, Vela, Alamo Heights and Loop 1090 Lift Station basins, in the amount of \$63,800.00.

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

Seconded by Councilman District 6 Barr

Voting Yea:

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

8. **Consider Second and Final Reading of an Ordinance (G-10-23) of the City of Port Lavaca amending the Code of Ordinances, by Repealing Chapter 30, Article II. Juvenile Curfew; and providing an effective date. Presenter is Colin Rangnow**

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

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

THAT, in accordance with recommendation of staff, Council hereby approves the Second and Final Reading of an Ordinance (G-10-23) of the City of Port Lavaca amending the Code of Ordinances, by Repealing Chapter 30, Article II. Juvenile Curfew; and providing an effective date.

Seconded by Councilman District 2 Dent

Voting Yea:

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

9. **Consider First Reading of an Ordinance (G-11-23) of the City of Port Lavaca 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 providing an effective date. Presenter is Colin Rangnow**

Police Chief Rangnow advised Council that the proposed ordinance is to add additional Traffic Control Signage (Stop Signs) in the La Salle landing subdivision. Several citizens have voiced concern of the lack of traffic control in the area. Citizens have noted vehicular speeds have increased due to lack of traffic control at the various intersections in said subdivision. Currently the only intersection with signage is Caviler@ Village Road. I recommend implementing traffic control signage at the following intersections:

1. Belle Lane @ Caviler Drive (Signage placed on the east and west side of Caviler Dr.)
2. Aimable Street @ Caviler Drive (signage placed on the east and west side of Caviler Dr.)
3. St Francois Avenue @ Caviler Drive (signage placed on the south side of St Francois Ave.)
4. St Francois Avenue @ Rauen Drive (signage placed on the south side of St Francois Ave.)
5. Aimable Street @ Belle Lane (signage placed on the west side of Belle Lane)
6. Aimable Street@ Rauen Drive (signage placed on the northside of Aimable St.)

Motion made by Councilman District 2 Dent

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

THAT, in accordance with recommendation of staff, Council hereby approves the First Reading of an Ordinance (G-11-23) of the City of Port Lavaca 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 providing an effective date.

Seconded by Councilwoman District 4 (Mayor Pro Tem) Padron

Voting Yea:

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

IX. ADJOURNMENT

Mayor asked for motion to adjourn.

Motion made by Councilman District 6 Barr

Seconded by Councilman District 5 Ward

Voting Yea:

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

Meeting adjourned at 7:59 p.m.

ATTEST:

Jack Whitlow, Mayor

Mandy Grant, City Secretary

COMMUNICATION

SUBJECT: Review of Credit Card Statement

INFORMATION:



CITY OF P

Section VII. Item #B.

Account Number: XXXX XXXX XXXX 0305

Billing Questions:
800-367-7576Website:
www.cardaccount.netSend Billing Inquiries To:
Card Service Center, PO Box 569120, Dallas, TX 75356FIRST NATIONAL BANK IN PORT LAVACA Credit Card Account Statement
September 8, 2023 to October 8, 2023

SUMMARY OF ACCOUNT ACTIVITY

Previous Balance	\$9,389.78
- Payments	\$9,389.78
- Other Credits	\$127.23
+ Purchases	\$12,277.14
+ Cash Advances	\$0.00
+ Fees Charged	\$0.00
+ Interest Charged	\$0.00
= New Balance	\$12,149.91

Account Number XXXX XXXX XXXX 0305
 Credit Limit \$26,500.00
 Available Credit \$12,940.00
 Statement Closing Date October 8, 2023
 Days in Billing Cycle 31

PAYMENT INFORMATION

New Balance: \$12,149.91
 Minimum Payment Due: \$364.50
 Payment Due Date: November 2, 2023

MESSAGES

PROTECT YOURSELF FROM SCAMMERS!

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

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

TRANSACTIONS

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

Tran Date	Post Date	Reference Number	Transaction Description	Amount
09/22	09/22	85431898900XV7XY2	PAYMENT - THANK YOU	\$9,389.78-

Transactions continued on next page

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



Account Number: XXXX XXXX XXXX 0305
 New Balance: \$12,149.91
 Minimum Payment Due: \$364.50
 Payment Due Date: November 2, 2023

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

Amount Enclosed: \$



Make Check Payable to:

CARD SERVICE CENTER
 PO BOX 569100
 DALLAS TX 75356-9100

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

11273390700003050003645000012149915



CITY OF P

Section VII. Item #B.

Account Number: XXXX XXXX XXXX 0305

TRANSACTIONS (continued)

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

Tran Date	Post Date	Reference Number	Transaction Description	Amount
TOTAL XXXXXXXXXXXX0305				\$9,389.78-
10/04	10/05	51742958M2DKT8GN3	IDENTOGO - TX FINGERPR 877-512-6962 MA	\$10.21
10/07	10/08	55436878T4PLBRKZY	ALOFT SAN ANTONIO TX	\$235.48
		CHECK-IN 10/05/23	FOLIO #467902	
ERIC SALES				
TOTAL XXXXXXXXXXXX0776				\$245.69
09/20	09/21	5543286875YQ54GV0	AMAZON.COM*TX9FZ92C0 AMZN.COM/BILL WA	\$9.99
10/02	10/03	85383908K000BA8PA	SHELTERMANAGER LTD ROTHERHAM LN	\$380.00
KAREN NEAL				
TOTAL XXXXXXXXXXXX0784				\$389.99
09/06	09/08	52653847S1YVY9NVX	PAYPAL *MASTERPEACE 4029357733 CA	\$127.99
09/29	09/30	55436878H7LN717E8	DT BY HILTON DAL GALLE DALLAS TX	\$610.20
		CHECK-IN 09/25/23	FOLIO #991238	
JAVIER RAMOS				
TOTAL XXXXXXXXXXXX0867				\$738.19
09/14	09/15	554887282BMDJ6LST	DSHS REGULATORY PROG AUSTIN TX	\$64.00
09/27	09/28	55263528FBLH7H9Y1	HARBOR FREIGHT TOOLS34 PORT LAVACA TX	\$704.20
10/04	10/04	55432868M627VK9W1	AMZN MKTP US*T97D27S50 AMZN.COM/BILL WA	\$166.13
10/05	10/08	55432868P63033TVN	SOUTHWES 5262211033286 800-435-9792 TX	\$407.95
			MAREK/JEREMY BRANDON	
		03/02/24 1	HOUSTON BALTIMORE	
		03/09/24 2	BALTIMORE HOUSTON	
JUAN LUNA				
TOTAL XXXXXXXXXXXX0941				\$1,342.28
09/15	09/18	853096184WGNWM9S3	LEONES MEXICAN GRILL Y PORT LAVACA TX	\$121.58
WAYNE SHAFFER				
TOTAL XXXXXXXXXXXX1212				\$121.58
09/13	09/14	5531020802DLYSJS0	AMZN MKTP US*TR40230Z1 SEATTLE WA	\$42.19
09/15	09/17	554213583VAMT4TA3	TEXAS MUNICIPAL COURTS AUSTIN TX	\$350.00
09/19	09/20	7541823865AG7RYW3	B&H PHOTO 800-606-6969 NEW YORK NY	\$498.62
09/20	09/21	7541823875AJ77VVT	B&H PHOTO 800-606-6969 NEW YORK NY	\$188.84
10/04	10/05	55500368M2DM3W86J	WALMART.COM WALMART.COM AR	\$42.50
10/04	10/05	55500368M2DM3W86J	WALMART.COM WALMART.COM AR	\$174.75
10/05	10/06	55500368N2DM3W86H	WALMART.COM WALMART.COM AR	\$11.96
MANDY GRANT				
TOTAL XXXXXXXXXXXX1238				\$1,308.86
09/10	09/11	55432867X5VP7RJBQ	AMAZON.COM*TR39Y7001 AMZN.COM/BILL WA	\$8.16
09/21	09/22	554295088LVT1XL0P	EB TEXAS MUNICIPAL LE 8014137200 CA	\$40.00
09/21	09/22	554295088LVT12YE7	EB TEXAS MUNICIPAL LE 8014137200 CA	\$400.00
09/25	09/26	55432868Q5ZS0LENG	AMZN MKTP US*T11KI27R2 AMZN.COM/BILL WA	\$22.77
09/28	09/29	02300968F8PMZP45F	GOVERNMENT FINANCE OFF CHICAGO IL	\$150.00
10/05	10/05	55436878N50XQDQK0	OMNI DALLAS CONVENTN C DALLAS TX	\$355.99
		CHECK-IN 10/03/23	FOLIO #2239602	
10/06	10/08	52704878RLL3QBL3E	CROWNE PLAZA DOWNTOWN DALLAS TX	\$629.88
		CHECK-IN 10/03/23	FOLIO #12906521	
10/06	10/08	52704878RLL3QEHL4	CROWNE PLAZA DOWNTOWN DALLAS TX	\$629.88
		CHECK-IN 10/03/23	FOLIO #12906451	
10/06	10/08	52704878RLL3QEJLQ	CROWNE PLAZA DOWNTOWN DALLAS TX	\$689.88
		CHECK-IN 10/03/23	FOLIO #12906438	
10/06	10/08	52704878RLL3QEN0Q	CROWNE PLAZA DOWNTOWN DALLAS TX	\$689.88
		CHECK-IN 10/03/23	FOLIO #12906503	

Transactions continued on next page



CITY OF R

Section VII. Item #B.

Account Number: XXXX XXXX XXXX 0305

TRANSACTIONS (continued)

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

Tran Date	Post Date	Reference Number	Transaction Description	Amount
SUSAN LANG				
TOTAL XXXXXXXXXXXX1345				\$3,616.44
10/04	10/05	55310208M2D9KA369	AMZN MKTP US SEATTLE WA CREDIT	\$18.99-
09/07	09/08	55432867S5SVMZ8VH	AMZN MKTP US*TR4UM4CN0 AMZN.COM/BILL WA	\$40.76
09/11	09/12	55131587YR3F4AW3E	APPLE.COM/BILL CUPERTINO CA	\$2.99
09/12	09/12	55480777Z8AZ0HXM	RECONYX HOLMEN WI	\$370.00
09/14	09/15	5543286815WSG1ELT	QUIZLET.COM 510-495-6550 CA	\$8.52
09/22	09/24	5531020892DJTE4E4	AMZN MKTP US*T12NH1OS0 SEATTLE WA	\$42.66
09/27	09/27	55480778E8AZ1180G	RECONYX HOLMEN WI	\$50.00
09/27	09/28	55432868E60BHP59D	AMZN MKTP US*T13IP46C0 AMZN.COM/BILL WA	\$359.13
09/28	09/29	55310208F2DM58HZJ	AMZN MKTP US*T919G3ES2 SEATTLE WA	\$205.69
10/04	10/04	55432868M62774LAQ	INT'L CODE COUNCIL INC 888-422-7233 IL	\$160.00
DERRICK SMITH				
TOTAL XXXXXXXXXXXX3836				\$1,220.76
09/20	09/21	5543286875YD4LVLQ	WALMART.COM 800-966-6546 AR	\$43.72
09/22	09/24	0543684898PMFYFKA	B&H PHOTO MOTO NEW YORK NY	\$989.93
JAMES RUDELLAT				
TOTAL XXXXXXXXXXXX8611				\$1,033.65
09/21	09/22	5513158882M75T61W	MICROSOFT*MICROSOFT 36 MSBILL.INF CREDIT	\$108.24-
10/05	10/05	12302028N0089WK56	THRIVE CROWNE DALLAS DALLAS TX	\$39.70
10/05	10/05	12302028N0089ZLS4	THRIVE CROWNE DALLAS DALLAS TX	\$18.35
10/06	10/08	55500368RP5KTSV2W	DAVES HOT CHICKEN 1100 WACO TX	\$30.29
JOE REYES JR				
TOTAL XXXXXXXXXXXX0215				\$19.90-
09/14	09/15	5543286815WSREA1E	J2 *EFAX CORPORATE SVC 323-817-1155 CA	\$175.42
09/15	09/17	555003682TTH8H9A7	GOOGLE *GOOGLE STORAGE 650-253-0000 CA	\$2.12
09/25	09/26	55432868Q5ZWPNNA4	UPS*BILLING CENTER 800-811-1648 GA	\$17.87
10/02	10/04	55207398L00869592	AUTHORIZE.NET SAN FRANCISCO CA	\$30.00
10/03	10/04	55432868M629M2Z4K	BUC-EE'S #26 MADISONVILLE TX	\$65.49
10/05	10/05	12302028N0089ZB1P	THRIVE CROWNE DALLAS DALLAS TX	\$39.70
10/06	10/06	55429508PLSQTWAWT	UBER TRIP 8005928996 CA	\$21.57
10/06	10/06	55429508PLW8D7PBP	UBER TRIP 8005928996 CA	\$3.23
10/06	10/08	55429508PLW9D81ZJ	WF WAYFAIR3808576699 8662638325 MA	\$620.90
10/06	10/08	55432868R635TWMHR	BUC-EE'S 12 PORT LAVACA TX	\$78.18
10/07	10/08	15270218R0000H7D2	AUTODESK ADY 8553019562 CA	\$476.30
JOANNA WEAVER				
TOTAL XXXXXXXXXXXX0249				\$1,530.78
09/14	09/15	5531020812DM5SHFH	AMZN MKTP US*TX8I49CJ0 SEATTLE WA	\$19.99
09/14	09/15	827111681000FZR4A	SP AQUATAP SANTA CLARA UT	\$110.15
09/15	09/17	02305378300JF1VQR	USPS PO 4872200979 PORT LAVACA TX	\$10.45
09/21	09/22	527080888609S0GKN	TRAINING AUSTIN TX	\$60.00
09/22	09/24	555062989TQEMBXEJ	SUNCOASTLEARNING.COM ACWORTH GA	\$350.00
09/23	09/24	55432868A5Z3V9FNQ	AMZN MKTP US*T106T9XK2 AMZN.COM/BILL WA	\$71.00
CYNTHIA HEYSQUIERDO				
TOTAL XXXXXXXXXXXX0264				\$621.59



CITY OF P
Account Number: XXXX XXXX XXXX 0305

Section VII. Item #B.

INTEREST CHARGE CALCULATION

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

Type of Balance	Annual Percentage Rate (APR)	Balance Subject to Interest Rate	Days in Billing Cycle	Interest Charge
Purchases	19.49% (v)	\$0.00	31	\$0.00
Cash Advances	19.49% (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 www.cardaccount.net to enroll your credit card account(s) on the newly enhanced website.

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

CREDITING OF PAYMENTS

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

BILLING RIGHTS SUMMARY

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

If you think there is an error on your statement, write to us at BBBS, 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: BBBS, Attn: Dispute Department, 1550 North Brown Road, Suite 150, Lawrenceville, GA 30043.

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

EXPLANATION OF INTEREST CHARGES

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

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

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

ANNUAL FEE DISCLOSURES

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

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

CREDIT BALANCES

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

O1AB5762 - 3 - 05/25/17

(PLEASE SHOW YOUR CORRECT NAME AND ADDRESS)

Name (if incorrect on reverse side)		
Street address		
City	State	Zip Code
Effective Date: Month, Day, Year		Signature
Home Phone	Work Phone	

COMMUNICATION

SUBJECT: Receive Monthly Financial Highlight Report

INFORMATION:



CITY OF
PORT LAVACA

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

To: Mayor and Members of the City Council
From: Brittney Hogan, Senior Accountant *BAR*
Subject: FY 23-24 Financial Highlights through **October 31, 2023**
Date: November 7, 2023

Below are the following reports for the period ending **October 31, 2023**, or **8.3%** of the year:

The major highlights of the Report are as follows:

Property Tax collections as reported by CCAD - are **\$4,832,915** for the year as of September. Collections in FY 22-23 are 95.44% of total adjusted tax levy. Total current year Property Taxes Outstanding as of September is **\$233,210**.

In the General Fund, revenues through **10/31/23** are **8.5%** of budget. In addition:

1. *Current Property Tax* collections - are **\$423,660** for the year as of October. Collections in FY 23-24 are 10% of budget.
2. *Sales Tax* collections through October were **\$336,807** or 11% of budget. Collections through October in FY 22-23 were **\$305,969**.
3. *Licenses & Permits* collections are **\$6,993** for the year, or 4% of budget. Collections through October in FY 22-23 were **\$6,607**.
4. *Bauer Center Rentals* through October are **\$6,100** or 7.5% of budget. Collections through October in FY 22-23 were **\$6,450**.
5. *Court Fines* are **\$6,738** for the year, or 5.5% of budget. Collections through October in FY 22-23 were **\$10,822**.

Expenditures in the General Fund for the year are **12%** of budget.

Target: 8.3%

In the Utility Fund, revenues as of **10/31/23** are **8.5%** of budget. In addition:

1. *Metered Water* sales through October are **\$248,906 or 10%** of budget.
2. *Residential Sewer* sales through October are **\$118,549 or 9.5%** of budget.
3. *Garbage Billings* through October are **\$77,432 or 8.5%** of budget.

Expenditures in the Utility Fund for the year are **5%** of budget.

Summary – FY 2023-2024 through 10/31/23

<u>Fund</u>	<u>Revenues</u>	<u>% Budget</u>	<u>Expense</u>	<u>% Budget</u>	Revenues Less <u>Expense</u>
General	\$881,991	8.5%	\$683,484	12%	\$198,507
Utility	603,680	8.5%	194,642	5%	409,038
HOT	137,165	22.5%	29,999	7%	107,166
Beach	17,830	5%	8,696	4.5%	9,133
Port	64,966	4%	19,799	3%	45,167
Total					<u>769,011</u>

CITY OF PORT LAVACA
REVENUE AND EXPENDITURES REPORT (UNAUDITED)
AS OF: OCTOBER 31ST, 2023

PAGE:

Section VII. Item #C.

01-GENERAL FUND
FINANCIAL SUMMARY

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>								
TAXES	7,957,878	7,957,878	0	816,675.46	816,675.46	0.00	7,141,202.54	10.26
LICENSES & PERMITS	174,010	174,010	0	6,992.54	6,992.54	0.00	167,017.46	4.02
USER & SERVICE CHARGES	82,500	82,500	0	6,297.00	6,297.00	0.00	76,203.00	7.63
FINES & FORFEITURES	279,000	279,000	0	17,144.25	17,144.25	0.00	261,855.75	6.14
OTHER REVENUE	140,950	140,950	0	28,881.72	28,881.72	0.00	112,068.28	20.49
GRANT AND CONTRIBUTION R	296,845	296,845	0	6,000.00	6,000.00	0.00	290,845.00	2.02
INTERGOVERNMENTAL REVENUE	1,442,470	1,442,470	0	0.00	0.00	0.00	1,442,470.00	0.00
TOTAL REVENUES	10,373,653	10,373,653	0	881,990.97	881,990.97	0.00	9,491,662.03	8.50
<u>EXPENDITURE SUMMARY</u>								
CITY COUNCIL	33,717	33,717	0	2,356.00	2,356.00	0.00	31,361.00	6.99
CITY MANAGER	420,296	420,296	0	18,902.69	18,902.69	16,000.00	385,393.31	8.30
CITY SECRETARY	237,612	237,612	0	14,529.90	14,529.90	10,000.00	213,082.10	10.32
HUMAN RESOURCE	24,050	24,050	0	712.76	712.76	0.00	23,337.24	2.96
MUNICIPAL COURT	156,605	156,605	0	9,694.36	9,694.36	0.00	146,910.64	6.19
TECHNOLOGY SERVICES	392,768	426,355 (	33,587)	51,826.67	51,826.67	88,511.27	286,017.06	32.92
ECONOMIC DEVELOPMENT	0	0	0	0.00	0.00	0.00	0.00	0.00
FINANCE	335,128	335,128	0	11,769.98	11,769.98	0.00	323,358.02	3.51
CITY HALL	378,105	378,105	0	1,796.42	1,796.42	126,057.56	250,251.02	33.81
POLICE	2,677,484	2,677,484	0	189,359.13	189,359.13	69,034.00	2,419,090.87	9.65
FIRE	2,169,568	2,169,568	0	126,308.29	126,308.29	75,117.15	1,968,142.56	9.28
ANIMAL CONTROL	475,692	532,167 (	56,475)	10,699.82	10,699.82	20,651.70	500,815.48	5.89
CODE ENFORCEMENT/INSPECT	423,082	423,082	0	13,594.32	13,594.32	5,000.00	404,487.68	4.39
STREETS	1,870,527	1,870,527	0	84,487.38	84,487.38	187,935.39	1,598,104.23	14.56
PARKS & RECREATION	806,206	806,206	0	29,446.38	29,446.38	177,641.12	599,118.50	25.69
BAUER CENTER	349,765	349,765	0	10,066.57	10,066.57	57,722.00	281,976.43	19.38
NON-DEPARTMENTAL	959,861	1,454,449 (	494,588)	107,932.89	107,932.89	0.00	1,346,516.11	7.42
TOTAL EXPENDITURES	11,710,466	12,295,116 (	584,650)	683,483.56	683,483.56	833,670.19	10,777,962.25	12.34
REVENUES OVER/ (UNDER) EXPENDITURES	(1,336,813)	(1,921,463)	584,650	198,507.41	198,507.41 (	833,670.19)	(1,286,300.22)	33.06

CITY OF PORT LAVACA
REVENUE AND EXPENDITURES REPORT (UNAUDITED)
AS OF: OCTOBER 31ST, 2023

PAGE: 2

Section VII. Item #C.

01-GENERAL FUND
EVENUES

		ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
AXES									
11.01	PROPERTY TAXES-CURRENT	4,085,106	4,085,106	0	423,660.16	423,660.16	0.00	3,661,445.84	10.37
11.02	PROPERTY TAXES-DELINQU	100,000	100,000	0	3,579.79	3,579.79	0.00	96,420.21	3.58
12.01	SALES TAX REVENUE	3,134,772	3,134,772	0	336,807.19	336,807.19	0.00	2,797,964.81	10.74
13.01	NATURAL GAS FRANCHISE	54,000	54,000	0	0.00	0.00	0.00	54,000.00	0.00
13.02	ELECTRICAL FRANCHISE T	342,000	342,000	0	38,880.26	38,880.26	0.00	303,119.74	11.37
13.03	TELEPHONE FRANCHISE TA	32,000	32,000	0	276.58	276.58	0.00	31,723.42	0.86
13.04	CABLE TV FRANCHISE TAX	50,000	50,000	0	7,290.18	7,290.18	0.00	42,709.82	14.58
13.05	WASTE COLLECTION FRAN	125,000	125,000	0	6,181.30	6,181.30	0.00	118,818.70	4.95
13.90	OTHER FRANCHISE TAX	0	0	0	0.00	0.00	0.00	0.00	0.00
14.01	ALCOHOLIC BEVERAGE TAX	35,000	35,000	0	0.00	0.00	0.00	35,000.00	0.00
15.15	INTERGOVERNMENTAL REVE	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL TAXES		7,957,878	7,957,878	0	816,675.46	816,675.46	0.00	7,141,202.54	10.26
ICENSES & PERMITS									
21.01	ELECTRICAL LICENSES	0	0	0	0.00	0.00	0.00	0.00	0.00
21.02	BUILDER LICENSES	1,500	1,500	0	200.00	200.00	0.00	1,300.00	13.33
22.01	ELECTRICAL PERMITS	15,000	15,000	0	0.00	0.00	0.00	15,000.00	0.00
22.02	BUILDING PERMITS	90,000	90,000	0	5,099.10	5,099.10	0.00	84,900.90	5.67
22.03	PLUMBING PERMITS	18,000	18,000	0	0.00	0.00	0.00	18,000.00	0.00
22.04	MECHANICAL PERMITS	8,000	8,000	0	0.00	0.00	0.00	8,000.00	0.00
22.05	FOUNDATION PERMITS	0	0	0	0.00	0.00	0.00	0.00	0.00
22.06	PEDDLER & SOLICITOR PE	0	0	0	0.00	0.00	0.00	0.00	0.00
22.07	ALCOHOL IN THE PARK PE	0	0	0	0.00	0.00	0.00	0.00	0.00
23.01	TRAILER PERMITS	0	0	0	0.00	0.00	0.00	0.00	0.00
23.02	FOOD HANDLER'S PERMITS	2,600	2,600	0	75.00	75.00	0.00	2,525.00	2.88
23.03	LIENS	1,500	1,500	0	0.00	0.00	0.00	1,500.00	0.00
23.90	OTHER PERMITS & FEES	30,000	30,000	0	588.44	588.44	0.00	29,411.56	1.96
24.01	ALCOHOLIC BEVERAGE PER	7,110	7,110	0	1,010.00	1,010.00	0.00	6,100.00	14.21
24.02	AMUSEMENT PERMIT FEES	0	0	0	0.00	0.00	0.00	0.00	0.00
24.03	SUBDIVISION & PLAT FEE	0	0	0	0.00	0.00	0.00	0.00	0.00
24.04	ENVIRONMENTAL & HEALTH	0	0	0	0.00	0.00	0.00	0.00	0.00
24.05	PLAN REVIEW FEES	0	0	0	0.00	0.00	0.00	0.00	0.00
25.01	ANIMAL LICENSES & FEES	200	200	0	20.00	20.00	0.00	180.00	10.00
26.01	ALARM FEES	100	100	0	0.00	0.00	0.00	100.00	0.00
TOTAL LICENSES & PERMITS		174,010	174,010	0	6,992.54	6,992.54	0.00	167,017.46	4.02
USER & SERVICE CHARGES									
35.06	BAUER CENTER RENTALS	80,000	80,000	0	6,100.00	6,100.00	0.00	73,900.00	7.63
35.07	BAYFRONT RENTALS	0	0	0	150.00	150.00	0.00	150.00	0.00
39.01	POLICE SERVICES	2,000	2,000	0	47.00	47.00	0.00	1,953.00	2.35
39.05	POLICE TRAINING FEES	500	500	0	0.00	0.00	0.00	500.00	0.00
TOTAL USER & SERVICE CHARGES		82,500	82,500	0	6,297.00	6,297.00	0.00	76,203.00	7.63

CITY OF PORT LAVACA
REVENUE AND EXPENDITURES REPORT (UNAUDITED)
AS OF: OCTOBER 31ST, 2023

01-GENERAL FUND
EVENUES

		ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
FINES & FORFEITURES									
41.01	PENALTIES & INTEREST	85,000	85,000	0	4,813.92	4,813.92	0.00	80,186.08	5.66
41.02	TAX ATTORNEY FEES	45,000	45,000	0	3,118.93	3,118.93	0.00	41,881.07	6.93
43.01	COURT FINES	120,000	120,000	0	6,738.04	6,738.04	0.00	113,261.96	5.62
43.02	MUNI COURT- COLLECTION	14,000	14,000	0	1,408.95	1,408.95	0.00	12,591.05	10.06
43.03	LOCAL TIME PAYMENT FEE	5,000	5,000	0	229.63	229.63	0.00	4,770.37	4.59
49.02	ARREST FEES	10,000	10,000	0	834.78	834.78	0.00	9,165.22	8.35
49.03	CASH OVER-MC	0	0	0	0.00	0.00	0.00	0.00	0.00
49.05	RECOVERY ADJUSTMENT FE	0	0	0	0.00	0.00	0.00	0.00	0.00
	TOTAL FINES & FORFEITURES	279,000	279,000	0	17,144.25	17,144.25	0.00	261,855.75	6.14
OTHER REVENUE									
51.01	INTEREST INCOME	90,000	90,000	0	28,866.47	28,866.47	0.00	61,133.53	32.07
55.01	OTHER FINANCING SOURCE	0	0	0	0.00	0.00	0.00	0.00	0.00
59.02	PHOTO COPIES	500	500	0	15.25	15.25	0.00	484.75	3.05
59.05	DONATION- POLICE (JEDL	0	0	0	0.00	0.00	0.00	0.00	0.00
59.07	DONATION- FIRE (JEDLIC	0	0	0	0.00	0.00	0.00	0.00	0.00
59.08.1010	DONATION-PARK-MUSIC PA	0	0	0	0.00	0.00	0.00	0.00	0.00
59.08.1011	DONATION-PARK-LEARNING	0	0	0	0.00	0.00	0.00	0.00	0.00
59.10	DONATIONS	0	0	0	0.00	0.00	0.00	0.00	0.00
59.11	AUCTION/SALE PROCEEDS	32,000	32,000	0	0.00	0.00	0.00	32,000.00	0.00
59.12	TML REIMBURSEMENTS	0	0	0	0.00	0.00	0.00	0.00	0.00
59.15	HURRICANE	0	0	0	0.00	0.00	0.00	0.00	0.00
59.17	FIRE TRAINING REIMBURS	2,450	2,450	0	0.00	0.00	0.00	2,450.00	0.00
59.20	RESTITUTION PAYMENTS	0	0	0	0.00	0.00	0.00	0.00	0.00
59.90	MISCELLANEOUS INCOME	10,000	10,000	0	0.00	0.00	0.00	10,000.00	0.00
59.91	TOWER OF TEX USAGE RIG	6,000	6,000	0	0.00	0.00	0.00	6,000.00	0.00
59.92	EQUITY BALANCE FORWARD	0	0	0	0.00	0.00	0.00	0.00	0.00
	TOTAL OTHER REVENUE	140,950	140,950	0	28,881.72	28,881.72	0.00	112,068.28	20.49
GRANT AND CONTRIBUTION R									
82.00	GRANT REVENUE	0	0	0	0.00	0.00	0.00	0.00	0.00
82.01	STATE GRANT- PARKS	0	0	0	0.00	0.00	0.00	0.00	0.00
84.53	OPERATION STONE GARDEN	0	0	0	0.00	0.00	0.00	0.00	0.00
84.54	CONTRIBUTION LEOSE- PD	1,800	1,800	0	0.00	0.00	0.00	1,800.00	0.00
84.59	CALHOUN COUNTY-FIRE	224,045	224,045	0	0.00	0.00	0.00	224,045.00	0.00
84.60	CALHOUN COUNTY-ANIMAL	65,000	65,000	0	0.00	0.00	0.00	65,000.00	0.00
84.61	POINT COMFORT-ANIMAL	6,000	6,000	0	6,000.00	6,000.00	0.00	0.00	100.00
	TOTAL GRANT AND CONTRIBUTION R	296,845	296,845	0	6,000.00	6,000.00	0.00	290,845.00	2.02
INTERGOVERNMENTAL REVENUE									
92.01	XFER IN- 504 PORT COMM	65,121	65,121	0	0.00	0.00	0.00	65,121.00	0.00
92.02	XFER IN- 501 UTILITY F	562,974	562,974	0	0.00	0.00	0.00	562,974.00	0.00
92.04	XFER IN- 503 BEACH FUN	2,764	2,764	0	0.00	0.00	0.00	2,764.00	0.00
93.85	XFER IN- FD 134 JUSTIC	0	0	0	0.00	0.00	0.00	0.00	0.00
93.87	XFER IN- FD 161 BAYFRO	0	0	0	0.00	0.00	0.00	0.00	0.00
93.88	XFER IN- 206 FARE FUND	531,846	531,846	0	0.00	0.00	0.00	531,846.00	0.00
93.89	XFER IN- 101 HOTEL/MOT	279,765	279,765	0	0.00	0.00	0.00	279,765.00	0.00
93.90	XFER IN- OTHER	0	0	0	0.00	0.00	0.00	0.00	0.00
	TOTAL INTERGOVERNMENTAL REVENUE	1,442,470	1,442,470	0	0.00	0.00	0.00	1,442,470.00	0.00

CITY OF PORT LAVACA
REVENUE AND EXPENDITURES REPORT (UNAUDITED)
AS OF: OCTOBER 31ST, 2023

Section VII. Item #C.

01-GENERAL FUND
REVENUES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
TOTAL REVENUES	10,373,653	10,373,653	0	881,990.97	881,990.97	0.00	9,491,662.03	8.50

CITY OF PORT LAVACA
REVENUE AND EXPENDITURES REPORT (UNAUDITED)
AS OF: OCTOBER 31ST, 2023

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Section VII. Item #C.

01-PUBLIC UTILITY FUND
FINANCIAL SUMMARY

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>								
USER & SERVICE CHARGES	6,289,288	6,289,288	0	590,509.34	590,509.34	0.00	5,698,778.66	9.39
FINES & FORFEITURES	90,000	90,000	0	10,904.82	10,904.82	0.00	79,095.18	12.12
OTHER REVENUE	107,000	107,000	0	2,265.95	2,265.95	0.00	104,734.05	2.12
GRANT AND CONTRIBUTION R	0	0	0	0.00	0.00	0.00	0.00	0.00
INTERGOVERNMENTAL REVENUE	131,463	626,051	(494,588)	0.00	0.00	0.00	626,051.00	0.00
TOTAL REVENUES	6,617,751	7,112,339	(494,588)	603,680.11	603,680.11	0.00	6,508,658.89	8.49
<u>EXPENDITURE SUMMARY</u>								
TECHNOLOGY SERVICES	113,800	164,969	(51,169)	8,554.03	8,554.03	22,580.58	133,834.39	18.87
BILLING	422,664	422,664	0	17,545.93	17,545.93	4,551.00	400,567.07	5.23
MAINTENANCE	1,466,008	1,466,008	0	57,232.33	57,232.33	81,644.83	1,327,130.84	9.47
WASTEWATER TREATMENT	967,623	1,462,211	(494,588)	17,303.46	17,303.46	90,580.16	1,354,327.38	7.38
NON-DEPARTMENTAL	4,290,421	4,290,421	0	94,006.15	94,006.15	0.00	4,196,414.85	2.19
TOTAL EXPENDITURES	7,260,516	7,806,273	(545,757)	194,641.90	194,641.90	199,356.57	7,412,274.53	5.05
REVENUES OVER/(UNDER) EXPENDITURES	(642,765)	(693,934)	51,169	409,038.21	409,038.21	(199,356.57)	(903,615.64)	30.22-

CITY OF PORT LAVACA
REVENUE AND EXPENDITURES REPORT (UNAUDITED)
AS OF: OCTOBER 31ST, 2023

01-PUBLIC UTILITY FUND
EVENUES

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
SER & SERVICE CHARGES								
31.11 WATER-METERED	2,500,000	2,500,000	0	248,906.12	248,906.12	0.00	2,251,093.88	9.96
31.12 WATER-BULK	0	0	0	0.00	0.00	0.00	0.00	0.00
31.13 WATER-METERED COUNTY	80,000	80,000	0	7,589.04	7,589.04	0.00	72,410.96	9.49
31.21 SEWER RESIDENTIAL	1,250,000	1,250,000	0	118,548.72	118,548.72	0.00	1,131,451.28	9.48
31.22 SEWER COMMERCIAL	800,000	800,000	0	68,979.10	68,979.10	0.00	731,020.90	8.62
31.23 SEWER COUNTY	43,000	43,000	0	5,083.57	5,083.57	0.00	37,916.43	11.82
31.25 SEWER-LOW PRESSURE (LP)	975	975	0	120.00	120.00	0.00	855.00	12.31
31.31 WASTE-GARBAGE COLLECTI	911,373	911,373	0	77,431.84	77,431.84	0.00	833,941.16	8.50
31.32 SPRING CLEANUP	100,000	100,000	0	1,285.55	1,285.55	0.00	98,714.45	1.29
32.05 GBRA FEES	517,440	517,440	0	52,355.40	52,355.40	0.00	465,084.60	10.12
32.11 WATER TAPS	20,000	20,000	0	365.00	365.00	0.00	19,635.00	1.83
32.21 SEWER TAPS	4,000	4,000	0	0.00	0.00	0.00	4,000.00	0.00
32.60 DAMAGES REIMBURSEMENT	0	0	0	0.00	0.00	0.00	0.00	0.00
32.61 SERVICE CALL FEES	1,000	1,000	0	1,360.00	1,360.00	0.00	360.00	136.00
32.62 SERVICE TRANSFER FEES	1,000	1,000	0	70.00	70.00	0.00	930.00	7.00
32.63 SERVICE RECONNECTION F	60,000	60,000	0	8,370.00	8,370.00	0.00	51,630.00	13.95
32.64 SERVICE TEMP WATER	500	500	0	45.00	45.00	0.00	455.00	9.00
32.65 SALES TAX-GARBAGE	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL USER & SERVICE CHARGES	6,289,288	6,289,288	0	590,509.34	590,509.34	0.00	5,698,778.66	9.39
FINES & FORFEITURES								
42.01 LATE PAYMENT PENALTIES	90,000	90,000	0	11,417.93	11,417.93	0.00	78,582.07	12.69
42.02 CONTRACT REVENUE	0	0	0	(513.11)	(513.11)	0.00	513.11	0.00
TOTAL FINES & FORFEITURES	90,000	90,000	0	10,904.82	10,904.82	0.00	79,095.18	12.12
OTHER REVENUE								
51.01 INTEREST INCOME	25,000	25,000	0	2,185.95	2,185.95	0.00	22,814.05	8.74
59.03 RETURNED CHECK FEE	1,000	1,000	0	120.00	120.00	0.00	880.00	12.00
59.04 BAD DEBT ACCOUNT COLLE	35,000	35,000	0	(40.00)	(40.00)	0.00	35,040.00	0.11
59.08 CCRWSS-GBRA TRANSMISSI	43,000	43,000	0	0.00	0.00	0.00	43,000.00	0.00
59.11 AUCTION/SALE PROCEEDS	2,000	2,000	0	0.00	0.00	0.00	2,000.00	0.00
59.12 TML REIMBURSEMENTS	0	0	0	0.00	0.00	0.00	0.00	0.00
59.90 MISCELLANEOUS INCOME	1,000	1,000	0	0.00	0.00	0.00	1,000.00	0.00
59.92 EQUITY BALANCE FORWARD	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL OTHER REVENUE	107,000	107,000	0	2,265.95	2,265.95	0.00	104,734.05	2.12
GRANT AND CONTRIBUTION R								
81.00 CAPITAL CONTRIBUTIONS	0	0	0	0.00	0.00	0.00	0.00	0.00
82.00 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
INTERGOVERNMENTAL REVENUE								
93.01 XFER IN- VARIOUS FUNDS	131,463	626,051	(494,588)	0.00	0.00	0.00	626,051.00	0.00
93.02 XFER IN- FUND 136	0	0	0	0.00	0.00	0.00	0.00	0.00
93.88 XFER IN-206-FARF RESTR	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL INTERGOVERNMENTAL REVENUE	131,463	626,051	(494,588)	0.00	0.00	0.00	626,051.00	0.00
TOTAL REVENUES	6,617,751	7,112,339	(494,588)	603,680.11	603,680.11	0.00	6,508,658.89	8.49

CITY OF PORT LAVACA
REVENUE AND EXPENDITURES REPORT (UNAUDITED)
AS OF: OCTOBER 31ST, 2023

01-HOTEL OCCUPANCY TAX FUND
FINANCIAL SUMMARY

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>								
TAXES	525,000	525,000	0	135,701.40	135,701.40	0.00	389,298.60	25.85
OTHER REVENUE	5,000	5,000	0	1,463.29	1,463.29	0.00	3,536.71	29.27
INTERGOVERNMENTAL REVENUE	80,158	80,158	0	0.00	0.00	0.00	80,158.00	0.00
TOTAL REVENUES	610,158	610,158	0	137,164.69	137,164.69	0.00	472,993.31	22.48
<u>EXPENDITURE SUMMARY</u>								
HOTEL OCCUPANCY TAX	613,765	613,765	0	29,999.05	29,999.05	11,620.00	572,145.95	6.78
TOTAL EXPENDITURES	613,765	613,765	0	29,999.05	29,999.05	11,620.00	572,145.95	6.78
REVENUES OVER/ (UNDER) EXPENDITURES	(3,607)	(3,607)	0	107,165.64	107,165.64	(11,620.00)	(99,152.64)	2,648.89-

CITY OF PORT LAVACA
REVENUE AND EXPENDITURES REPORT (UNAUDITED)
AS OF: OCTOBER 31ST, 2023

03-BEACH OPERATING FUND
FINANCIAL SUMMARY

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDEGT BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>								
USER & SERVICE CHARGES	182,500	182,500	0	14,875.42	14,875.42	0.00	167,624.58	8.15
OTHER REVENUE	4,500	4,500	0	2,954.63	2,954.63	0.00	1,545.37	65.66
GRANT AND CONTRIBUTION R	0	0	0	0.00	0.00	0.00	0.00	0.00
INTERGOVERNMENTAL REVENUE	176,703	176,703	0	0.00	0.00	0.00	176,703.00	0.00
TOTAL REVENUES	363,703	363,703	0	17,830.05	17,830.05	0.00	345,872.95	4.90
<u>EXPENDITURE SUMMARY</u>								
TECHNOLOGY SERVICES	0	0	0	0.00	0.00	0.00	0.00	0.00
OPERATIONS	189,142	189,142	0	8,696.43	8,696.43	0.00	180,445.57	4.60
TOTAL EXPENDITURES	189,142	189,142	0	8,696.43	8,696.43	0.00	180,445.57	4.60
REVENUES OVER/ (UNDER) EXPENDITURES	174,561	174,561	0	9,133.62	9,133.62	0.00	165,427.38	5.23

CITY OF PORT LAVACA
REVENUE AND EXPENDITURES REPORT (UNAUDITED)
AS OF: OCTOBER 31ST, 2023

04-PORT & HARBORS FUND
FINANCIAL SUMMARY

	ORIGINAL BUDGET	AMENDED BUDGET	BUDGET ADJUSTMENT	CURRENT PERIOD	YEAR TO DATE ACTUAL	TOTAL ENCUMBRANCE	BUDGET BALANCE	% OF BUDGET
<u>REVENUE SUMMARY</u>								
USER & SERVICE CHARGES	705,843	705,843	0	63,479.38	63,479.38	0.00	642,363.62	8.99
FINES & FORFEITURES	12,000	12,000	0	0.00	0.00	0.00	12,000.00	0.00
OTHER REVENUE	6,666	6,666	0	1,486.67	1,486.67	0.00	5,179.33	22.30
GRANT AND CONTRIBUTION R	1,000,000	1,000,000	0	0.00	0.00	0.00	1,000,000.00	0.00
INTERGOVERNMENTAL REVENUE	13,992	13,992	0	0.00	0.00	0.00	13,992.00	0.00
TOTAL REVENUES	1,738,501	1,738,501	0	64,966.05	64,966.05	0.00	1,673,534.95	3.74
<u>EXPENDITURE SUMMARY</u>								
TECHNOLOGY SERVICES	1,500	1,500	0	0.00	0.00	0.00	1,500.00	0.00
CITY HARBOR	17,000	17,000	0	2,000.00	2,000.00	0.00	15,000.00	11.76
HARBOR OF REFUGE	125,000	125,000	0	0.00	0.00	45,753.57	79,246.43	36.60
SMITH HARBOR	51,000	51,000	0	0.00	0.00	1,716.93	49,283.07	3.37
NAUTICAL LANDINGS MARINA	15,000	15,000	0	0.00	0.00	0.00	15,000.00	0.00
OPERATIONS	1,856,044	1,856,044	0	17,799.08	17,799.08	0.00	1,838,244.92	0.96
NON DEPARTMENTAL	0	0	0	0.00	0.00	0.00	0.00	0.00
TOTAL EXPENDITURES	2,065,544	2,065,544	0	19,799.08	19,799.08	47,470.50	1,998,274.42	3.26
REVENUES OVER/(UNDER) EXPENDITURES	(327,043)	(327,043)	0	45,166.97	45,166.97	(47,470.50)	(324,739.47)	0.70

198,507.00+

409,038.00+

107,166.00+

9,133.00+

45,167.00+

005

769,011.00*



**Port Lavaca
PROPERTY TAX COLLECTION REPORT
September 30, 2023**

TAXES DUE AT CERTIFICATION 5,080,947.08

Adjustments to Date 35,409.32

TOTAL TAX LEVY 5,116,356.40

2022 Tax Collections

	Base	Penalties & Interest	Total
October	2,367,370.85	0.00	2,367,370.85
November	456,709.33	0.00	456,709.33
December	544,010.48	0.00	544,010.48
January	1,056,515.19	0.00	1,056,515.19
February	115,930.96	5,904.59	121,835.55
March	106,206.19	8,280.05	114,486.24
April	56,479.51	5,465.39	61,944.90
May	56,576.18	6,726.32	63,302.50
June	31,943.42	4,618.72	36,562.14
July (Delinquent as of July 1, 2022)			0.00
August			0.00
September			0.00
TOTAL	4,791,742.11	30,995.07	4,822,737.18

Last Year %
Collected
97.16%

% Collected 95.44%

TRANSFERRED TO DELINQUENT ROLL

July, Aug, and Sept Payments 10,177.88

2022 TAXES OUTSTANDING 233,209.58

% Current Outstanding 4.56%

DELINQUENT COLLECTIONS

	Base	Penalties & Interest	Total
October	15,508.53	3,883.19	19,391.72
November	11,960.20	5,936.64	17,896.84
December	29,654.80	10,931.51	40,586.31
January	7,327.91	3,189.44	10,517.35
February	5,002.82	4,245.22	9,248.04
March	5,245.73	3,492.81	8,738.54
April	3,207.67	1,508.35	4,716.02
May	3,309.74	1,961.42	5,271.16
June	1,897.35	1,180.02	3,077.37
July	33,481.39	13,591.76	47,073.15
August	13,972.92	5,579.30	19,552.22
September	5,851.67	2,820.55	8,672.22
TOTAL	136,420.73	58,320.21	194,740.94

DELINQUENT TAXES OUTSTANDING

332,559.26

TOTAL TAXES OUTSTANDING

565,768.84

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

Section VII. Item #C.

		Prior Year %	TOTAL	General Fund Budget		Total YTD	Prior Year Percent		
		Inc (Dec)	Year-to-Date			Percent	Increase (Decrease)		
		Month	Allocation	Month	Y-T-D	of Budget	Month	Y-T-D	
Recv'd		Fiscal Year 2020							
Dec	Oct	272,238	7%	272,238	192,843	192,843	141.17%	7.0%	7.0%
Jan	Nov	250,609	-12%	522,847	215,480	408,324	128.05%	-11.8%	-2.9%
Feb	Dec	306,377	2%	829,224	228,398	636,722	130.23%	1.7%	-1.3%
Mar	Jan	296,877	15%	1,126,101	194,906	831,628	135.41%	15.5%	2.6%
Apr	Feb	231,036	-13%	1,357,137	201,582	1,033,210	131.35%	-13.1%	-0.4%
May	Mar	290,784	10%	1,647,921	200,830	1,234,041	133.54%	9.7%	1.2%
Jun	Apr	236,689	-12%	1,884,609	203,482	1,437,523	131.10%	-11.8%	-0.6%
Jul	May	266,059	-15%	2,150,669	238,520	1,676,043	128.32%	-15.5%	-2.7%
Aug	Jun	354,719	16%	2,505,388	232,033	1,908,076	131.30%	15.9%	-0.5%
Sep	Jul	239,906	-27%	2,745,294	250,810	2,158,886	127.16%	-27.5%	-3.6%
Oct	Aug	273,447	-35%	3,018,741	317,702	2,476,588	121.89%	-34.8%	-7.6%
Nov	Sep	268,700	-9%	3,287,441	223,412	2,700,000	121.76%	-8.8%	-7.7%

Fiscal Year 2021									
Recv'd									
Dec	Oct	345,451	27%	345,451	243,714	243,714	141.74%	26.9%	26.9%
Jan	Nov	281,510	12%	626,961	224,351	468,066	133.95%	12.3%	19.9%
Feb	Dec	279,811	-9%	906,772	274,277	742,342	122.15%	-8.7%	9.4%
Mar	Jan	265,655	-11%	1,172,427	265,771	1,008,114	116.30%	-10.5%	4.1%
Apr	Feb	246,266	7%	1,418,693	206,830	1,214,943	116.77%	6.6%	4.5%
May	Mar	354,052	22%	1,772,745	260,317	1,475,260	120.16%	21.8%	7.6%
Jun	Apr	296,421	25%	2,069,165	211,890	1,687,150	122.64%	25.2%	9.8%
Jul	May	294,843	11%	2,364,008	238,183	1,925,333	122.78%	10.8%	9.9%
Aug	Jun	329,290	-7%	2,693,298	317,553	2,242,886	120.08%	-7.2%	7.5%
Sep	Jul	285,544	19%	2,978,842	214,770	2,457,656	121.21%	19.0%	8.5%
Oct	Aug	276,092	1%	3,254,934	244,797	2,702,453	120.44%	1.0%	7.8%
Nov	Sep	311,985	16%	3,566,919	240,547	2,943,000	121.20%	16.1%	8.5%

Fiscal Year 2022									
Recv'd									
Dec	Oct	246,194	-29%	246,194	318,632	318,632	77.27%	-28.7%	-28.7%
Jan	Nov	264,290	-6%	510,484	259,655	578,287	88.28%	-6.1%	-18.6%
Feb	Dec	330,154	18%	840,638	258,087	836,374	100.51%	18.0%	-7.3%
Mar	Jan	245,570	-8%	1,086,207	245,031	1,081,405	100.44%	-7.6%	-7.4%
Apr	Feb	252,248	2%	1,338,456	227,147	1,308,552	102.29%	2.4%	-5.7%
May	Mar	315,077	-11%	1,653,532	326,565	1,635,117	101.13%	-11.0%	-6.7%
Jun	Apr	266,647	-10%	1,920,179	273,408	1,908,525	100.61%	-10.0%	-7.2%
Jul	May	275,093	-7%	2,195,273	271,952	2,180,478	100.68%	-6.7%	-7.1%
Aug	Jun	315,184	-4%	2,510,457	303,725	2,484,203	101.06%	-4.3%	-6.8%
Sep	Jul	349,708	22%	2,860,165	263,376	2,747,579	104.10%	22.5%	-4.0%
Oct	Aug	304,754	10%	3,164,919	254,657	3,002,236	105.42%	10.4%	-2.8%
Nov	Sep	325,921	4%	3,490,839	287,764	3,290,000	106.10%	4.5%	-2.1%

Fiscal Year 2023									
Recv'd									
Dec	Oct	267,921	9%	267,921	221,082	221,082	121.19%	8.8%	8.8%
Jan	Nov	262,666	-1%	530,587	237,332	458,414	115.74%	-0.6%	3.9%
Feb	Dec	327,969	-1%	858,556	296,478	754,892	113.73%	-0.7%	2.1%
Mar	Jan	293,025	19%	1,151,581	220,522	975,414	118.06%	19.3%	6.0%
Apr	Feb	241,757	-4%	1,393,338	226,519	1,201,932	115.92%	-4.2%	4.1%
May	Mar	288,609	-8%	1,681,948	282,939	1,484,871	113.27%	-8.4%	1.7%
Jun	Apr	267,670	0%	1,949,617	239,449	1,724,320	113.07%	0.4%	1.5%
Jul	May	310,160	13%	2,259,777	247,034	1,971,354	114.63%	12.7%	2.9%
Aug	Jun	333,198	6%	2,592,976	283,035	2,254,389	115.02%	5.7%	3.3%
Sep	Jul	295,975	-15%	2,888,951	314,037	2,568,426	112.48%	-15.4%	1.0%
Oct	Aug	335,595	10%	3,224,546	273,669	2,842,095	113.46%	10.1%	1.9%
Nov	Sep				292,677	3,134,772			

COMMUNICATION

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

INFORMATION:

From: [Jody Weaver](#)
To: [Mandy Grant](#)
Subject: FW: VEDC Report for Council
Date: Wednesday, November 8, 2023 12:12:36 PM

From: Jonas Titas <jonastitas@victoriaedc.com>
Sent: Wednesday, November 8, 2023 11:56 AM
To: Jody Weaver <jweaver@portlavaca.org>
Cc: Sharon Barnard <sharonbarnard@victoriaedc.com>; Diane Drussell <dianedrussell@victoriaedc.com>
Subject: VEDC Report for Council

New VEDC Staff

- Diane Drussell joined VEDC in August with experience in downtown development and small business
- Diane will work closely with Port Lavaca merchants and the Port Lavaca Chamber to add additional resources

Residential Incentives Draft

- VEDC Staff has created draft language for a residential housing incentive program to present at November Council Workshop
- VEDC Staff is working with City Atty Anne Marie Odefey to ensure policy language complies with existing Ordinances and Resolutions adopted by Port Lavaca City Council

Marketing

- VEDC Staff is working on a one-pager marketing development flyer
- The new flyer will be folded into the new broader VEDC website and Port Lavaca/Calhoun County micro website being created

Database – Web Resources for Commercial / Retail Marketing

- VEDC is working with City Manager on acquiring a license for additional web based resources to promote opportunities in Port Lavaca
- VEDC is able to bundle multiple cities in the region for a reduced licensing fee

Jonas Titas, CEcD | President
VICTORIA ECONOMIC DEVELOPMENT CORPORATION
101 W Goodwin, Suite 322 | Victoria, Texas 77901
830/377-0501 (cell) | 361/485-3190 (office)
www.victoriaedc.com

COMMUNICATION

SUBJECT: Ratify Port Commission lease for Spiretek, LLC for Nautical Landings Suite 2

INFORMATION:

OFFICE LEASE AGREEMENT**DATE:** November 1, 2023**LANDLORD:** City of Port Lavaca, Texas, a Texas home rule municipality
202 N. Virginia
Port Lavaca, TX 77979**TENANT:**Company name & address: Spiretek International, Inc.
10782 FM 1960 Rd. West
Houston, Texas 77070Home office address: SameContact #'s & email: Leonard Lan 281-970-5019
Leonard@spiretek.comLocal responsibility: Courtney Lacy 361-482-7681 courtney@spiretek.com~~Desiree Calvaro 361-746-2086 desiree@spiretek.com~~

Emergency contact:

Tiffany Craft 361 746-2808 Tiffany@Spiretek.com
any above**PREMISES: SUITE 2 NAUTICAL LANDINGS BUILDING (Ref. Exhibit A)**Approximate square feet: 1440 square feet

Name of Building: Nautical Landings

Street address/suite: Suite 2

City, state, zip: Port Lavaca, Texas 77979

Term (months): 24 months**Commencement Date:** November 1, 2023**Termination Date:** October 31, 2025**Monthly payments due:**

Premises lease at \$1.25/sf: \$ 1,800.00

Restroom/breakroom/Janitorial: \$110.00

Trash Service: \$30.00

Electricity: \$240.00

Water/sewer: \$30.00

Total monthly rent payments: \$2,210.00

The Premises lease rate shall be adjusted on October 1st each year by the increase of the Municipal Cost Index as of the latest date published prior to October 1st. City may give a courtesy notice of any increase annually, however, failure to give such notice does not relieve Tenant of the obligation to pay such increases. *See also Sections B.l.g. i-iv*

Permitted Use: Business Office establishment

Tenant's Electricity Share: \$240/month (*ref Section B.1.g.i*)

Tenant's Water/Sewer Share: \$30/month (*ref Section B.1.g.ii*)

Tenant's Use of Restroom/Breakroom and Janitorial Services for same:: \$110/month (*ref Section B.1.g.iii*)

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

Tenant's Insurance: As required by Insurance Addendum

Landlord's Insurance: As required by Insurance Addendum

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

A. Definitions

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

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

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

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

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

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

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

B. Tenant's Obligations

B.1. Tenant agrees to -

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

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

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

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

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

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

B.1.g.i. **Electricity service:** Tenant shall reimburse Landlord directly for its electric service with a monthly sum of \$240.00, being a mutually agreed upon estimate of the average cost of electricity used monthly, based upon an energy rate of \$0.04586/kWh. Such payment for electricity is due on the first day of the month and is subject to a late charge of 10 percent, if not received by Landlord by the tenth day after its due. This monthly reimbursement amount will be reviewed annually and adjusted per any percentage change in the energy rate being paid by Landlord.

B.1.g.ii. **Water and Sewer service:** Tenant shall reimburse Landlord directly for its water and sewer service with a monthly sum of \$30.00, being a mutually agreed upon estimate of the average cost of water and sewer services used monthly, based upon the water and sewer rates in effect on the beginning date of this lease. Such payment for water and sewer service is due on the first day of the month and is subject to a late charge of 10 percent, if not received by Landlord by the tenth day after its due. This monthly reimbursement amount will be reviewed annually and adjusted per any percentage change in the water and sewer rate being paid by Landlord.

B.1.g.iii. **Janitorial services for and use of restrooms/breakroom:** Tenant shall reimburse Landlord directly for janitorial services for and use of the restrooms and breakroom with a monthly sum of **\$110.00**, being a mutually agreed upon compensation for these services. Such payment for these services is due on the first day of the month and is subject to a late charge of 10 percent, if not received by Landlord by the tenth day after its due. This monthly reimbursement amount will be reviewed annually and adjusted per any percentage change in the cost of janitorial services paid by Landlord.

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

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

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

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

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

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

B.2. Tenant agrees not to -

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

B.2.b. Create a nuisance.

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

B.2.d. Permit any waste.

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

B.2.f. Change Landlord's lock system.

B.2.g. Alter the Premises.

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

B.2.i. Assign this lease or sublease any portion of the Premises without Landlord's written consent.

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

C. Landlord's Obligations**C.1. Landlord agrees to -**

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

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

C.1.c. Provide the Essential Services.

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

C.1.e. TO THE EXTENT ALLOWED BY TEXAS LAW, BUT NOT OTHERWISE, INDEMNIFY, DEFEND, AND HOLD TENANT HARMLESS FROM ANY INJURY AND ANY RESULTING OR RELATED CLAIM, ACTION, LOSS, LIABILITY, OR REASONABLE EXPENSE, INCLUDING ATTORNEY'S FEES AND OTHER FEES AND COURT AND OTHER COSTS, OCCURRING IN ANY PORTION OF THE COMMON AREAS. **THE**

INDEMNITY CONTAINED IN THIS PARAGRAPH (i) IS INDEPENDENT OF LANDLORD'S INSURANCE, (ii) WILL NOT BE LIMITED BY COMPARATIVE NEGLIGENCE STATUTES OR DAMAGES PAID UNDER THE WORKERS' COMPENSATION ACT OR SIMILAR EMPLOYEE BENEFIT ACTS, (iii) WILL SURVIVE THE END OF THE TERM, AND (iv) WILL APPLY IF CAUSED IN WHOLE OR IN PART BY THE ACTS OR OMISSIONS OF LANDLORD OR ITS AGENTS, INCLUDING IN WHOLE OR IN PART BY THE NEGLIGENT ACTS OR OMISSIONS OF LANDLORD OR ITS AGENTS, EVEN IF AN INJURY IS CAUSED IN PART BY THE ORDINARY NEGLIGENCE OR STRICT LIABILITY OF TENANT BUT WILL NOT APPLY TO THE EXTENT AN INJURY IS CAUSED IN WHOLE OR IN PART BY THE GROSS NEGLIGENCE OR WILLFUL MISCONDUCT OF TENANT.

C.2. Landlord agrees not to -

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

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

D. General Provisions

Landlord and Tenant agree to the following:

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

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

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

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

D.5. *Release of Claims/Subrogation.* LANDLORD AND TENANT RELEASE EACH OTHER, AND THEIR RESPECTIVE AGENTS, FROM ALL CLAIMS OR LIABILITIES FOR DAMAGE TO THE PREMISES OR BUILDING, DAMAGE TO OR LOSS OF PERSONAL PROPERTY WITHIN THE BUILDING, AND LOSS OF BUSINESS OR REVENUES THAT ARE INSURED BY THE RELEASING PARTY'S PROPERTY INSURANCE OR THAT WOULD HAVE BEEN INSURED BY THE REQUIRED INSURANCE IF THE PARTY FAILS TO MAINTAIN THE PROPERTY COVERAGES REQUIRED BY THIS LEASE. THE PARTY INCURRING THE DAMAGE OR LOSS WILL BE RESPONSIBLE FOR ANY DEDUCTIBLE

OR SELF-INSURED RETENTION UNDER ITS PROPERTY INSURANCE. LANDLORD AND TENANT WILL NOTIFY THE ISSUING PROPERTY INSURANCE COMPANIES OF THE RELEASE SET FORTH IN THIS PARAGRAPH AND WILL HAVE THE PROPERTY INSURANCE POLICIES ENDORSED, IF NECESSARY, TO PREVENT INVALIDATION OF COVERAGE. THIS RELEASE WILL NOT APPLY IF IT INVALIDATES THE PROPERTY INSURANCE COVERAGE OF THE RELEASING PARTY. **THE RELEASE IN THIS PARAGRAPH WILL APPLY EVEN IF THE DAMAGE OR LOSS IS CAUSED IN WHOLE OR IN PART BY THE ORDINARY NEGLIGENCE OR STRICT LIABILITY OF THE RELEASED PARTY OR ITS AGENTS BUT WILL NOT APPLY TO THE EXTENT THE DAMAGE OR LOSS IS CAUSED IN WHOLE OR IN PART BY THE GROSS NEGLIGENCE OR WILLFUL MISCONDUCT OF THE RELEASED PARTY OR ITS AGENTS.**

D.6. Casualty/Total or Partial Destruction

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

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

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

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

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

D.9. Default by Landlord/Tenant's Remedies. Tenant's remedies for Landlord's default

are to sue for damages and, if Landlord does not provide an Essential Service within thirty days after default, terminate this lease.

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

D.11. Default by Tenant/Landlord's Remedies. Landlord's remedies for Tenant's default are to (a) enter and take possession of the Premises and either sue for Rent as it accrues or accelerate all rent due under this lease and sue; (b) enter and take possession of the Premises, after which Landlord may relet the Premises on behalf of Tenant and receive the Rent directly by reason of the reletting, and Tenant agrees to reimburse Landlord for any expenditures made in order to relet; (c) enter the Premises and perform Tenant's obligations; and (d) terminate this lease by written notice and sue for damages. Landlord may enter and take possession of the Premises by self-help, by picking or changing locks if necessary, and may lock out Tenant or any other person who may be occupying the Premises, until the default is cured, without being liable for damages.

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

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

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

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

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

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

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

EXTEND BEYOND THOSE EXPRESSLY STATED IN THIS LEASE.

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

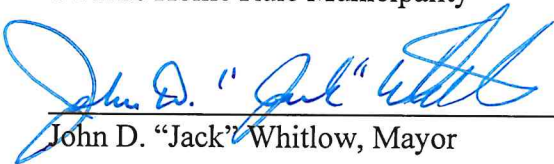
D.20. Use of Common Areas. Tenant will have the nonexclusive right to use the Common Areas subject to any reasonable rules and regulations that Landlord may prescribe.

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


E. Special Provisions

Tenant shall have the right with ninety (90) days advance written notice to City to exercise a single one (1) year option to extend the lease until October 31, 2026, however City shall have the right with sixty (60) days advance written notice to Tenant to deny any request to extend the lease and to terminate the lease at the end of the current term, being October 31, 2025.

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



John D. "Jack" Whitlow, Mayor

(TENANT)


Printed Name: Leonard Lam

EXHIBIT “A”

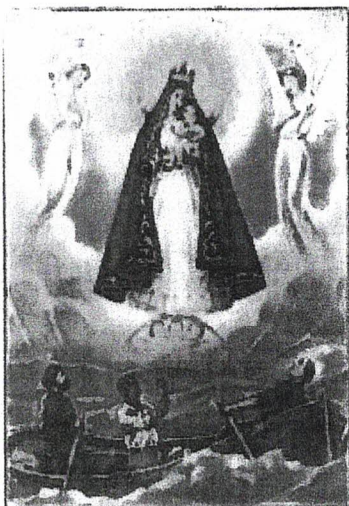
Photos of Leased Space Suite 2
October 31, 2023



COMMUNICATION

SUBJECT: Ratify closure of street for the OLG Catholic Church's Thanksgiving Meal Drive-Thru on Sunday, November 05, 2023

INFORMATION:



OUR LADY OF THE GULF CATHOLIC CHURCH

415 W. AUSTIN STREET

PORT LAVACA, TX 77979

TEL: 361-552-6140 FAX: 361-552-4300

WEBSITE: WWW.OLGULF.ORG EMAIL: OLG@OLGULF.ORG

AND MISSIONS OF

ST. ANN, POINT COMFORT, TX

ST. JOSEPH, PORT O'CONNOR, TX

ST. PATRICK, SEADRIFT, TX

Dear Port Lavaca City Council,

Our Lady of the Gulf Altar Society will hold its annual Turkey Dinner and Raffle Fundraiser on Sunday, November 5, 2023 at St. Jude Hall, 300 W Austin Street. We are requesting closure of Benavides Street between Leona and Austin streets from 9:00 am to 2:00 pm in order to allow for drive through pick up of the meal.

We appreciate your consideration of this request and your support of our church activities.

Should you have any questions, you may call the parish office at 361-552-6140 ext. 3.

Sincerely,

**Linda Meyer
Chairperson**

COMMUNICATION

SUBJECT: Consider Second and Final Reading of an Ordinance (G-11-23) of the City of Port Lavaca 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 providing an effective date. Presenter is Colin Rangnow

INFORMATION:

ORDINANCE #G-11-23

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 the following locations for traffic control devices:

BELLE LANE @ CAVILER DRIVE**STOP Signs**

Signage placed on the east and west side of Caviler Dr

AIMABLE STREET @ CAVILER DRIVE**STOP Signs**

Signage placed on the east and west side of Caviler Dr.

ST. FRANCOIS AVENUE @ CAVILER DRIVE**STOP Signs**

Signage placed on the south side of St. Francois Ave

ST. FRANCOIS AVENUE @ RAUEN DRIVE**STOP Signs**

Signage placed on the south side of St. Francois Ave

AIMABLE STREET @ BELLE LANE**STOP Signs**

Signage placed on the west side of Belle Lane

AIMABLE STREET @ RAUEN DRIVE**STOP Signs**

Signage placed on the northside of Aimable Street

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 October, 2023.

Jack Whitlow, Mayor

SECOND AND FINAL READING this 13th day of November, 2023.

Jack Whitlow, Mayor

APPROVED AND ADOPTED this 13th day of November, 2023.

Jack Whitlow, Mayor

ATTEST:

Mandy Grant, City Secretary

APPROVED AS TO FORM:

Anne Marie Odefey, City Attorney

RECORD OF VOTE

	First Reading	Second and Final	Passed and Approved
Councilman Aguirre	Aye		
Councilman Dent	Aye		
Councilman Tippet	Aye		
Councilwoman Padron	Aye		
Councilman Ward	Aye		
Councilman Barr	Aye		

Record of approval by City Council: City Council Minute Records, Volume 3H, Page _____.
Amends G-6-86

ORDINANCE #G-11-23
TrafficControl_Stop Sign_Cavelier at VillageRd.
MyDocuments\Ordinances\2023 Ordinances
Passed and Adopted 11-13-23
Recorded Vol. , Page



CITY OF
PORT LAVACA
POLICE DEPARTMENT

To: City Secretary Mandy Grant
From: Chief Colin Rangnow
Date: September 15, 2023
Subject: Agenda Item: Traffic Control Signage

The Port Lavaca Police Department requests approval from City Council of the City of Port Lavaca to add additional traffic control signage (Stop Signs) in the La Salle landing subdivision. Several citizens have voiced concern of the lack of traffic control in the area. Citizens have noted vehicular speeds have increased due to lack of traffic control at the various intersections in said subdivision. Currently the only intersection with signage is Caviler @ Village Rd. I recommend implementing traffic control signage at the following intersections:

- Belle Lane @ Caviler Drive (signage placed on the east and west side of Caviler Dr.)
- Aimable Street @ Caviler Drive (signage placed on the east and west side of Caviler Dr.)
- St Francois Avenue @ Caviler Drive (signage placed on the south side of St Francois Ave.)
- St Francois Avenue @ Rouen Drive (signage placed on the south side of St Francois Ave.)
- Aimable Street @ Belle Lane (signage placed on the west side of Belle Lane)
- Aimable Street @ Rouen Drive (signage placed on the northside of Aimable St.)



Chief Colin Rangnow

Port Lavaca Police Department













COMMUNICATION

SUBJECT: Consider approval of Hahn Equipment Co., Inc., a sole source vendor, making repairs to the Main Lift station pump in the amount of \$29,690.42. Presenter is Wayne

INFORMATION:

CC MEETING: November 13, 2023 **AGENDA ITEM #**

DATE: 10-12-2023

TO: Jody Weaver, Interim CITY MANAGER
cc: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: WAYNE SHAFFER, PUBLIC WORKS DIRECTOR 

SUBJECT: Main Lift Station Pump Repair

BACKGROUND:

On September 19th, 2023, Hahn equipment was solicited to pull and derag pumps at main lift station. When they pulled pump 1 it was discovered that the motor was locked up. Upon subsequent inspection and teardown water was discovered in the oil. Further inspection determined that the bearings, rotor shaft, and stator were damaged as well. Given the status of this station as an end of line station these pumps see continuous operation. Subsequently, pump failures of this magnitude, while rare, do happen when debris such as rags and other “flushable items” clog impellers and volutes.

FINANCIAL IMPLICATIONS:

Not repairing this pump could result in excessive sanitary sewer overflows and TCEQ violations and or fines.

RECOMMENDATION:

Staff recommends repair as Main lift station is one of the main WWTF feeder stations.

ATTACHMENTS:

Requisition, required quotes and sole source letter.

**CITY OF PORT LAVACA
REQUISITION REQUEST FORM**

Section VIII. Item #2.

**PURCHASE
ORDER #**

(Assigned by Finance)

Section 1 - General Information

Requisitioned by: Wayne Shaffer Director of Public Works
(Name) (Title)

DATE: 10/12/23

Department: Utilities Wastewater

Name of Vendor Hahn Equipment

Description of Goods/Services: Main Lift station pump

G/L Acct #: 501-55134543.10

Project: Lift Station O/M

Total Amount of Purchase: \$29690.42

Section II - HUB Contact Documentation - FOR PURCHASES OF \$3,000 - \$49,999

In compliance with Chapter 252.0215 of the Texas Local Government Code and pages 13 & 14 of the City Purchasing Policy and Procedures manual, the department originating this purchase requisition certifies that: (Select A or B)

A) _____ The following Calhoun County Historically Underutilized Businesses were identified and contacted concerning this purchase:

HUB #1

HUB #2

B) X No applicable Calhoun County HUBs were identified from the Comptroller of Public Accounts listing; therefore, the City is exempt from HUB contact requirements for this purchase. (Attach HUB vendor search results.)

Section III - Competitive Quotation Documentation

Competitive quotations are generally required for cooperative, emergency, sole source or single source purchases, with justification/sole source documentation, and approval by Finance, per pages 13-15 of the City Purchasing Policy and Procedures.

Cooperative Purchase? ☐ Yes ☒ No PSA/Contract # _____
Sole Source? ☒ Yes ☐ No
Single Source? ☐ Yes ☒ No
Emergency Purchase? * ☐ Yes ☒ No

Sole source letter attached

* If yes, City Manager authorization _____

Competitive Bid? ☐ Yes ☒ No

Attach bid tabulation and Council minutes

	Quotation #1 \$1,001 - \$5,000	Quotation #2 \$5,001 - \$10,000	Quotation #3 \$10,001 - \$49,999
	PO NOT REQUIRED	\$3,000	HUB Vendor Search
Name of Company	Hahn Equipment Co., Inc.		
Telephone Number	713-868-3255		
Contact Person	Charlie Gioielli		
Email Address	charlieg@hahnequipment.com		
Quotation #	1016554		
Total Price Quoted	\$29690.42		

Section IV - Approvals

Department Head or Designee: _____

Date: 10-12-23

To be routed for signature by Finance staff:

Finance Director: _____

Date: _____

City Manager: _____

Date: _____



Mark A Shaw
SE Territory Manager
Xylem Inc
Flygt Products

1012 Riviera Rd
Roanoke TX. 76262
Cell 262 227 3763

mark.shaw@xyleminc.com

October 25, 2022

City of Port Lavaca
628 George Street
Port Lavaca, TX 77979

Attention: William Shaffer

RE; Flygt pumps, parts and repair services

Please be advised that Hahn Equipment Company located at 5636 Kansas Houston Texas is the only authorized Flygt distributor for the sale of Flygt pumps in SE Texas which includes the City of Port Lavaca Texas. This not only includes the Flygt pumps but also Flygt authorized parts and service. Their staff is properly trained to provide you with the best possible service available.

These terms of Hahn Equipment distribution contract with Flygt a Xylem brand is an ongoing partnership that has lasted for more 40 years and is a continuing agreement.

Thank you for your interest in Flygt Products and Services. Please call if we can be of any further help.

Sincerely,

Mark A Shaw
Territory Manager
Flygt Products
Xylem Inc.

Q Search For Vendors

Please Fill out a Survey

✔ Search found 2 vendors , 1 are HUBs ,Includes 0 Inactive Vendors
Search Condition : SearchType=CMBL Only,Location County=Calhoun

Vendor ID	Company Name ↑	Contact Person	Mailing Address	City	State	Zip	Country	Email	Phone	HUB Eligibility	HUB Gender	Small Business	CMBL Status	HUB Status
<u>1474544893700</u>	<u>DOWELL PEST CONTROL LLC</u>	Walter Dowell	638 N COMMERCE ST	PORT LAVACA	TX	77979-3037	USA	<u>chad@dowellpestcontrol.com</u>	361-717-4663	<u>DV</u>	<u>M</u>	<u>Yes</u>	<u>Active</u>	<u>A-Active</u>
<u>1741676138900</u>	<u>LESTER CONTRACTING, INC.</u>	Ken Lester Jr	PO BOX 986	PORT LAVACA	TX	77979-0986	USA	<u>ken@lestercontracting.com</u>	361-552-3024			<u>Yes</u>	<u>Active</u>	<u>Inactive(N)</u>

Quote

HAHN EQUIPMENT CO., INC.
5636 KANSAS ST.
HOUSTON, TX. 77007
OFFICE#-713-868-3255
FAX#-713-868-9725

Quote No
1016900

Quote D
9/26/2023

Section VIII. Item #2.

Bill To

CITY OF PORT LAVACA
accountspayable@portlavaca.
ajackson@portlavaca.org;
ACCOUNTS PAYABLE 202 N
PORT LAVACA, TX 77979
US

Ship to

CITY OF PORT LAVACA
MAIN L/S - LP2
US

Customer No 7740
Slpsn 4
Payment terms 1%10DAYS/NET 30

Loc 01
PPD/COL
Ship via WILL CALL
Ship Date A.S.A.P.

Qty Ordered	UOM	Item No	Unit price	Disc	Extended price
1.00	EA	REPAIR. FLYGT PUMP, REPAIRED AS PER SPECIFICATIONS, MODEL: CP 3201 S/N 180.9160075 IMPELLER # 636 . DATE IN: 09/22/2023 CONTACT: LANCE PHONE: 361.220.0858 FAX: . DESCRIPTION OF FAILURE: WATER/OIL IN STATOR HOUSING WATER IN OIL STATOR BURNED OUT BEARINGS DAMAGED ROTOR/SHAFT DAMAGED MEGGER CABLE & CHECK CONTROL . LIST OF PARTS USED: .	0.0000		0.00
1.00	EA	00384 54 37E STATOR, RECOND 3201/35HP	4,205.2500		4,205.25
1.00	EA	00384 56 13E RE-CONDITIONED ROTOR	5,859.0000		5,859.00
1.00	EA	00601 89 32 BASIC REPAIR KIT 3170/3201	8,920.8000		8,920.80
1.00	EA	00518 89 02 LEAK DETECTOR UNIT FLS 0	378.0000		378.00
1.00	EA	00504 78 10 CABLE UNIT	219.4500		219.45
1.00	EA	00396 42 00 LIFTING BAIL	953.4000		953.40
1.00	EA	00426 82 00 TERMINAL BOARD ASSEMBLY	770.7000		770.70
1.00	EA	00082 70 34 SCREW PLUG, HEX M30X1.5	46.2000		46.20
2.00	EA	00696 16 00 WASHER,STEEL	59.8500		119.70

Quote

HAHN EQUIPMENT CO., INC.
5636 KANSAS ST.
HOUSTON, TX. 77007
OFFICE#-713-868-3255
FAX#-713-868-9725

Quote No
1016900

Quote D
9/26/2013

Section VIII. Item #2.

Bill To

CITY OF PORT LAVACA
accountspayable@portlavaca.
ajackson@portlavaca.org;
ACCOUNTS PAYABLE 202 N
PORT LAVACA, TX 77979
US

Ship to

CITY OF PORT LAVACA
MAIN L/S - LP2
US

Customer No

7740

Slpsn

4

Payment terms

1%10DAYS/NET 30

Loc PPD/COL

01

Ship via

WILL CALL

Ship Date

A.S.A.P.

Qty Ordered

UOM Item No

Unit price

Disc

Extended price

1.00 EA 00503 16 04
BEARING HOUSING C.I. 3201

4,318.6500

4,318.65

1.00 EA 00314 88 06
WEAR RING, BRASS

1,130.8500

1,130.85

1.00 EA 00345 25 04
WEAR RING, ROTATING S.S.

658.3500

658.35

16.00 PT OIL.
MOTOR OIL NONTOX FDA APPROVED

7.5653

121.04

1.00 EA 568.
ENVIRONMENTAL FEE

11.0250

11.03

9.00 HR LABOR.
SHOP LABOR

106.0000

954.00

8.00 EA SERVICE.
TO INSTALL REPAIRED PUMP, HOOK
UP & TEST.

128.0000

1,024.00

THE QUOTE TOTAL MAY NOT REFLECT MISCELLANEOUS CHARGES, FREIGHT OR SALES TAX

Quote Total

29,690.42

COMMUNICATION

SUBJECT: Consider approval of the Final Pay Request and Release of Retainage for the Community Development Block Grant – Disaster Relief (CDBG-DR) Phase 1 project. Presenter is Jody Weaver

INFORMATION:

CITY OF PORT LAVACA

MEETING: NOVEMBER 13, 2023 **AGENDA ITEM** _____

DATE: 11.09.2023

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: JODY WEAVER, INTERIM CITY MANAGER

SUBJECT: CDBG-DR – PHASE 1: FINAL PAY REQUEST/ RELEASE OF RETAINAGE

Attached is Pay Request #11 for the CDBG-DR Phase 1 project (S. Lavaca St. and S. Juanita St. Benefit Area). This Pay Request is the Final request and consists of the release of retainage being \$104,662.97. For your reference, I've also *attached* a copy of the certificate of construction completion dated 11.01.2023.

The Final Contract amount is \$2,093,259.05, which reflects a savings of \$74,941.00 from the original contract amount. The savings was due generally due to the reconciliation of as-built quantities and the elimination of the block sod and hydro mulch seeding.

All final paperwork has been submitted to Grantworks with the exception of the Final As-Built drawings which will be submitted to CivilCorp and Grantworks on Monday, November 13.

Very recently, after the final inspection, several areas were discovered as having small to large cracks forming in the hot-mix. This was brought up to CivilCorp who inspected the cracking and offered the following: It is CivilCorp's opinion was that the cracking was not a base failure but was due to varying moisture and resultant volume changes in the subgrade most likely due to the extended period of extreme heat and drought we experienced over this past summer. It seems that many areas in south Texas are experiencing this same issue. CivilCorp's recommendation is to crack-seal with placing sand in the larger cracks (1/2" or wider) prior to sealing. This work would be performed in accordance with TxDOT Spec 712. The estimated cost of repair is \$9,000 which Lester Contracting has offered to share this cost 50/50 with the City. This repair work would not be warranty work and would be performed outside of the grant project, with the cost to the City being less than \$5,000.

Below are a few photographs taken recently in the project area.



CITY OF PORT LAVACA



☞ This is a photo of the worse section of cracking on Mulberry Street.

For your reference, below is a spreadsheet of the breakdown of the construction budget for the CDBG-DR projects, both Phase 1 and Phase 2.

Construction budget as of 11.9.2023				
Activity	Type	Phase 1	Phase 2	Budgeted/Expected
Flood and Drainage	Grant	\$1,274,243.35	\$551,116.65	\$1,825,360.00
Street Improvements	Grant	\$754,280.55	\$1,710,149.45	\$2,464,430.00
Flood and Drainage	Local Funds	\$64,735.15	\$2,168,177.60	\$2,232,912.75
Street Improvements	Local Funds	\$0.00	\$105,315.45	\$105,315.45
Total	Grant	\$2,028,523.90	\$2,261,266.10	\$4,289,790.00
Total	Local Funds	\$64,735.15	\$2,273,493.05	\$2,338,228.20
Total	Overall	\$2,093,259.05	\$4,534,759.15	\$6,628,018.20

Recommendation: In accordance with the engineer's recommendation, approve, pending the final review and approval of the As-Built Drawings, the release of retainage on this project and authorize the Final Payment in the amount of \$104,662.97.



November 2, 2023

Ms. Jody Weaver
City Manager
City of Port Lavaca

Re: Flood & Drainage and Street Improvements for Port Lavaca CDBG-DR (Phase 1 – Lavaca Street and Juanita Street Benefit Area) GLO CONTRACT NO. 20-065-071-C198 – Final Pay Estimate No. 11 for Retainage

Dear Jody:

CivilCorp has reviewed the enclosed final Pay Estimate No. 11 for Retainage from Lester Contracting Inc. for the above referenced project. CivilCorp recommends payment of Pay Estimate No. 11 in the amount of \$104,662.97. Please let me know if you have any further questions.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Randy Janak', is written over the word 'Sincerely,'.

Randy Janak, P.E.
Vice President – Victoria Office
Firm No. 10283

XC: Julianna Greenberg – GrantWorks
Wayne Shaffer – City of Port Lavaca

Attachments

CERTIFICATE FOR PAYMENT

Payment #11

TO (OWNER): CITY OF PORT LAVACA
202 N. VIRGINIA
PORT LAVACA, TX 77979
ATTN: Jody Weaver

PROJECT: City of Port Lavaca
GLO #20-065-071-C198
Phase 1 - Lavaca St and Juanita St Benefit Area
Port Lavaca, Tx

FROM (Engineer): CivilCorp, LLC
4611 E. Airline Rd, Suite 300
Victoria, Texas, 77904

CONTRACTOR: Lester Contracting, Inc.
P.O. Box 986
Port Lavaca, TX 77979
ATTN: Trent Tagliabue

INVOICE #: 2128611R
For work: Thru 03/31/2023 (Retainage)

CONTRACT FOR: City of Port Lavaca - GLO #20-065-071-C198 (Phase 1 - Lavaca St and Juanita St Benefit Area)

CONTRACTOR'S APPLICATION FOR PAYMENT

CHANGE ORDER SUMMARY		ADDITIONS \$	DEDUCTIONS \$
CHANGE ORDERS APPROVED IN PREVIOUS MONTHS BY OWNER ---->			9081
APPROVED THIS MONTH			
NUMBER OR DESCRIPTION	DATE APPROVED		
2	11/2/2023		65860
TOTALS			74941
NET CHANGE BY CHANGE ORDERS			-74941

APPLICATION IS MADE FOR PAYMENT, AS SHOWN BELOW, IN CONNECTION WITH THE CONTRACT.

1. ORIGINAL CONTRACT SUM.....	\$ 2,168,200.05
2. Net change by Change Orders.....	\$ (74,941.00)
3. CONTRACT SUM TO DATE (lines 1+2).....	\$ 2,093,259.05
4. TOTAL COMPLETED	\$ 2,093,259.05
5. RETAINAGE:	
a. 5% of Completed Work.....	104,662.97
6. TOTAL EARNED LESS RETAINAGE..... (Line 4 less Line 5 Total)	\$ 1,988,596.08
7. LESS PREVIOUS CERTIFICATES FOR PAYMENT (Line 6 prior Certificate).....	\$ 1,988,596.08
→ 8. CURRENT PAYMENT DUE.....	\$ 104,662.97
9. BALANCE TO FINISH..... (Line 3 less Line 6)	\$ -

ENGINEER'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations, and the data comprising the above application, the Engineer certifies to the Owner that to the best of the Engineer's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Owner is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED.. \$ 104,662.97

(Attach explanation if amount certified differs from the amount applied for.)

ENGINEER: RANDY JANAK, PE

By:

Date: 11/2/2023

This certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract.

Summary of Payments Made

GLO #20-065-071-C198 (Phase 1 - Lavaca St and Juanita St Benefit Area)

TO (Owner):

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

FROM (Engineer):

CivilCorp, LLC
4611 E. Airline Rd, Suite 300
Victoria, Texas, 77904

PROJECT:

GLO #20-065-071-C198 (Phase 1 - Lavaca St and Juanita St Benefit Area)

CONTRACTOR:

Lester Contracting, Inc.
P.O. Box 986
Port Lavaca, TX 77979

Contract Amount:	\$ 2,168,200.05
Contract Amount:	\$ 2,159,119.05
Contract Amount:	\$ 2,093,259.05

(Change Order No. 1)
(Change Order No. 1&2)

Invoice date	Invoice Number	Amount Invoiced		Retainage	Amount Due to Contractor	Total Contract Paid	Contract Balance
		Total Contract	Month					Invoice less retainage less Contract Paid
February 28, 2022	2128601	\$ 309,933.55	\$ 309,933.55	\$ 15,496.68	\$ 294,436.87	\$ 294,436.87	\$ 1,873,763.18
May 31, 2022	2128602	\$ 658,855.50	\$ 348,921.95	\$ 32,942.78	\$ 331,475.85	\$ 625,912.72	\$ 1,542,287.34
June 30, 2022	2128603A	\$ 1,060,426.30	\$ 401,570.80	\$ 53,021.32	\$ 381,492.26	\$ 1,007,404.98	\$ 1,160,795.08
July 31, 2022	2128604	\$ 1,183,729.73	\$ 123,303.43	\$ 59,186.50	\$ 117,138.25	\$ 1,124,543.22	\$ 1,043,656.82
August 31, 2022	2128605	\$ 1,408,359.31	\$ 224,629.58	\$ 70,417.98	\$ 213,398.10	\$ 1,337,941.33	\$ 830,258.72
September 30, 2022	2128606	\$ 1,591,986.88	\$ 183,627.57	\$ 79,599.36	\$ 174,446.19	\$ 1,512,387.52	\$ 655,812.53
October 31, 2022	2128607	\$ 1,800,885.50	\$ 208,898.62	\$ 90,044.29	\$ 198,453.69	\$ 1,710,841.21	\$ 457,358.85
November 30, 2022	2128608	\$ 1,846,723.00	\$ 45,837.50	\$ 92,336.17	\$ 43,545.62	\$ 1,754,386.82	\$ 413,813.23
December 31, 2022	2128609	\$ 1,902,173.05	\$ 55,450.05	\$ 95,108.67	\$ 52,677.55	\$ 1,807,064.38	\$ 361,135.67
March 31, 2023	2128610	\$ 2,093,259.05	\$ 191,086.00	\$ 104,662.97	\$ 181,531.70	\$ 1,988,596.08	\$ 170,522.97
March 31, 2023	2128611R	\$ 2,093,259.05	\$ -	\$ 104,662.97	\$ 104,662.97	\$ 2,093,259.05	\$ -

CONSTRUCTION BREAKDOWN
PORT LAVACA CDBG-DR Contract No. 20-065-071-C198

HUD ACTIVITY - TIGR Phase 1	GLO BUDGET - Phase 1	Local Funds - Phase 1	Contract - Lester Contractor	Final Contract Amount After Change Orders	Pay App 1-11	Remaining After Pay App 11
Flood and Drainage	\$ 452,750.00	\$ 898,636.50	\$ 1,351,386.50	\$ 1,339,745.50	\$ 1,339,745.50	\$ -
Street Improvements	\$ 654,570.00	\$ 162,243.55	\$ 816,813.55	\$ 753,513.55	\$ 753,513.55	\$ -
Retainage (5% Subtraction)			\$ 108,410.00	\$ 104,662.97		\$ -
TOTAL	\$ 1,107,320.00	\$ 1,060,880.05	\$ 2,059,790.05		\$ 2,093,259.05	\$ -

To(OWNER): City of Port Lavaca
202 North Virginia Street
Port Lavaca, TX 77979-0105

From: LESTER CONTRACTING, inc.
P. O. BOX 986
PORT LAVACA, TX 77979
(361) 552-3024

Project: CITYOFPL/LAVACA & JUANITA ST I
LAVACA ST & JUANITA ST
GLO # 20-065-071-C198
Port Lavaca, TX 77979

Via(Architect/
Engineer)

Application No: 11
Invoice No: 2128611R
Invoice Date: 3/31/2023
Terms: Net 30
Due Date: 4/30/23
Period To: 3/31/2023
Project No: CONTRACT
Contract Date: 12/16/2021

For:

Original Contract sum.....	2,168,200.05
Change Orders.....	-74,941.00
Contract sum.....	2,093,259.05
Completed to date.....	2,093,259.05
Retainage.....	0.00
Total earned less retainage.....	2,093,259.05
Previous billings.....	1,988,596.08
Current payment due.....	104,662.97
Sales tax.....	0.00
Total due.....	104,662.97

To(OWNER): City of Port Lavaca
202 North Virginia Street
Port Lavaca, TX 77979-0105

From: LESTER CONTRACTING, inc.
P. O. BOX 986
PORT LAVACA, TX 77979
(361) 552-3024

Project: CITYOFPL/LAVACA & JUANITA ST I
LAVACA ST & JUANITA ST
GLO # 20-065-071-C198
Port Lavaca, TX 77979

Via(Architect/
Engineer)

Application No: 11
Invoice No: 2128611R
Invoice Date: 8/31/2023
Terms: Net 30
Due Date: 9/30/2023
Period To: 8/31/2023
Project No: CONTRACT
Contract Date: 12/16/2021

For:
Invoice for Work Completed Through 3/31/23

No.	Description	Total Quantity	Unit Cost	Total Cost	Completed Units	Current Value	Prior Value	Due This Request
1	Remove Tree and Backfill	2 EA	1,200.00	2,400.00	2	2,400.00	2,400.00	0.00
2	Remove Concrete Curb & Gutter	2,790 LF	3.50	9,765.00	2,790	9,765.00	9,765.00	0.00
3	Remove Concrete Driveway	272 SY	23.00	6,256.00	272	6,256.00	6,256.00	0.00
4	Remove Concrete Valley	73 SY	23.00	1,679.00	73	1,679.00	1,679.00	0.00
5	Excavation Channel	522 CY	5.50	2,871.00	522	2,871.00	2,871.00	0.00
6	Excavation Roadway	5,471 CY	17.50	95,742.50	5,471	95,742.50	95,742.50	0.00
7	Embankment Final Dens Cont TY A	256 CY	18.50	4,736.00	256	4,736.00	4,736.00	0.00
8	Block Sodding	0 SY	6.50	0.00	0	0.00	0.00	0.00
9	Cell Fiber Mulch Seeding Perm Urban Clay	0 SY	1.25	0.00	0	0.00	0.00	0.00
10	Vegetative Watering	0 MG	39.50	0.00	0	0.00	0.00	0.00
11	Flex Base Ty A GR 1-2 10"	2,011 CY	88.00	176,968.00	2,011	176,968.00	176,968.00	0.00
12	Lime Treat Subgrade 6"	9,042 SY	7.50	67,815.00	9,042	67,815.00	67,815.00	0.00
13	Asphalt RC-250	1,809 GAL	7.50	13,567.50	1,809	13,567.50	13,567.50	0.00
14	Asphalt AC-15P or CRS-2P	2,893 GAL	6.85	19,817.05	2,893	19,817.05	19,817.05	0.00
15	Aggregate Material TY B GR 5 Underseal	65 CY	493.00	32,045.00	65	32,045.00	32,045.00	0.00
16	Aggregate Material TY PE GR 3 SAC-B Seal Coat	90 CY	376.00	33,840.00	90	33,840.00	33,840.00	0.00
17	D-GR HMA SQ TY D SAC-B PG64-22 Surf 2"	746 TON	148.50	110,781.00	746	110,781.00	110,781.00	0.00
18	Cement Stabilized Sand	411 CY	80.00	32,880.00	411	32,880.00	32,880.00	0.00
19	RC Pipe DES 1 CL III 23"x14" CSS	3,243 LF	170.00	551,310.00	3,243	551,310.00	551,310.00	0.00
20	RC Pipe DES 2 CL III 30"x19" CSS	1,382 LF	191.00	263,962.00	1,382	263,962.00	263,962.00	0.00
21	RC Pipe CL III 30" CSS	24 LF	135.00	3,240.00	24	3,240.00	3,240.00	0.00
22	Curb Inlet 3x5 3x5 Base CSS	11 EA	4,285.00	47,135.00	11	47,135.00	47,135.00	0.00
23	Curb Inlet 3.5x5 3.5x5 CSS	2 EA	4,660.00	9,320.00	2	9,320.00	9,320.00	0.00
24	Curb Inlet 3.5x7 3.5x7 CSS	1 EA	7,600.00	7,600.00	1	7,600.00	7,600.00	0.00
25	Curb Inlet 5x6 5x6 Base CSS	3 EA	7,800.00	23,400.00	3	23,400.00	23,400.00	0.00
26	Curb Inlet 6x6 6x6 Base CSS	2 EA	8,880.00	17,760.00	2	17,760.00	17,760.00	0.00
27	Junction Box 3x3 CSS	1 EA	3,335.00	3,335.00	1	3,335.00	3,335.00	0.00
28	Junction Box 3x4 CSS	1 EA	3,950.00	3,950.00	1	3,950.00	3,950.00	0.00
29	Junction Box 6x6 w/ Grate Top CSS	1 EA	7,610.00	7,610.00	1	7,610.00	7,610.00	0.00

To(OWNER): City of Port Lavaca
202 North Virginia Street
Port Lavaca, TX 77979-0105

From: LESTER CONTRACTING, inc.
P. O. BOX 986
PORT LAVACA, TX 77979
(361) 552-3024

Project: CITYOFPL/LAVACA & JUANITA ST I
LAVACA ST & JUANITA ST
GLO # 20-065-071-C198
Port Lavaca, TX 77979

Via(Architect/
Engineer)

Application No: 11
Invoice No: 2128611R
Invoice Date: 8/31/2023
Terms: Net 30
Due Date: 9/30/2023
Period To: 8/31/2023
Project No: CONTRACT
Contract Date: 12/16/2021

Page 3

For:

No.	Description	Total Quantity	Unit Cost	Total Cost	Completed Units	Current Value	Prior Value	Due This Request
30	Junction Box 7x7 w/ Grate Top CSS	1 EA	10,500.00	10,500.00	1	10,500.00	10,500.00	0.00
31	Remove & Relay Pipe 36" RCP	0 LF	80.00	0.00	0	0.00	0.00	0.00
32	Adjust Existing Manhole R&C To Grade	3 EA	1,000.00	3,000.00	3	3,000.00	3,000.00	0.00
33	Remove Storm Sewer Pipe 12" to 30"	14 EA	300.00	4,200.00	14	4,200.00	4,200.00	0.00
34	Mobilization	1 LS	55,000.00	55,000.00	1	55,000.00	55,000.00	0.00
35	Barricades, Signs and Traffic Handling	12 MO	225.00	2,700.00	12	2,700.00	2,700.00	0.00
36	Temporary Sediment Control Fence	0 LF	3.00	0.00	0	0.00	0.00	0.00
37	Temporary Sediment Control Fence Remove	0 LF	0.50	0.00	0	0.00	0.00	0.00
38	Concrete Curb & Gutter TY II Reinforced	7,395 LF	35.50	262,522.50	7,395	262,522.50	262,522.50	0.00
39	Concrete Driveways 4"	752 SY	125.00	94,000.00	752	94,000.00	94,000.00	0.00
40	Concrete Driveways 6"	76 SY	144.00	10,944.00	76	10,944.00	10,944.00	0.00
41	Driveways Gravel 6"	349 SY	40.50	14,134.50	349	14,134.50	14,134.50	0.00
42	Driveways Surface Treatment	98 SY	16.00	1,568.00	98	1,568.00	1,568.00	0.00
43	Concrete Sidewalk 4"	28 SY	155.00	4,340.00	28	4,340.00	4,340.00	0.00
44	Curb Ramp TY 1	1 EA	4,220.00	4,220.00	1	4,220.00	4,220.00	0.00
45	Remove & Reinstall Mailbox	0 EA	78.50	0.00	0	0.00	0.00	0.00
46	Remove & Relocate Roadside Signs	6 EA	160.00	960.00	6	960.00	960.00	0.00
47	Adjust Existing Water Valve	7 EA	295.00	2,065.00	7	2,065.00	2,065.00	0.00
48	Adjust Existing Water Meter to Grade	6 EA	145.00	870.00	6	870.00	870.00	0.00
49	Adjust Existing Sanitary Sewer Cleanout to Grade	1 EA	145.00	145.00	1	145.00	145.00	0.00
50	Remove & Install New 2" Water Valve	0 EA	715.00	0.00	0	0.00	0.00	0.00
51	Install 2" PVC SCH 40 Water Main CSS	0 LF	17.00	0.00	0	0.00	0.00	0.00
52	Install 6" PVC C900 Water Main CSS	0 LF	35.50	0.00	0	0.00	0.00	0.00
53	Locate & Connect to Existing 2" Water Main	0 EA	500.00	0.00	0	0.00	0.00	0.00
54	Locate & Connect to Existing 6" Water Main	0 EA	1,300.00	0.00	0	0.00	0.00	0.00
55	Short Water Service Adjustment	4 EA	1,100.00	4,400.00	4	4,400.00	4,400.00	0.00

Section VIII. Item #3.

To(OWNER): City of Port Lavaca
 202 North Virginia Street
 Port Lavaca, TX 77979-0105

From: LESTER CONTRACTING, inc.
 P. O. BOX 986
 PORT LAVACA, TX 77979
 (361) 552-3024

Project: CITYOFPL/LAVACA & JUANITA ST I
 LAVACA ST & JUANITA ST
 GLO # 20-065-071-C198
 Port Lavaca, TX 77979

Via(Architect/
 Engineer)

Application No: 11
 Invoice No: 2128611R
 Invoice Date: 8/31/2023
 Terms: Net 30
 Due Date: 9/30/2023
 Period To: 8/31/2023
 Project No: CONTRACT
 Contract Date: 12/16/2021

For:

No.	Description	Total Quantity	Unit Cost	Total Cost	Completed Units	Current Value	Prior Value	Due This Request
56	Long Water Service Adjustment	14 EA	2,100.00	29,400.00	14	29,400.00	29,400.00	0.00
57	2" Water Main Lowering at Storm Crossing	2 EA	325.00	650.00	2	650.00	650.00	0.00
58	6" Water Main Lowering at Storm Sewer Crossing	1 EA	1,950.00	1,950.00	1	1,950.00	1,950.00	0.00
59	Furnish & Install 6x6 Tee	0 EA	750.00	0.00	0	0.00	0.00	0.00
60	Furnish & Install 6x2 Tee	0 EA	560.00	0.00	0	0.00	0.00	0.00
61	Furnish & Install 2x2 Tee	0 EA	150.00	0.00	0	0.00	0.00	0.00
62	Furnish & Install 6" 45 Deg Bend	0 EA	430.00	0.00	0	0.00	0.00	0.00
63	Furnish & Install 2" 90 Deg Bend	0 EA	76.00	0.00	0	0.00	0.00	0.00
64	Exploratory Excavation by Contractor	5 HRS	290.00	1,450.00	5	1,450.00	1,450.00	0.00
65	Sanitary Sewer Service Adjustment/Lowering	13 EA	1,550.00	20,150.00	13	20,150.00	20,150.00	0.00
66	Project Sign	1 EA	305.00	305.00	1	305.00	305.00	0.00
67	3" Water Main Lowering	2 EA	1,150.00	2,300.00	2	2,300.00	2,300.00	0.00
68	Remove & Install New 4' Dia. Sanitary Sewer Manhole	2 EA	5,850.00	11,700.00	2	11,700.00	11,700.00	0.00
				<u>2,093,259.05</u>		<u>2,093,259.05</u>	<u>2,093,259.05</u>	<u>0.00</u>



COMMUNITY DEVELOPMENT & REVITALIZATION
The Texas General Land Office
Certificate of Construction Completion

Subrecipient: Calhoun County Contract #: 20-065-071-C198 Date: 11/2/2023

This is to certify that a final inspection of the project described below was conducted on 11/1/2023

Contract was entered into on 1/10/2022 between the city/county of Port Lavaca, Texas and

Lester Contracting Inc. for the construction of Street & Drainage Improvements (Phase 1 Lavaca & J)

This is to further certify that:

1. The work has been completed in accordance with the plans and specifications and all addenda, change orders, and supplemental agreements thereto, with the following exceptions:

none

2. The sum of n/a, deducted from the final payment to the Contractor is a fair and equitable settlement for the foregoing excepted work.

3. The Contractor has presented on behalf of itself and its sureties, satisfactory evidence that he or she will repair, replace or make good any faulty workmanship and/or materials discovered in the work within a period of one year from this date, as provided in the Contract.

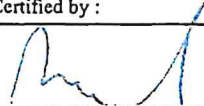
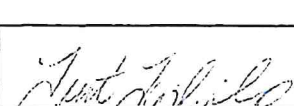

4. Amount of Original Contract:	<u>\$2,168,200.05</u>
Cumulative Change Orders:	<u>-\$74,941.00</u>
Final Amount of Contract:	<u>\$2,093,259.05</u>
Less Previous Payments:	<u>\$1,988,596.08</u>
Less Deductions (from #2 above):	<u>\$0.00</u>
FINAL PAYMENT (Balance):	<u>\$104,662.97</u>

5. The Final Payment in the amount above is now due and payable.

6. Final Quantities:

Activity Code (dropdown)	Project Name (from Performance Standard)	Description (What is your Activity?)	Quantity	Metric (dropdown)
4 - Street Improvements	Center Street	Street Reconstruction	380	Linear Feet
4 - Street Improvements	Lavaca Street	Street Reconstruction	1050	Linear Feet
4 - Street Improvements	Juanita Street	Street Reconstruction	1110	Linear Feet
4 - Street Improvements	Trinity Street	Street Reconstruction	440	Linear Feet
4 - Street Improvements	MLK Street	Street Reconstruction	790	Linear Feet
4 - Street Improvements	Mulberry St	Street Reconstruction	280	Linear Feet
5 - Flood and Drainage Facilities	Center Street	Curb & Storm Sewer Imp	380	Linear Feet
5 - Flood and Drainage Facilities	Lavaca Street	Curb & Storm Sewer Imp	1050	Linear Feet

COMMUNITY DEVELOPMENT & REVITALIZATION
The Texas General Land Office
Certificate of Construction Completion

Activity Code (dropdown)	Project Name (from Performance Standard)	Description (What is your Activity?)	Quantity	Metric (dropdown)
5 - Flood and Drainage Facilities	Juanita Street	Curb & Storm Sewer Imp	1110	Linear Feet
5 - Flood and Drainage Facilities	Trinity Street	Curb & Storm Sewer Imp	440	Linear Feet
5 - Flood and Drainage Facilities	MLK Street	Curb & Storm Sewer Imp	790	Linear Feet
5 - Flood and Drainage Facilities	Mulberry St	Curb & Storm Sewer Imp	280	Linear Feet
Certified by :				
				
Engineer's Signature		Contractor's Signature		Subrecipient's Signature
Randy P. Janak, Vice President		Trent Tagelabene, Vice President		Jack Whitlow, Mayor
Engineer's Name and Title (Printed)		Contractor's Name and Title (Printed)		Subrecipient Name and Title (Printed)
CivilCorp, LLC		Lester Contracting Inc.		Port Lavaca, Texas
Firm		Firm		City/County of

Disclaimer: The Texas General Land Office has made every effort to ensure the information contained on this form is accurate and in compliance with the most up-to-date CDBG-DR and/or CDBG-MIT federal rules and regulations, as applicable. It should be noted that the Texas General Land Office assumes no liability or responsibility for any error or omission on this form that may result from the interim period between the publication of amended and/or revised federal rules and regulations and the Texas General Land Office's standard review and update schedule.

COMMUNICATION

SUBJECT: Consider declaring City property as Surplus, being 3 vehicles from the Public Works Department and 3 vehicles from the Fire Department and authorize Interim City Manager to dispose of such in a reasonable manner. Presenter is Jody Weaver

INFORMATION:

CC MEETING November 13, 2023**DATE:** 11-07-2023**TO:** JODY WEAVER, INTERIM CITY MANAGER
cc: HONORABLE MAYOR AND CITY COUNCIL MEMBERS**FROM:** WAYNE SHAFFER, PUBLIC WORKS DIRECTOR**SUBJECT: SURPLUS ITEMS****BACKGROUND:**

The Public Works Department would like to declare three fleet vehicles (Units 25NVH, 24HHP4, and 253NVM) as surplus. These vehicles have been replaced with new vehicles per the Enterprise Agreement authorized in 2021. Notably, Calhoun County Precinct 2 is interested in the purchase of said vehicles.

Unit: 253NVH

VIN: 3GCPCNEC0HG217691

Year/Make/Model: 2017 Chevrolet Silverado 1500 WT 4x2 Crew Cab 5.75 ft. box 143.5 in. WB

Mileage: 47,929

Fair Market Value as calculated by Enterprise (i.e. what we could expect at auction) - \$9,500

Unit: 24HHP4

VIN: 1GB5CZCG4DZ221259

Year/Make/Model: 2013 Chevrolet Silverado 3500HD Work Truck 4x2 Extended Cab 8 ft. box 158.2 in. WB DRW

Mileage: 49,908

Fair Market Value as calculated by Enterprise (i.e. what we could expect at auction) - \$ 10,500

Unit: 253NVM

VIN: 1GCNCPEXXCZ128953

Year/Make/Model: 2012 Chevrolet Silverado 1500 Work Truck 4x2 Regular Cab 6.6 ft. box 119 in. WB

Mileage: 120907

Fair Market Value as calculated by Enterprise (i.e. what we could expect at auction) - \$2,000

FINANCIAL IMPLICATIONS: NONE**IMPACT ON COMMUNITY SUSTAINABILITY: NONE****RECOMMENDATION:**

Staff recommends declaration of surplus three fleet vehicles (units 253NVH, 24HHP4, and 253NVM) as surplus and authorize Interim City Manager to dispose of them in a reasonable manner.

CC MEETING: NOVEMBER 13, 2023

DATE: 11-08-2023

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

FROM: JOE REYES, FIRE CHIEF

SUBJECT: SURPLUS ITEMS

BACKGROUND:

The Fire Department would like to declare three fleet vehicles (Units 24HHNC, 24HHPB, and 24HHP8) as surplus. These vehicles have been replaced with new vehicles per the Enterprise Agreement authorized in 2021. Notably, Calhoun County Independent School District is interested in the purchase of said vehicles.

Unit: 24HHNC

VIN: IFT8W3BEA13098

Year/Make/Model: 2011 Ford F-350 XL 4x4 SD Crew Cab Styleside 55 ft.

Mileage: 26,115

Fair Market Value as calculated by Enterprise (i.e. what we could expect at auction) - \$6,500

Unit: 24HHPB

VIN: 1GCRCPEH2FZ364253

Year/Make/Model: 2015 Chevrolet Silverado 1500 WT 4x2 DBLR Cab 6.6 ft. box 143.5 in. WB

Mileage: 41,698

Fair Market Value as calculated by Enterprise (i.e. what we could expect at auction) –\$6,700

Unit: 24HHP8

VIN: 1FTNF205X9EA35690

Year/Make/Model: 2009 Ford F-250 XL 4x2 SD Regular Cab 8 ft. box 137 in. WB SRW

Mileage: 56,709

Fair Market Value as calculated by Enterprise (i.e. what we could expect at auction) - \$1,000

FINANCIAL IMPLICATIONS:

We expect to generate revenue close to the FMV which is what we could expect to receive at auction.

IMPACT ON COMMUNITY SUSTAINABILITY: NONE

RECOMMENDATION:

Staff recommends declaration of surplus three fleet vehicles (units 24HHNC, 24HHPB, and 24HHP8) as surplus and authorize Interim City Manager to dispose of them in a reasonable manner.

COMMUNICATION

SUBJECT: Consider recommendation of the Port Commission to award construction contract to Lester Contracting, Inc. for the replacement of the Corporation Ditch Drainage culvert at the Harbor of Refuge. Presenter is Jody Weaver

INFORMATION:

CITY OF PORT LAVACA

MEETING: NOVEMBER 13, 2023 AGENDA ITEM _____

DATE: 11.08.2023

TO: HONORABLE MAYOR AND CITY COUNCIL MEMBERS

FROM: JODY WEAVER, INTERIM CITY MANAGER

SUBJECT: HARBOR OF REFUGE RAILROAD CULVERT REPLACEMENT

New information since the last Council meeting where this item was passed upon until the November meeting:

- At the Port Commission meeting on October 17, the Port Commission voted 5 to 1 to recommend to Council to award a construction contract to Lester Contracting for this culvert replacement project. (Much of the discussion that led to this vote revolved around the many delays we have seen in getting access to awarded grant funds in the past and the added construction, engineering and administration costs involved with grants).
- On October 20, the application for the use of our CDBG-MIT allocation was submitted and did include replacing this culvert in the scope of the Corporation Ditch improvements.
- On October 24, we did receive communication from Union Pacific that they take no exceptions to the use of the 12 ga. Helical pipe and therefor we would be able to award the Alternate Bid No. 1 resulting in a contract amount of \$639,850.

Financial Impact:

As a reminder, Helena has offered to pay \$50,000 with no reimbursement or up to 25% of the construction cost to be reimbursed by the City over about 10+/- years.

To restate the dollars involved with the 12 ga helical lock seam:

Considering Helena's offer of 25% of \$639,850 = \$159,962.50

So, \$639,850 - \$300,000 budgeted in Gen Fund - \$159,962.50 = \$179,887.50 additional general fund dollars needed now.

If we accepted just the \$50K now, then we would need an additional \$289,850 now.

The adopted FY 2023-24 budget provides \$1,958,995.00 of remaining General Fund balance for capital improvement projects, and \$61,733 of remaining Port Revenue Fund balance for capital projects.

Recommendation:

The Port Commission has recommended that Council award a construction contract to Lester Construction in the amount of \$639,850.00 for this culvert replacement project.

BID TABULATION CITY OF PORT LAVACA HARBOR OF REFUGE RAILROAD CULVERT REPLACEMENT U.E. JOB #E25760.00 BID OPENING: SEPTEMBER 6, 2023					
Lester Contracting, Inc.					
ITEM NO.	DESCRIPTION	ESTIMATED QUANTITY	UNIT	UNIT PRICE	TOTAL PRICE
BASE BID					
GENERAL					
1.	Mobilization, Insurance and Bonds (Maximum 5% of Base Bid)	1	LS	\$ 28,000.00	\$ 28,000.00
2.	Barricading & Traffic Control (Furnish, Install, Maintain & Remove Signs & Warning Devices) (Includes Flagmen, Traffic Handling & Temporary Striping)	1	LS	\$ 2,000.00	\$ 2,000.00
3.	Construction Staking	1	LS	\$ 4,000.00	\$ 4,000.00
4.	Dewatering per Section 01563	1	LS	\$ 39,000.00	\$ 39,000.00
5.	Remove and Reinstall Railroad Track as required for Culvert Installation	1	LS	\$ 26,000.00	\$ 26,000.00
6.	Install new Railroad Tie (as directed by the Engineer)	10	EA	\$ 450.00	\$ 4,500.00
7.	Foundation Stone (3" x 5" Limestone, as directed by the Engineer)	250	TONS	\$ 75.00	\$ 18,750.00
8.	Storm Sewer (96" Polymer Coated, Galvanized Corrugated Metal Pipe)	200	LF	\$ 2,650.00	\$ 530,000.00
9.	Limestone Rip Rap (UPRR Class II)	600	TONS	\$ 160.00	\$ 96,000.00
10.	Trench Excavation Protection (Storm Sewer) (> 5' Cut)	200	LF	\$ 8.00	\$ 1,600.00
TOTAL BASE BID					\$ 749,850.00
ALTERNATE BID NO. 1					
A1.	Modify Pipe Specification (96" 12 ga, Helical Lock Seam, Polymer Coated Corrugated Metal Pipe)	200	LF	\$ (550.00)	\$ (110,000.00)
TOTAL ALTERNATE BID NO. 1					\$ (110,000.00)
TOTAL BASE BID + ALTERNATE BID NO. 1					\$ 639,850.00
CALENDAR DAYS TO SUBSTANTIAL COMPLETION					140

COMMUNICATION

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

INFORMATION:

COMMUNICATION

SUBJECT: 7. Return to Open Session and take any action deemed necessary with regard to matters in closed session. Presenter is Mayor Whitlow

INFORMATION:

